
A.L. 242 tal-2009**ATT DWAR IS-SIGURTÀ FL-IKEL
(KAP. 449)****Regolamenti ta' l-2009 li jemendaw ir-Regolamenti dwar Ilma
Maħsub għall-Konsum mill-Bniedem**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 10 ta' l-Att dwar is-Sigurtà fl-Ikel, il-Ministru għall-Politika Soċjali għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2009 li jemendaw ir-Regolamenti dwar Ilma Maħsub għall-Konsum mill-Bniedem, u għandhom jinqraw u jinftiehmha waħda mar-Regolamenti ta' l-2009 dwar Ilma Maħsub għall-Konsum mill-Bniedem, hawn iżjed 'il quddiem imsejnhin "ir-regolamenti prinċipali".

Titolu.

A.L. 17 ta' l-2009.

2. Ir-regolament 3 tar-regolamenti prinċipali għandu jiġi emendat kif ġejj:-

Jemenda r-regolament 3 tar-regolamenti prinċipali.

(a) minnufih wara t-tifsira "awtorità kompetenti" għandha tiżdied din it-tifsira ġdida li ġejja:

" "Awtorità dwar il-Liċenzji" tfisser dik l-awtorità li tista' tiġi mwaqqfa mill-Awtorità ta' Malta dwar ir-Rizorsi"; u

Kap. 423.

(b) minnufih wara t-tifsira "forniment privat tal-ilma" għandha tiżdied din it-tifsira ġdida li ġejja:

" "fornitur tal-ilma" tfisser kull persuna li tforni ilma maħsub għall-konsum mill-bniedem u tinkludi fornitur tal-ilma privat."

3. Fis-subregolament (2) tar-regolament 7 tar-regolamenti prinċipali, minflok il-kliem "skond ir-regolament 5" għandhom jidhru l-kliem "skond ir-regolament 6".

Jemenda r-regolament 7 tar-regolamenti prinċipali.

Jemenda r-regolament
9 tar-regolamenti
prinċipali.

4. Ir-regolament 9 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (2) tiegħu, minflok il-kliem “tittratta dik l-azzjoni rimedjali meħtieġa”, għandhom jidhlu l-kliem “tiġi trattata dik l-azzjoni rimedjali meħtieġa mill-fornitur tal-ilma”;

(b) minflok is-subregolament (3) tiegħu, għandu jidhol dan li ġej:

“(3) Sew jekk ikun hemm, sew jekk ma jkun hemm l-ebda nuqqas ta’ konformità mal-valuri parametriċi, meta xi forniment ta’ ilma maħsub għall-konsum mill-bniedem ikun jikkostitwixxi periklu potenzjali għas-saħħa tal-bniedem, l-awtorità kompetenti għandha tgħarraf lill-Awtorità dwar il-Liċenzji li għandha tipprojbixxi d-distribuzzjoni, jew tirrestringi l-użu ta’ dak l-ilma mill-fornitur tal-ilma involut skond ma jista’ jkun il-każ, jew għandha tiżgura li tittiehed kull azzjoni oħra li tista’ tkun meħtieġa biex thares is-saħħa tal-bniedem mill-fornitur tal-ilma. B’zjieda ma’ dan, il-fornitur tal-ilma, wara li jikkonsulta ma’ l-awtorità kompetenti, għandu minnufih jgħarraf b’dan lill-konsumaturi u jagħtihom kull parir meħtieġ.”;

(ċ) fis-subregolament (5) tiegħu, minflok il-kliem “taħt is-subregolament ta’ qabel” għandhom jidhlu l-kliem “taħt is-subregolament (3)”;

(d) fis-subregolament (7) tiegħu, minflok il-kliem “jkunu avżaw” għandhom jidhlu l-kliem “għandhom minnufih javżaw”.

Jemenda r-regolament
10 tar-regolamenti
prinċipali.

5. Ir-regolament 10 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (2) tiegħu, il-kliem “Il-Kummissjoni Ewropeja għandha tiegħu deċiżjoni fuq xi talba bħal dik fi żmien tliet xhur.” għandhom jithassru; u

(b) fis-subregolament (6) tiegħu, minflok il-kliem minn “hija għandha għaldaqstant tiżgura” sal-kliem “kundizzjonijiet li jkunu jirregolawha.” għandhom jidhlu l-kliem “hija għandha tiżgura li l-popolazzjoni li tiġi milquta

b'xi deroga b'hal dik tiġi minnufih mgħarrfa bid-deroga u bil-kundizzjonijiet li jkunu jirregolawha b'avviż li jiġi pubblikat fil-Gazzetta u b'kull mezz ieħor adatt għaldaqshekk.”.

6. Ir-regolament 12 tar-regolamenti prinċipali għandu jiġi emendat kif ġej: Jemenda r-regolament 12 tar-regolamenti prinċipali.

(a) minflok is-subregolament (1) tiegħu, għandu jidhol dan li ġej:

“(1) Il-fornituri tal-ilma għandhom jipubblikaw ta' kull tliet xhur sad-data li jkunu qegħdin, tagħrif dwar il-kwalità tal-ilma għall-konsum mill-bniedem fuq paġna ta' sit tal-*internet* li l-pubbliku jista' jara u li tiġi mwaqqfa għaldaqstant u, meta jkun hekk Prattiku li jsir, dawn għandhom jaraw ukoll li dak it-tagħrif ikun disponibbli għall-konsumaturi b'kull mezz elettroniku ieħor adatt.”;

(b) fis-subregolament (2) tiegħu, minflok il-kliem “għad-Direttiva tal-Kunsill 90/313/EEC tas-7 ta' Ġunju 1990 dwar l-aċċess liberu għal informazzjoni fuq l-ambjent” għandhom jidhlu l-kliem “għar-Regolamenti tal-2005 dwar il-Libertà ta' Aċċess għal Informazzjoni dwar l-Ambjent”; u A.L. 116 ta' l-2005.

(ċ) fis-subregolament (5) tiegħu, minflok il-kliem “li jkunu ttieħdu jew li jkunu ser jittieħdu biex jitwettqu l-obbligazzjonijiet tagħhom” għandhom jidhlu l-kliem “li tkun ħadet jew li tkun ser tieħu biex twettaq l-obbligazzjonijiet tagħha”.

7. Fi Skeda I li tinsab mar-regolamenti prinċipali, fil-paragrafu 2 tan-Nota 10 fit-Taqsima Ċ tagħha, minflok il-kliem “għandha tgħarraf” għandhom jidhlu l-kliem “l-awtorità kompetenti għandha tgħarraf”. Jemenda Skeda I li tinsab mar-regolamenti prinċipali.

8. Fi Skeda II li tinsab mar-regolamenti prinċipali, fin-Nota 2 tat-Tabella B1 tagħha, minflok il-kliem “minflok volum tal-ilma” għandhom jidhlu l-kliem “minflok il-volum tal-ilma”. Jemenda Skeda II li tinsab mar-regolamenti prinċipali.

L.N. 242 of 2009**FOOD SAFETY ACT
(CAP. 449)****Water Intended for Human Consumption (Amendment)
Regulations, 2009**

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister for Social Policy has made the following regulations:-

Citation.

1. The title of these regulations is the Water Intended for Human Consumption (Amendment) Regulations, 2009 and they shall be read and construed as one with the Water Intended for Human Consumption Regulations, 2009 hereinafter referred to as “the principal regulations”.

L.N. 17 of 2009.

Amends regulation
3 of the principal
regulations.

2. Regulation 3 of the principal regulations shall be amended as follows:-

(a) immediately after the definition “domestic distribution system” there shall be added the following new definition:

Cap. 423.

“ “Licensing Authority” means such authority as may be established by the Malta Resources Authority;”;
and

(b) immediately after the definition “water intended for human consumption” there shall be added the following new definition:

“ “water supplier” means any person who supplies water intended for human consumption and includes a private water supplier.”.

Amends regulation
7 of the principal
regulations.

3. In sub-regulation (2) of regulation 7 of the principal regulations, for the words “in accordance with regulation 5” there shall be substituted the words “in accordance with regulation 6”.

Amends regulation
9 of the principal
regulations.

4. Regulation 9 of the principal regulations shall be amended as follows:

(a) in sub-regulation (2) thereof, for the words “necessary remedial action is taken”, there shall be substituted the words “necessary remedial action is taken by the water supplier”;

(b) for sub-regulation (3) thereof, there shall be substituted the following:

“(3) Whether or not any failure to meet the parametric values has occurred, where any supply of water intended for human consumption constitutes a potential danger to human health, the competent authority shall inform the Licensing Authority which shall prohibit the distribution, or restrict the use, of such water by the water supplier concerned as the case may be, or shall ensure that any other action which may be necessary to protect human health is taken by the water supplier. In addition the water supplier, following consultation with the competent authority, shall promptly inform consumers and give the necessary advice.”;

(c) in sub-regulation (5) thereof, for the words “under the preceding sub-regulation” there shall be substituted the words “under sub-regulation (3)”;

(d) in sub-regulation (7) thereof, for the words “have notified” there shall be substituted the words “shall immediately notify”.

5. Regulation 10 of the principal regulations shall be amended as follows:

Amends regulation 10 of the principal regulations.

(a) in sub-regulation (2) thereof, the words “The European Commission shall take a decision on any such request within three months.” shall be deleted; and

(b) in sub-regulation (6) thereof, for the words from “then it shall ensure” to the words “conditions governing it.” there shall be substituted the words “it shall ensure that the population affected by any such derogation is immediately informed of the derogation and of the conditions governing it by notice published in the Gazette and through any other appropriate media.”.

Amends regulation
12 of the principal
regulations.

6. Regulation 12 of the principal regulations shall be amended as follows:

(a) for sub-regulation (1) thereof, there shall be substituted the following:

“(1) Water suppliers shall quarterly publish up to date information on the quality of water for human consumption on a publicly available internet web page set up for this purpose and, where so practicable, they shall also make such information available to consumers through any other suitable electronic media.”;

L.N. 116 of 2005.

(b) in sub-regulation (2) thereof, for the words “Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment” there shall be substituted the words “the Freedom of Access to Information on the Environment Regulations, 2005”; and

(c) in sub-regulation (5) thereof, for the words “they have taken or plan to take to fulfill their obligations” there shall be substituted the words “it has taken or plans to take to fulfill its obligations”.

Amends Schedule
I to the principal
regulations.

7. In Schedule I to the principal regulations, in paragraph 2 of Note 10 in Part C thereof, for the words “it shall communicate” there shall be substituted the words “the competent authority shall communicate”.

Amends Schedule
II to the principal
regulations.

8. In Schedule II to the principal regulations, in note 2 of Table B1 thereof, for the words “instead of volume of water” there shall be substituted the words “instead of the volume of water”.

