VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,587, 4 ta' Mejju, 2010
Taqsima B

A.L. 258 ta' l-2010

ATT DWAR IS-SERVIZZI VETERINARJI (KAP. 437)

Regoli ta' l-2010 li jemendaw ir-Regoli dwar il-Ħtiġiet ta' Saħħa ta' l-Annimali li Jirregolaw il-Kummerċ, u l-Importazzjoni fil-Komunità ta' Annimali, Semen, Ova u Embrijuni Mhux Soġġetti Għal Ħtiġiet ta' Saħħa ta' l-Annimali Stabbiliti f'Atti Speċifiċi tal-Komunità

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 10 tal-Att dwar is- Servizzi Veterinarji, il-Ministru għar-Riżorsi u Affarijiet Rurali, wara konsultazzjoni mal-Ministru għas-Saħħa, l-Anzjani u l-Kura tal-Komunita għamel dawn ir-regoli li ġejjin:-

Titolu u skop.

1. (1) It-titolu ta' dawn ir-regoli huwa Regoli tal-2010 li jemendaw ir-Regoli dwar il-Ħtiġiet ta' Saħħa tal-Annimali li Jirregolaw il-Kummerċ, u l-Importazzjoni fil-Komunità ta' Annimali, Semen, Ova u Embrijuni Mhux Soġġetti Għal Ħtiġiet ta' Saħħa ta' l-Annimali Stabbiliti f'Atti Speċifiċi tal-Komunità u għandhom jinqraw u jiftiehmu ħaġa waħda mar-Regoli tal-2009 dwar il-Ħtiġiet ta' Saħħa ta' l-Annimali li Jirregolaw il-Kummerċ, u l-Importazzjoni fil-Komunità ta' Annimali, Semen, Ova u Embrijuni Mhux Soġġetti Għal Ħtiġiet ta' Saħħa tal-Annimali Stabbiliti f'Atti Speċifiċi tal-Komunita` hawn aktar 'il quddiem msejħin "ir-regoli prinċipali".

A.L. 351 tal-2009.

Jemenda r-regola 1 tar-regoli prinċipali.

2. Minflok is-subregola (2) tar-regola 1 tar-regoli principali għandu jidhol dan li ġej:-

(2) L-iskop ta' dawn ir-regoli huwa li jitrasponu d-Direttiva 92/65/KEE li tistabbilixxi l-ħtiġiet ta' saħħa tal-annimali li jirregolaw il-kummerċ, u l-importazzjoni fil-komunità ta' annimali, semen, ova u embrijuni mhux soġġetti għal ħtiġiet ta' saħħa tal-annimali stabbiliti f'atti speċifiċi tal-komunità msemmija fi Skeda F li tinsab ma' dawn ir-regoli u għandhom japplikaw mingħajr preġudizju għad-

disposizzjonijiet adottati bis-saħħa ta' regolamenti u regoli tal-komunità oħrajn li jistgħu ikunu japplikaw f'dan ir-rigward u mingħajr preġudizzju għal regoli nazzjonali oħrajn li jkunu japplikaw għal annimali domestiċi.

Jemenda r-regola 6 tar-regoli prinċipali

3. Ir-regola 6 tar-regoli prinċipali għandha tiġi emendata kif ġej:-

(a) minflok is-subregola 1(e) tiegħu għandu jidħol dan li ġej:-

"(e) ikollhom magħhom ċertifikat li jkun skond il-mudell mogħti skond id-dikjarazzjoni stabbilita fl-Iskeda E li tinsab ma' dawn ir-regoli.";

(b) paragrafu (f) tas-subregola (1) tiegħu għandu jiġi mħassar;

(ċ) minflok paragrafu (b) tas-subregola (2) tiegħu għandu jidħol dan li ġej:-

"(b) meta dawn ma jkunux ġejjin minn merħla li tkun konformi mal-kundizzjonijiet stabbiliti fil-paragrafu (a) ta' din is-subregola, dawn għandhom ikunu ġejjin minn stabbiliment li fih l-ebda każ ta' bruċellożi jew tuberkolożi ma jkunu ġew reġistrati matul l-aħħar 42 jum preċedenti għat-tgħabija tal-annimali u li fih r-ruminanti jkunu, fit-30 jum qabel il-konsenja, ġew soġġetti għal test għall-bruċellożi u t-tuberkolożi b'riżultati negattivi."; u

minflok is-subregola (4) tiegħu għandu jidħol dan li ġej:-

"(4) Il-ħtiġiet tat-testijiet imsemmija f'din ir-regola u l-kriterji tagħhom jistgħu ikunu stabbiliti skond il-proċedura li tikkonċerna l-verifiki veterinarji skond ir-subregola (2) tar-regola 3 ta' dawn ir-regoli. Dawk id-deċiżjonijiet għandhom jieħdu in kunsiderazzjoni il-każ tar-ruminati li jkunu mrobbija f'reġjuni arktiċi tal-Komunità. Pendenti id-deċiżjonijiet stabbiliti f'din is-subregola, ir-regoli nazzjonali għandhom jibqgħu japplikaw.".

Jemenda r-regola 11 tar-regoli prinċipali

4. Minflok ir-regola 11 tar-regoli prinċipali għandu jidħol dan li ġej:-

"11. (1) L-Awtorità kompetenti għandha tiżgura li semen, ova u embrijuni biss li jkunu konformi mal-kundizzjonijiet stabbiliti fis-subregoli (2), (3), (4) u (5) ta' din ir-regola għandhom ikunu soġġetti għall-kummerċ.

2. Mingħajr preġudizzju għal xi kriterji li għandu jkun hemm konformità magħhom għad-dħul ta' ekwidi f'kotba bir-razez taż-żwiemel tat-tiġrija għal ċertu tnissil speċifiku semen ta' ovini, kaprini u speċi ekwini għandhom:

(a) ikunu nġabru, ġew proċessati u maħżuna bil-għan għal inseminazzjoni artifiċjali f'ċentru approvat mil-lat ta' saħħa skond l-Iskeda D(I) li tinsab ma' dawn ir-regoli, jew, fil-każ ta' annimali ovini u kaprini bħala deroga għal dak imsemmi hawn qabel, fi stabbiliment li jkun konformi mal-ħtiġiet tar-Regoli tal-2005 dwar il-Kundizzjonijiet ta' Saħħa li Jirregolaw il-Kummerċ Intra-Komunitarju fl-Ovini u Kaprini; A.L. 293 ta' l-2005.

(b) ikunu nġabru minn annimali li jkunu konformi mal-kundizzjonijiet stabbiliti fi Skeda D(II) li tinsab ma' dawn ir-regoli;

(ċ) ikunu nġabru, ġew proċessati, preservati, maħżuna u trasportati skond l-Iskeda D(III) li tinsab ma' dawn ir-regoli; u

(d) jkollhom magħhom matul it-trasport lejn Stat Membru ieħor ċertifikat tas-saħħa li jkun jikkorrispondi għal mudell li għandu jiġi stabbilit skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli.

3. Ova u embrijuni ta' speċi ovini, kaprini, ekwini u porċini għandhom:

(a) ikunu ttieħdu minn donaturi femminili li jkunu konformi mal-kundizzjonijiet stabbiliti fl-Iskeda D(IV) minn għaqda ta' ġbir jew ġew prodotti minn għaqda ta' produzzjoni approvata mill-Awtorita` kompetenti u li tkun konformi mal-kundizzjonijiet li jridu jiġu stabbiliti fl-Iskeda D(I) skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli;

(b) ikunu nġabru, ġew proċessati u preservati f'laboratorju adatt, maħżuna u trasportati skond l-Iskeda D(III); u

(ċ) ikollhom magħhom matul it-trasport lejn Stat Membru ieħor ċertifikat tas-saħħa li jkun jikkorrispondi għal mudell li għandu jiġi stabbilit skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli. Semen użat għall-inseminazzjoni ta' donaturi femminili għandu jkun konformi mad-disposizzjonijiet tas-subregola 2 ta' din ir-regola fil-każ ta' nagħaġ, mogħoż u ekwidi u mad-disposizzjonijiet tad-Direttiva 90/429/KEE li tistabbilixxi l-ħtiġiet ta' saħħa tal-annimali li jkunu japplikaw għal kummerċ intra-Komunitarju u importazzjonijiet ta'semen ta' annimali domestiċi tal-ispeċi porċina fil-każ tal-majjali. Kull garanzija addizzjonali oħra tista' tiġi stabbilita skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli.

4. Iċ-ċentri approvati msemmija fis-subregola 2(a) ta' din ir-regola u l-għaqdiet approvati msemmija fis-subregola 3(a) ta' din ir-regola għandhom jiġu reġistrati mill-Awtorità Kompetenti, filwaqt li kull ċentru u għaqda tingħata numru ta' reġistrazzjoni veterinarja. L-Awtorita` kompetenti għandha tfassal u żżomm aġġornata lista ta' dawk iċ-ċentri approvati u għaqdiet u n-numri ta' reġistrazzjoni veterinarja tagħhom u għandha tara li tagħmel dan disponibbli għall-Istati Membri l-oħra u għall-pubbliku. Ir-regoli dettaljati għall-applikazzjoni uniformi ta' din is-subregola jistgħu jiġu adottati skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli.

5. Il-ħtiġiet ta' saħħa tal-annimali u l-mudelli taċ-ċertifikati tas-saħħa applikabbli għal semen, ova u embrijuni ta' speċi mhux imsemmijin fis-subregoli (2) u (3) ta' dawn ir-regoli għandhom ikunu stabbiliti skond il-proċedura li tikkonċerna l-verifiki veterinarji skond is-subregola (2) tar-regola 3 ta' dawn ir-regoli. Pendenti l-istabbiliment tal-ħtiġiet ta' saħħa tal-annimali u l-mudelli taċ-ċertifikati tas-saħħa għall-kummerċ ta' dawn is-semen, l-ova u l-embrijuni, għandhom jibqgħu japplikaw ir-regoli nazzjonali.".

Iżid Skeda ġdida mar-regoli prinċipali.

5. Minnufih wara Skeda E li tinsab mar-regoli prinċipali għandha tidħol din l-Iskeda ġdida li ġejja:-

“**Skeda F**
Regolament 1(2)

Id-Direttiva tal-Kunsill 64/432/KEE tas-26 ta’ Ġunju 1964 dwar il-problemi tas-saħħa ta’ annimali li jaffettwaw il-kummerċ intra-Komunitarju fl-annimali bovini u l-majjali kif trasposi bir- Regolamenti tal-2004 dwar Problemi ta’ Saħħa fl-Annimali li Jolqtu l-Kummerċ Intra-Komunitarju f’Annimali Bovini u Majjali

Id-Direttiva tal-Kunsill 88/407/KEE ta’ l-14 ta’ Ġunju 1988 dwar il-ħtiġiet tas-saħħa ta’ annimali applikabbli għal-kummerċ intra-Komunitarju u l-importazzjoni ta’ semen friżata ta’ annimali domestiċi ta’ l-ispeċi bovini

Id-Direttiva tal-Kunsill 89/556/KEE tal-25 ta’ Settembru 1989 dwar il-kundizzjonijiet tas-saħħa ta’ l-annimali li jirregolaw il-kummerċ intra-Komunitarju u l-importazzjoni minn pajjiżi terzi ta’ embrijuni tal-annimali domestiċi ta’ l-ispeċi bovini

Id-Direttiva tal-Kunsill 90/426/KEE tas-26 ta’ Ġunju 1990 dwar il-kundizzjonijiet tas-saħħa ta’ l-annimali li jirregolaw il-moviment u l-importazzjoni minn pajjiżi terzi tal-ekwidi kif trasposta bir- Regoli tal-2005 dwar il-Kundizzjonijiet tas-Saħħa tal-Annimali li jirregolaw il-Moviment u l-Importazzjoni ta’ l-Ekwini minn Pajjiżi Terzi

Id-Direttiva tal-Kunsill 90/429/KEE tas-26 ta’ Ġunju 1990 dwar il-ħtiġiet tas-saħħa ta’ l-annimali applikabbli għal kummerċ intra-Komunitarju u l-importazzjoni ta’ semen friżata tal-annimali domestiċi tal-ispeċi porċini

Id-Direttiva tal-Kunsill 90/539/KEE tal-15 ta’ Ottubru 1990 dwar il-kundizzjonijiet tas-saħħa ta’ l-annimali li jirregolaw il-kummerċ intra-Komunitarju u l-importazzjoni minn pajjiżi terzi ta’ tjur u bajt tat-tfaqqis

Id-Direttiva tal-Kunsill 2006/88/EC dwar il-ħtiġiet ta’ saħħa ta’ l-annimali u l-prodotti tagħhom u dwar il-prevenzjoni u kontroll ta’ ċertu mard f’annimali akwatiċi kif trasposta bir-Regoli tal-2009 dwar il-Ħtiġiet ta’ Saħħa ta’ l-Annimali u l-Prodotti Tagħhom u Dwar il-Prevenzjoni u Kontroll ta’ Ċertu Mard f’Annimali Akwatiċi

Id-Direttiva tal-Kunsill 91/68/KEE tat-28 ta’ Jannar 1991 dwar il-kundizzjonijiet tas-saħħa ta’ l-annimali li jirregolaw il-kummerċ intra-Komunitarju fl-annimali ovini u kaprini kif trasposta bir-Regoli tal-2005 dwar il- Kundizzjonijiet tas-Saħha li jirregolaw il-Kummerċ Intra-Komunitarju ta’ Annimali Ovini u Kaprini

Id-Direttiva tal-Kunsill 2004/68/KE tas-26 ta’ April 2004 li tistabbilixxi r-regoli tas-saħħa ta’ l-annimali għall-importazzjoni lejn u t-transitu matul il-Komunità għal ċerti annimali ungulati ħajjin, u temenda d-Direttivi 90/426/KEE u 92/65/LEE u tħassar id-Direttiva 72/462/KEE.”.

L.N. 258 of 2010

MALTA VETERINARY SERVICES ACT

(CAP. 437)

Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts, (Amendment) Rules 2010

IN EXERCISE of the powers conferred by article 10 of the Veterinary Services Act, the Minister for Resources and Rural Affairs after consultation with the Minister for Health, the Elderly and Community Care, has made the following rules:-

Title and scope.

1. The title of these rules is Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts (Amendment) Rules 2010, and they shall be read and construed as one with the Animal Health Requirements Governing Trade and Imports into the Community of Animals, Semen, Ova and Embryos not Subject to Animal Health Requirements laid down in Specific Community Acts, Rules 2009, hereinafter referred to as "the principal rules".

L.N. 351 of 2009.

Amends rule 1 of the principal rules.

2. For sub-rule (2) of rule 1 of the principal rules, there shall be substituted the following:-

"(2) The scope of these rules is to transpose Directive 92/65/EEC laying down animal health requirements governing trade and imports into the community of animals, semen, ova and embryos not subject to animal health requirements laid down in the specific Community acts referred to in Schedule F to these rules and shall apply without prejudice to the provisions adopted pursuant to other rules and community rules which may apply in this regard and without prejudice to other national rules governing pet animals.".

Amends rule 6 of the principal rules.

3. Rule 6 of the principal rules shall be amended as follows:-

(a) for sub-rule 1 (e) thereof there shall be substituted the following:-

"(e) they are accompanied by a certificate corresponding to the specimen given in terms of the declaration laid down in Schedule E to these rules.";

(b) paragraph (f) of sub-rule (1) thereof shall be deleted;

(c) for paragraph (b) of sub-rule (2) thereof there shall be substituted the following:-

"(b) where they do not come from a herd meeting the conditions laid down in paragraph (a) hereof, they have come from a holding in which no case of brucellosis or tuberculosis has been recorded in the 42 days preceding the loading of the animals and in which the ruminants have, in the 30 days prior to dispatch, undergone with negative results a test for brucellosis and tuberculosis."; and

for sub-rule (4) thereof there shall be substituted the following:-

"(4) The testing requirements referred to in this rule and their criteria may be established in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Such decisions shall take into consideration the case of ruminants reared in the arctic regions of the Community. Pending the decisions provided for in this sub-rule, national rules shall continue to apply.".

4. For rule 11 of the principal rules there shall be substituted the following:- Amends rule 11 of the principal rules.

"11. (1) The competent Authority shall ensure that only semen, ova and embryos meeting the conditions laid down in sub-rules (2), (3), (4) and (5) hereof shall be subject to trade.

(2) Without prejudice to any criteria to be complied with for the entry of equids in stud books for certain specific breeds semen of the ovine, caprine and equine species shall:

(a) have been collected, processed and stored with a view to artificial insemination in a centre approved from the health point of view in accordance with Schedule D(I) to these rules, or, in the case of ovine and caprine animals by way of derogation from the above, in a holding satisfying the requirements contained in the provisions of the Health Conditions governing Intra-Community Trade in Ovine and Caprine Animals Rules, 2005;

L.N. 293 of 2005.

(b) have been collected from animals meeting the conditions laid down in Schedule D(II) to these rules;

(c) have been collected, processed, preserved, stored and transported in accordance with Schedule D(III) to these rules; and

(d) have been accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules.

(3) Ova and embryos of the ovine, caprine, equine and porcine species shall:

(a) have been removed from donor females meeting the conditions laid down in Schedule D(IV) to these rules by a collection team or have been produced by a production team approved by the competent Authority and satisfying the conditions to be established in Schedule D(I) hereof in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules;

(b) have been collected, processed and preserved in an appropriate laboratory, stored and transported in accordance with Schedule D(III) to these rules; and

(c) be accompanied during transport to another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Semen used for the insemination of donor females shall comply with the provisions of sub-

rule (2) hereof in the case of sheep, goats and equids and with the provisions of Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species. Any additional guarantees may be determined in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules .

(4) The approved centres referred to in sub-rule (2) (a) of this rule and the approved teams referred to in sub-rule (3) (a) of this rule shall be registered by the competent Authority, each centre and team being given a veterinary registration number. The competent Authority shall draw up and keep up to date a list of those approved centres and teams and their veterinary registration numbers and shall make it available to the other Member States and to the public. Detailed rules for the uniform application of this paragraph may be adopted in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules.

(5) The animal health requirements and the specimen health certificates applicable to semen, ova and embryos of species not mentioned in sub-rules (2) and (3) hereof shall be established in accordance with the procedure concerning veterinary checks in terms of rule 3(2) of these rules. Pending the establishment of animal health requirements and specimen health certificates for trade in such semen, ova and embryos, national rules shall continue to apply.".

5. Immediately after Schedule E to the principal rules there shall be added the following new Schedule:- Adds new Schedule to the principle rules.

"Schedule F

Regulation 1(2)

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine as transposed by the Animal Health Problems affecting Intra-Community Trade in Bovine Animals and Swine Regulations, 2004

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of Equidae as transposed by the Animal Health Conditions governing the Movement and Import from Third Countries of Equidae Rules, 2005

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species

Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs

Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof and on the prevention and control of certain diseases in aquatic animals as transposed by the Animal Health Requirements For Aquaculture Animals and of Products Thereof, and on the Prevention and Control of Certain Diseases in Aquatic Animals Rules, 2009

Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals as transposed by the Health Conditions governing Intra-Community Trade in Ovine and Caprine Animals Rules, 2005

Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC.".

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