


## **Electricity, Fuels & Environmental Legislation:**

### **EU Legislation & National Legal Notices Summary**

#### **Revision List**

Revision No.	Description	Written By/ Reviewed By	Date
0	Original Version	C. Brincat	September 2006
1	Revised Version (update)	C. Brincat	September 2007
2	Revised Version (update)	C. Brincat	October 2008
3	Revised Version (update)	C. Brincat	October 2009
4	Revised Version (update)	C. Brincat	September 2010
5	Revised Version (update)	C. Brincat	October 2010
6	Revised Version (update)	C. Brincat	December 2010
7	Revised Version (update)	C. Brincat	April 2011
8	Revised Version (update)	C. Brincat	November 2011
9	Revised Version (update)	C. Brincat	December 2011
10	Revised Version (update)	C. Brincat	December 2012
11	Revised Version: update and amendment as an EMS Controlled Document	C. Brincat	June 2013
12	Revised Version: (update)	C. Abela	June 2014
13	Revised Version: update and inclusion of index table	C. Abela	June 2015
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## 1. References


EN ISO 14001:04, clause 4.3.2

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## General Note

The list below is an update position on the main EU legislation that are of relevance to Enemalta plc in respect of energy, fuels and the environment, and in view of its obligations to the Authorities concerned and as existing to date. It also lists the Maltese Legal Notices that have been transposed to date in respect of the various areas included in this document.

The list endeavours to cover most of the laws to date, but it is strongly recommended that websites of the competent Authority (MEPA, MRA, etc.) are checked for any additions or changes.


Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>A</b>	<b>ENERGY &amp; ELECTRICITY</b>					
<b>A1</b>	<a href="#">2009/72/EC</a>  <i>Repealing Directive</i> <a href="#">2003/54/EC</a>  <i>Repealing Directive</i> <a href="#">96/92/EC</a>	Electricity Market Regulations	<a href="#">S.L. 545.13</a> <a href="#">L.N. 166 of 2011.</a> Malta Resources Authority Act (CAP. 423) Electricity Market Regulations, 2011  <i>In force</i>  <i>Amended by</i>  <a href="#">L.N. 132 of 2012</a> Malta Resources	MRA <sup>1</sup>	MPS <sup>2</sup> DPS <sup>3</sup> EDist <sup>4</sup>	These regulations establish common rules for the generation, transmission, distribution & supply of electricity, together with consumer protection provisions, with a view to improving and integrating competitive electricity markets in the Community. These regulations also lay down: <ul style="list-style-type: none"> <li>(a) The rules relating to the organization and functioning of the electricity sector</li> <li>(b) Open access to the market where applicable, the criteria and procedures applicable to calls for tenders and the granting of authorizations and the operation of systems;</li> <li>(c) Universal service obligations and the rights of electricity consumers and clarification of competition requirements</li> </ul> These regulations also establish measures for the safeguarding of security of electricity supply so as to ensure the proper functioning

<sup>1</sup> Malta Resources Authority


<sup>2</sup> Marsa Power Station

<sup>3</sup> Delimara Power Station


<sup>4</sup> Electricity Distribution (including Planning section)

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Authority Act (CAP. 423) Electricity Market (Amendment) Regulations, 2012 <i>and</i> <i>Acts XXXIV of 2014 and XXV of 2015</i>  <i>Revoking</i> <i>LN511 of 2004</i>			of the market for electricity and to ensure an adequate level of generation capacity, an adequate balance between supply and demand, and an appropriate level of interconnection.  <i>Relevance to EM: affects directly its core business (generation &amp; distribution of electricity)</i>
A2	<b>2009/28/EC</b> Repealing <b>Directive 2001/77/EC</b> And <b>2003/30/EC</b>	Promotion of Energy from Renewable Sources Regulations	<b>S. L. 545.11</b> <b>L.N. 538 of 2010</b> Promotion of Energy from Renewable Sources Regulations  Amended by <b>L.N. 210 of 2012</b> Malta Resources Authority Act(CAP. 423) Building Regulation Act (CAP. 513)	MRA	MPS DPS EDist	These regulations transpose EU directive on the promotion of the use of energy from renewable sources. To promote an increase in renewable energy sources to electricity production and establish national targets and support schemes for their generation and use.  Relevance to EM: affects directly its core business (generation and distribution of electricity)

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Environment and Development Planning Act (CAP. 504) Promotion of Energy from Renewable Sources (Amendment) Regulations, 2012  <b>L.N. 471 of 2014</b> Malta Resources Authority Act (CAP. 423) Promotion of Energy from Renewable Sources (Amendment) Regulations, 2014 and <b>Act XXV of 2015</b>			
<b>B</b>	<b>ENERGY EFFICIENCY</b>					
<b>B1</b>	<b>2012/27/EU</b> As amended by <b>Council Directive 2013/12/EU</b>  Amending Directives <b>2010/30/EU</b> <b>2009/125/EC</b>	Energy end-use efficiency & energy services	<b>S.L. 545.21</b> <b>L.N. 196 of 2014</b>  Energy End-use Efficiency and Energy Services Regulations	MRA	MPS DPS EDist	Aims to enhance the cost-effective improvement of energy end-use efficiency in the Member States by “providing the necessary indicative targets as well as mechanisms, incentives and institutional, financial and legal frameworks to remove existing market barriers and imperfections that impede the efficient end use of energy”.  <i>Relevance to EM: affects directly its core business (generation &amp;</i>


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	Repealing <b>Directives</b>  <b>2006/32/EC</b> <b>As amended by</b> <b>Regulation (EC) No</b> <b>1137/2008</b> <b>&amp;</b> <b>2004/8/EC</b>  <i>Repealing <b>Directive</b></i>  <b>93/76/EEC</b>		revoking <b>L.N 289 of 2008</b> as amended by <b>Act XXV of 2015</b> Malta Resources Authority Act (CAP. 423) Energy End-use Efficiency and Energy Services Regulations, Except Regulation 4(1) to 4(4) and the 1 <sup>st</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> Schedules to be revoked from <u><b>1<sup>st</sup> January 2017</b></u>			distribution of electricity).
<b>B2</b>	<b>2010/31/EU</b>  <i>Repealing Directive</i>  <b>2002/91/EC</b>	Energy performance of buildings	<b>SL 513.04</b> <b>LN 434 of 2015</b> Malta Resources Authority Act (CAP. 423) Conservation of Fuel, Energy and Natural Resources (Minimum Requirements on the Energy Performance of	MRA	MPS DPS EDist	The LN excludes the power station generation buildings from scope.


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Buildings Regulations, 2006) Technical Guidance F  <i>Repealing</i>  <b>LN 238 of 2006</b>			
			<b>S.L. 513.01</b>  <b>LN 376 of 2012</b> <b>As amended by</b> <b>LN 48 of 2014 and</b> <b>ACT XXV of 2015</b> Malta Resources Authority Act (Cap. 423) Energy Performance of buildings Regulations  <i>Revoking</i> <b>SL 423.33</b> <b>LN 261 of 2008</b>  As amended by <b>LN 184 of 2012</b>	MRA	MPS DPS EDist	These regulations transpose Directive 2010/31/EU on the energy performance of buildings and to give effect to its provisions. These regulations promote the improvement of the energy performance of buildings within the European Union, taking into account outdoor climatic and local conditions, as well as indoor climate requirements and cost-effectiveness.




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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>B3</b>	<b>Regulation (EU) No. 206/2012</b>	implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans	No L.N. published to date	MRA	MPS DPS EDist	<p>This Regulation establishes eco-design requirements for the placing on the market of electric mains-operated air conditioners with a rated capacity of <math>\leq 12</math> kW for cooling, or heating if the product has no cooling function, and comfort fans with an electric fan power input <math>\leq 125</math>W.</p> <p>It does not apply for:</p> <ul style="list-style-type: none"> <li>• appliances that use non-electric energy sources</li> <li>• air conditioners of which the condenser-side or evaporator-side, or both, do not use air for heat transfer medium.</li> </ul> <p><i>Relevance to EM:</i> affects procurement requirements of a/c's and fans.</p>
<b>C</b>	<b>FUELS</b>					
<b>C1</b>	<b>2006/67/EC</b>  <i>Repealing Directives</i>  <b>68/414/EEC,</b> <b>72/425/EEC,</b> <b>98/93/EC</b>	Obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products	<b>S.L. 545.09</b>  <b>LN 109 of 2013 as amended by Act XXV of 2015</b> Maintenance of Minimum Stocks of Crude Oil and Petroleum Products Regulations, 2013  <i>Repealing</i>  <b>LN 237 of 2002</b>	MRA	MPS DPS	<p>To establish minimum stock levels of crude oil and/or petroleum products &amp; their management.</p> <p><i>Relevance to EM:</i> affects directly its core business (fuels stock levels) given that Enemalta is a “market operator” (although the market operators are not explicitly mentioned, it is considered that Enemalta is one).</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			<i>As amended by</i> <b>L.N. 426 of 2007</b> Adaptation of Laws (Chapters 401 - 450) Order, 2007			
<b>C2</b>	<b>93/12/EEC</b>  As amended by Directive <b>2016/802/EC</b>  And Repealing <b>1999/32/EC and amendments</b>	Reduction in the sulphur content of certain liquid fuels	<b>L.N. 159 of 2002</b> Reductions in the Sulphur Content of certain Liquid Fuels Regulations, 2002  <i>Amended by</i> <b>L.N. 163 of 2004</b> Reductions in the Sulphur Content of Certain Liquid Fuels (Amendment) Regulations, 2004  <i>Amended by</i> <b>LN 279 of 2009</b> Reductions in the Sulphur content of certain liquid fuels	MEPA <sup>5</sup>	MPS DPS	The Directive lays down the maximum sulphur content of heavy fuel oil, gasoil, marine gasoil and marine diesel oil used in the union.  <i>Relevance to EM:</i> affects directly its core business (quality of fuel used)


<sup>5</sup> Malta Environmental Planning Authority

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			(Revocation) Regulations			
<b>C3</b>	<b>No equivalent EU directive</b>		<p><b>S. L 423.28</b></p> <p><b>L.N. 278 of 2007</b> Petroleum for Inland (Wholesale) Fuel Market Regulations, 2007</p> <p>As amended by <b>LN 426 of 2007</b></p> <p>As amended by <b>LN 33 of 2010</b></p> <p>As amended by <b>LN 68 of 2011</b></p> <p>As amended by <b>LN 100 of 2012</b> <b>LN 184 of 2012</b></p> <p>As amended by <b>LN 367 of 2013</b></p>	MRA	MPS DPS	<p>This requires the registration of petroleum products storage facilities with MRA. To regulate those who operate in the inland wholesale fuel market of petroleum or operate a primary storage facility.</p> <p>“primary storage facility” means an authorised facility approved by MRA to store petroleum products, whether onshore or offshore, which falls within the scope of the Control of Major Accident Hazard Regulations, and, or any storage facility used for wholesale purposes, or any other storage facility designated to this end by MRA. These regulations also include those installations that are non-COMAH sites.</p> <p><i>Relevance to EM:</i> to date these regulations applies for Marsa and Delimara installations.</p>



Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>D</b>	<b>ENVIRONMENTAL LIABILITIES &amp; EIA'S</b>					
<b>D1</b>	<p><a href="#">2004/35/EC</a></p> <p>As amended by <a href="#">2006/21/EC</a></p> <p>As amended by <a href="#">2009/31/EC</a></p> <p>As amended by <a href="#">2013/30/EU</a></p>	Environmental liability with regard to the prevention and remedying of environmental damage	<p><a href="#">S.L. 549.97</a></p> <p><a href="#">LN 280 of 2015</a></p> <p>Prevention and Remedying of Environmental Damage Regulations</p> <p><i>Repealing</i></p> <p><a href="#">L.N. 126 of 2008</a> - Environment Protection Act (CAP. 435) Development Planning Act (CAP. 356) Prevention and Remedying of Environmental Damage Regulations, 2008</p> <p>Amended by <a href="#">L.N. 439 of 2011</a> Environment and Development</p>	MEPA	MPS DPS EDist	<p>The purpose of these regulations is to establish a framework of environmental liability based on the polluter-pays principle, to prevent and remedy environmental damage and to implement the provisions of Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004.</p> <p><i>Relevance to EM:</i> these regulations apply to those installations which fall under the IPPC regulations, hence applies for both Marsa and Delimara installations.</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Planning Act (Cap. 504) Prevention and Remedying of Environmental Damage (Amendment) Regulations, 2011.  <i>Revoking:</i> <b>L.N. 121 of 2008</b>			
<b>D2</b>	<b>85/337/EC</b>  <i>Amended by</i> <b>97/11/CE</b> <b>2003/35/CE</b>	Assessment of the effects of certain public and private projects on the environment  Public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to	<b>S.L. 549.46</b>  <b>L.N. 114 of 2007</b> - Development Planning Act (CAP. 356) Environment Protection Act (CAP. 435) Environmental Impact Assessment Regulations, 2007 Arrangement of Regulations  <i>Amended by:</i> <b>LN 425 of 2007</b>	MEPA	MPS DPS EDist	An environmental impact assessment is intended to identify, describe and assess in an appropriate manner, in the light of each individual proposal for development and in accordance with the provisions of these regulations, the direct and indirect effects of that development on fauna & flora, soil, water, climate, landscape, and the non-living components of the environment.  New plants or modifications to existing plants may require and environmental impact assessment before the authorisation. (L.N. 114 of 2007 – part II, Article (5)).  <i>Relevance to EM:</i> affects new power plants or electrical cables or enlargement of existing according with Schedules annexed to the L.N. 114 of 2007.




Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission	<p>Euro Adoption Act, 2006 (Act X of 2006) Adaptation of Laws (Chapters 351 - 400) Order, 2007</p> <p>As amended by</p> <p><b>L.N. 438 of 2011</b> Environment and Development Planning Act (Cap. 504) Environmental Impact Assessment (Amendment) Regulations, 2011</p> <p>As amended by</p> <p><b>LN 211 of 2015</b> <b>LN 263 of 2015</b></p> <p>As amended by</p> <p><b>LN 81 of 2016</b></p>			

Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>E</b>	<b>WASTE</b>					
<b>E1</b>	<p><b>Directive 2008/98/EC &amp;</b></p> <p>Amended by</p> <p><b>Commission Regulation (EU) No 1357/2014</b></p> <p><b>Commission Directive (EU) 2015/1127</b></p> <p><i>repealing 3 Directives:</i></p> <p><b>1. 2006/12/EC</b></p> <p><i>(consolidates &amp; repeals Directive 75/442/EEC – [Waste Framework Directive])</i></p> <p><b>2. 91/689/EEC</b></p> <p><i>And amendments in Directive</i></p> <p><b>94/31/EC</b></p>	<p>on waste &amp; repealing certain Directives</p> <p>on waste [management, disposal &amp; recovery]</p> <p>on hazardous waste</p> <p>Council Directive 94/31/EC of 27 June 1994 amending Directive 91/689/EEC on hazardous waste</p> <p>Disposal of waste oils [Waste Oils</p>	<p><b>S.L. 504.37</b></p> <p><b>L.N. 184 of 2011</b> Environment and Development Planning Act (CAP. 504) The Waste regulations, 2011</p> <p><i>As amended by</i></p> <p><b>L.N 441 of 2011</b> Environment and Development Planning Act (Cap. 504) The Waste (Amendment) Regulations, 2011</p> <p><b>LN 384 of 2012</b> Environment and Development Planning Act (CAP. 504) Waste (Amendment) Regulations, 2012</p> <p><i>As amended by</i></p>	MEPA	MPS DPS EDist	<p>The objective of the Directive is, to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use .</p> <p>Commission Decision 2000/532/EC establishes a <b>list</b> of non-hazardous &amp; hazardous wastes, commonly known as the European Waste Codes (EWC).</p> <p><b>LN 184 (2011)</b> transposes this Directive. In addition, the LN establishes and applies Commission Decision 2000/532/EC related to the list of wastes (EWC). The list of waste is binding as regards determination of the waste, which is to be considered as hazardous waste.</p> <p>In addition, this LN now regulates waste management, waste oils, permits and registrations, and inspections and records.</p> <p><i>Relevance to EM:</i> affects directly its generation installations in the context of fluid/solid waste generation, control &amp; disposal (excluding waste water discharge into the marine environment since this is covered by other EU Directive &amp; Regulations).</p> <p><b>Important:</b> for MPS &amp; DPS generation installations the regulations and obligation requirements of the Legal Notice 184/2011 are covered by the IPPC Permit regulations issued by MEPA. LN 184/2011 regulations (&amp; amendments) applicable for electricity distribution activities are dependent of the quantity of waste generated as per Schedule 4 of the Legal Notice.</p>



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	3. 75/439/EEC	<i>Directive]</i>	<p><b>LN 6 of 2014</b> Environment and Development</p> <p>As amended by</p> <p><b>LN 382 of 2015</b></p> <p>Planning Act (CAP. 504) Waste (Amendment) Regulations, 2014</p> <p><b>LN 184(2011)</b></p> <p><i>revokes:</i></p> <p><b>L.N. 337 of 2001</b> Environment Protection Act, 2001 (Act No. XX of 2001) Waste Management (Permit and Control) Regulations, 2001</p> <p>and</p>			




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			<p><b>L.N. 161 of 2002</b> Environment Protection Act, 2001 (Act. No. XX of 2001) Waste Management (Waste Oils) Regulations, 2002</p> <p><b>L.N. 106 of 2007</b> Environment Protection Act (Cap. 435) Waste Management (Activity Registration) Regulations, 2007</p>			<p>According to <b>LN 106/2007</b> Enemalta is to comply with use of registered waste carriers which are permitted for such activity in accordance with their class categories (mainly A &amp; D) in order to dispose of its wastes.</p>
<b>E2</b>	<p><b>Regulation (EC) No 1013/2006</b></p> <p><i>Replaces Regulation (EEC) 259/93 [plus various amendments]</i></p>	<p>on shipments of waste</p> <p>on the supervision and control of shipments of waste within, into and out of the European</p>	<p><b>S.L. 549.65</b></p> <p><b>L. N. 285 of 2011</b> Environment and Development Planning Act (CAP. 504) The Waste regulations, 2011 Waste Management (Shipments of</p>	MEPA	MPS DPS EDist	<p>For the scope of Enemalta these EU regulations are considered to apply only for the following:</p> <ol style="list-style-type: none"> <li>1. export of Enemalta waste to other EU States or with transit through third countries</li> <li>2. export from Malta of Enemalta waste to third countries.</li> </ol> <p>Hence several regulation Articles related to import of waste have been excluded. Moreover, the previous Regulation (EEC) 259/93 &amp; OECD Decision classified waste in 3 categories and lists:</p> <ol style="list-style-type: none"> <li>1. green – non- hazardous (Annex II)</li> <li>2. amber – hazardous (Annex III)</li> </ol>

Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<p><i>As amended by</i></p> <p><i>Various amendments</i></p> <p><b>13 amendments</b></p>	Community	<p>Waste) Regulations, 2011</p> <p><i>Amended by</i> <b>L.N. 440 of 2011</b> Environment and Development Planning Act (Cap. 504) Waste Management (Shipments of Waste) (Amendment) Regulations, 2011</p> <p><i>Revokes:</i> <b>L. N. 205 of 2000</b> Environment Protection Act (CAP. 348) Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000</p>			<p>3. red – most hazardous (Annex IV)</p> <p>Apparently this classification was changed in the current Regulation (EC) No 1013/2006, with only the “green” (Annexes III &amp; IIIA) and the “amber” (Annexes IV and IVA) being retained, whilst Annex V includes those wastes which are subject to export prohibition in Article 36 of the Regulations.</p> <p>Finally the IPPC Permit regulations make reference to Regulation (EC) No 1013/2006 for compliance with respect to waste.</p>


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<b>E3</b>	<b>2006/66/EC</b>  repealing Directive <b>91/157/EEC</b>  As amended by <b>2008/12/EC</b>  As amended by <b>2008/103/EC</b>  As amended by <b>2013/56/EU</b>	on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	<b>S.L. 504.91</b>  <b>L.N. 55 of 2010</b> Environment Protection Act (CAP. 435) Waste Management (Waste Batteries and Accumulators) Regulations, 2010  As amended by <b>L.N. 245 of 2011</b>  As amended by <b>L.N. 296 of 2015</b>  And Revoking <b>L. N. 158 of 2002</b>	MEPA	MPS DPS EDist	<p>The Directive prohibits the placing on the market of certain batteries and accumulators with a proportional mercury or cadmium content above a fixed threshold. In addition, it promotes a high rate of collection and recycling of waste batteries and accumulators and improvement in the environmental performance of all involved in the life-cycle of batteries and accumulators, including their recycling and disposal.</p> <p>The aim is to cut the amount of hazardous substances - in particular, mercury, cadmium and lead - dumped in the environment; this should be done by reducing the use of these substances in batteries and accumulators and by treating and re-using the amounts that are used.</p> <p><i>Relevance to EM:</i> It has been interpreted by MEPA that Enemalta is a “producer” and therefore is obliged to follow these regulations, like any other importers or manufacturers of batteries, etc. In essence, Enemalta is obliged to register, submit information and / or participate in an authorised waste batteries and accumulators collection, treatment and recycling scheme as detailed in the LN. Alternatively, Enemalta may purchase batteries from “producers” registered with MEPA in order to avoid the obligations as required by this LN.</p>
<b>E4</b>	<b>96/59/EC</b>  Amended by Regulation (EC) No <b>596/2009</b>	on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT)	<b>S. L. 549.28</b>  <b>L. N. 166 of 2002</b> Environment Protection Act, 2001 (Act. No. XX of 2001) Waste Management	MEPA	MPS DPS EDist	<p>This Directive lays down rules to approximate the laws of the Member States on the controlled disposal of PCBs, the decontamination or disposal of equipment containing PCBs and/or the disposal of used PCBs in order to eliminate them completely.</p> <p><i>Relevance to EM:</i> affects directly its generation &amp; distribution plants (in the context of any existing transformers or other equipment used in stations, DCs, substations containing PCBs).</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			(Polychlorinated Biphenyls and Polychlorinated Terphenyls) Regulations, 2002  As amended by <a href="#">L.N. 426 of 2007</a>  As amended by <a href="#">L.N. 356 of 2013</a>			
<b>E5</b>	<a href="#">94/62/EC</a>  <i>and amended by</i>  <i>Regulation</i> <a href="#">(EC) No 1882/2003</a>  <i>Directives:</i> <a href="#">2004/12/EC</a> <i>and:</i> <a href="#">2005/20/EC</a>  <i>Regulation</i> <a href="#">(EC) No 219/2009</a>  <a href="#">Commission Directive 2013/2/EU</a>	on packaging and packaging waste	<a href="#">S.L. 549.43</a>  <a href="#">L. N. 277 of 2006</a> Environment Protection Act (Cap. 435) Product Safety Act (Cap. 427) Waste Management (Packaging and Packaging Waste) Regulations, 2006  <a href="#">L.N. 426 of 2007</a>  As amended by <a href="#">L.N. 442 of 2012</a>	MEPA	MPS DPS EDist	<p>This Directive covers all packaging put on the market in the Community and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household or any other level, regardless of the material used unless such packaging is expressly excluded from the application of these regulations. Tjee regulations shall not apply to packaging not intended to be put on the market in Malta or producers putting less than 100kgs on the market of packaging or packaging material.</p> <p>Directive 94/62/EC requires Member States to take measures, which may include national programmes, to prevent the formation of packaging waste, and encourages them to develop packaging reuse systems. They must introduce systems for the return and/or collection of used packaging to attain specified targets.</p> <p>Technically the Directive applies mainly for packaging producers or operators (i.e. those who put packaging materials on the market) and the responsibilities of the Competent Authorities.</p> <p><i>Relevance to EM:</i> It has been interpreted by MEPA that Enemalta is</p>


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<i>And Directive</i>  (EU) 2015/720		As amended by <a href="#">L.N. 358 of 2013</a>  As amended by <a href="#">L.N. 444 of 2014</a>			a “producer” and therefore is obliged to follow these regulations, like any other importers or manufacturers of goods. In essence, Enemalta is obliged to register and submit information on an annual basis or participate in an “authorised packaging waste recovery scheme” as detailed in the LN.
<b>E6</b>	<b>2012/19/EC (Recast)</b> <i>repealing</i>  <b>2002/96/EC</b>  <i>As amended by</i> <b>Directive 2003/108/EC</b> <i>and</i> <b>Directives 2008/35/EC &amp; 2008/34/EC</b>	Waste electrical and electronic equipment [WEEE Directive]	<b>S.L. 549.89</b>  <b>L.N. 204 of 2014</b> Environment Protection Act (Cap. 435) Waste Management (Electrical and Electronic Equipment) Regulations, 2014  Amended by <b>LN 232 of 2015</b>  <i>revoking</i>  <b>L.N. 63 of 2007</b>	MEPA	MPS DPS EDist	The prevention of waste electrical and electronic equipment ( <b>WEEE</b> ), and in addition, the reuse, recycling and other forms of recovery of such wastes so as to reduce the disposal of waste. It also seeks to improve the environmental performance of all operators involved in the life cycle of electrical and electronic equipment, e.g. producers, distributors and consumers and in particular those operators directly involved in the treatment of waste electrical and electronic equipment. Categories of electrical and electronic equipment covered by this Directive and of relevance to Enemalta: (i) Large household appliances (ii) Small household appliances (iii) IT and telecommunications equipment (iv) Consumer equipment (v) Lighting equipment (vi) Electrical and electronic tools (with the exception of large-scale stationary industrial tools) (vii) Monitoring and control instruments  <i>Relevance to EM:</i> Enemalta is considered by MEPA as a “producer” if it imports directly equipment falling within the scope of this LN. It is advisable to purchase such items from producers registered with MEPA in order to avoid the many obligations required by this LN. Our obligations will then only be as an end user.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>E7</b>	<b>2011/65/EU (Recast)</b>  <i>Amended by Commission Delegated Directives various (29)</i>  <i>And revoking</i>  <b>2002/95/EC</b> As amended by Directives <b>2012/51/EU</b> <b>2011/65/EU</b>	Restriction in the use of certain hazardous substances in electrical and electronic equipment <b>[RoHS Directive]</b>	<b>S.L. 427.57</b>  <b>L.N. 84 of 2013</b> Product Safety Act (Act No. V of 2001) Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment Regulations, 2004  <i>As amended by</i> <b>L.N. 118 of 2014</b> and <b>LN 39 of 2015</b>	MCCAA	MPS DPS EDist	Directive 2002/95/EC may continue to be made available on the market until the 22 July 2019.  Requires that electronics manufacturers and their suppliers to remove six hazardous substances from products sold into EU markets after July 1, 2006. These substances are: Lead, Hexavalent Chromium, Cadmium, Mercury, Polybrominated Biphenyl and Polybrominated Diphenyl Ether.  <i>Relevance to EM:</i> affects directly purchasing specs of listed equipment.
<b>E8</b>	<b>2000/59/EC</b>	on port reception facilities for ship-generated waste and cargo residues	<b>S.L. 499.30</b>  <b>L.N. 278 of 2004</b> Authority for Transport in Malta Act (CAP. 449) Port Reception Facilities for ship-generated waste	TM <sup>6</sup>	DPS	The purpose of this Directive is to reduce the discharges of ship generated waste and cargo residues into the sea, thereby enhancing the protection of the marine environment. Hence, installations which have access to berthing facilities cannot deny the ship's Master any request for the disposal of onboard waste. Such facilities must assist the Master for such requests and allow the transit of such wastes through their facilities. In addition, the facility must have in place a Waste Management Plan which have to be approved by TM.


<sup>6</sup> Transport Malta

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			and cargo residues Regulations, 2004  <i>As amended by</i> <a href="#">L.N. 290 of 2006</a> <i>As amended by</i> <a href="#">L.N. 425 of 2007</a> <i>As amended by</i> <a href="#">Act XV of 2009</a> <i>As amended by</i> <a href="#">L.N. 332 of 2012</a>			<i>Relevance to EM:</i> affects the berthing facilities at DPS
<b>F</b>	<b>WATER DISCHARGES</b>					
<b>F1</b>	<a href="#">2006/11/EC</a>  <i>Repealing:</i>  74/464/EEC [ <i>Dangerous Substances Directive</i> ] & its various daughter	on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community  The <i><b>Dangerous Substances Directive</b></i> relates to Pollution caused by certain	<a href="#">L.N. 213 of 2001</a> Environment Protection Act, 2001 (Act. No. XX of 2001) Pollution Caused by Certain Dangerous Substances Discharged Into the Aquatic Environment Regulations, 2001  <i>In force as from 1<sup>st</sup> May 2004 by LN</i>	MEPA	MPS DPS	Although the latest <i>Water Framework Directive</i> and its transposition into Maltese law by L.N. 194 (2004) provides an umbrella for all relevant water policies and repeals with certain provisions a number of Directives, what is still particularly relevant for Enemalta is Directive 2006/11/EC whose objective is to regulate the discharge of certain dangerous substances into the aquatic environment.  <i>Relevance to EM:</i> affects directly its generation & distribution plants (in the context of fluid waste generation, control & disposal)  Both MPS & DPS monitor cadmium or other metals emissions into the sea on a regular basis and in line with the IPPC permit conditions. Emissions are always well below the stipulated ELV's.

<sup>7</sup> There are a number of daughter directives specific to particular polluting substances.




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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<a href="#">84/156/EC (Other metals)</a>		Protection Act (Act No. XX of 2001) Limit Values and Quality Objectives for Mercury Discharges by Sectors Other Than the Chlor-Alkali Electrolysis Industry Regulations, 2001			
<b>G</b>	<b>SOIL &amp; GROUNDWATER WATER POLLUTION</b>	<b>(caused by spills, etc under emergency conditions)</b>				
<b>G1</b>	<a href="#">2006/118/EC</a>	The new Groundwater Directive	<a href="#">L.N. 203 of 2002</a> - Malta Resources Authority Act, 2000 Regulations for the Protection of Groundwater against Pollution caused by Certain Dangerous Substances, 2002	MRA	MPS DPS EDist	<p>It is prohibited to discharge directly any of the substances found in <b>List I</b>. MRA shall request a prior investigation on any disposal or tipping for the purpose of disposal of these substances which might lead to indirect discharge. Following this it shall prohibit such activity or grant authorisation. MRA may authorise the discharge of these substances provided that their presence does not impede exploitation of ground resources.</p> <p><i>Relevance to EM:</i> affects directly its generation &amp; distribution plants (in the context of spills or other emergency conditions which may affect the groundwater)</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>G2</b>		Preservation of Fertile Soil Regulations	<b>S.L. 236.02</b>  <b>L.N. 104 of 1973</b> Preservation of Fertile Soil Regulations		MPS DPS EDist	If the quantity of soil to be removed from site exceeds half a cubic metre, an application for transportation of fertile soil has to be made to the Director of Agriculture fifteen working days prior to its removal from site. The application is to be made on the appropriate form supplied by the Director of Agriculture and has to comply in every respect with the requirements of article 5 (1) of the Fertile Soil Preservation Act (ACT XXIX of 1973, as amended by Act XIII of 1983 and Legal Notice 411 of 2007)
<b>H</b>	<b>SEWAGE CONTROL</b>					
<b>H1</b>	<b>No equivalent EU directive</b>		<b>LN 139(2002)</b> Malta Resources Authority Act, 2000 (Act No. XXV of 2000) Sewer Discharge Control Regulations, 2002  Amended by: <b>LN 378(2005)</b>  & <b>LN 426 (2007)</b>	MRA	MPS DPS	<p>The Legal Notice is intended to regulate the discharge of sewage into the public sewerage system. Distinguishes between domestic sewage, prohibited effluent, and trade effluent; and as defined in the same Regulations. in the case of trade effluent a permit issued by Water Services Corporation is required, whilst the discharge of certain hazardous substances is prohibited.</p> <p>There is no direct EU Directive equivalent to the Legal Notice, since the closest EU Directive 91/271/EEC concerning urban waste-water treatment is more concerned on the treatment of urban waste at national levels.</p> <p><i>Relevance to EM:</i> Given that Enemalta does not discharge “trade effluent” into the sewerage system technically there is no need for a permit, however, Water Services Corporation would like that Enemalta has a permit as a declaration of conformance that it does</p>


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
						not dispose its trade waste into the sewerage system in the context of the IPPC Permit conditions
<b>I</b>	<b>ATMOSPHERIC EMISSIONS</b>					
<b>II</b>	<b>2010/75/EU</b> (in part)  <i>Repealing</i>  <b>2001/80/EC</b>  <i>Repealing</i>  Directive 88/609/EEC with reservations & other subsequent amendment Directive 94/66/EC	Industrial Emissions Directive (Recast)          Limitation of emissions of certain pollutants into the air from	<b>L.N. 9 OF 2013</b> Industrial Emissions Framework Regulations, 2013          <b>L.N. 11 of 2013</b> Environment Protection Act (CAP 504) Industrial	MEPA	MPS DPS	These regulations also provide a framework for the integrated prevention and control of pollution arising from industrial activities. They also lay down rules designed to prevent or, where that is not practicable, to reduce emissions into air, water and land and to prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole          These regulations lay down rules for the limitation of atmospheric emissions from large combustion plants and apply to combustion plants, if their total rated thermal input is equal to or greater ( $\geq$ ) than 50 MWth, irrespective of the type of fuel used (solid, liquid or

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		<p>large combustion plants [<b>LCP Directive</b>].</p> <p><b>APPLIES FOR: Dust, SO<sub>2</sub>, &amp; NO<sub>x</sub></b></p>	<p>Emissions (Large Combustion Plants) Regulations, 2013</p> <p><i>Revoking</i></p> <p><b>L.N. 172 of 2010</b> Environment Protection Act (CAP. 435) Large Combustion Plants Regulations, 2010</p> <p><i>Revoking:</i></p> <p><b>L.N. 329 of 2002</b> Limitation of Emissions of Certain Pollutants into the Air from Large Combustion Plants Regulations, 2002 <i>which was</i></p>			<p>gaseous). Establishes limits for SO<sub>2</sub><sup>8</sup>, NO<sub>x</sub><sup>9</sup>, and dust<sup>10</sup> from thermal power plants (such as power stations) whose rated thermal input is equal to or greater than 50MW<sup>11</sup>, irrespective of type of fuel used (solid, liquid or gaseous).</p> <p><i>Relevance to EM:</i> affects directly its generation plants (flue gas and dust emission restrictions)</p> <p><b>Important Note:</b></p> <p><i>LN 172(2010) shall be revoked by LN 11(2013) [Industrial Emissions (Large Combustion Plants) Regulations, 2013] with effect from 1<sup>st</sup> January 2016, although some regulations of LN 172(2010) shall be applicable until 1<sup>st</sup> January 2020.</i></p>


<sup>8</sup> Sulphur Dioxide<sup>9</sup> Nitrogen Oxides (or Oxides of Nitrogen), which include Nitrous Oxide (N<sub>2</sub>O), Nitrogen Dioxide (NO<sub>2</sub>), and Nitric Oxide (NO)<sup>10</sup> Dust is also referred to as *Particulate Matter* both in other EU Directives and third countries, especially USA and Canada.<sup>11</sup> Hence unit is quoted in Directive as “MWth”.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			<i>amended by:</i> <b>L.N. 2 of 2008</b> Limitations of Emissions of Certain Pollutants into the Air from Large Combustion Plants (Amendment) Regulations, 2008			
<b>I2</b>	<b>2010/75/EU (in part)</b>  <i>Repealing</i>  <b>2001/81/EC</b>	Industrial Emissions Directive (Recast)  National emissions ceilings for certain atmospheric pollutants	<b>S.L. 504.58</b>  <b>L.N. 291 of 2002</b> National Emissions Ceilings for Certain Atmospheric pollutants Regulations, 2002  <i>Amended by:</i>	MEPA	MPS DPS	Lays down the national emissions ceilings for certain atmospheric pollutants that can be emitted within a projected date schedule. The pollutants are SO <sub>2</sub> , NO <sub>x</sub> , VOC <sup>12</sup> and NH <sub>3</sub> <sup>13</sup> , apart from ground-level ozone levels.  <i>Relevance to EM:</i> affects directly its generation plants (in the context of allowable emissions)  <b>Important Note:</b> <i>Directive 2001/80/EC as amended will be repealed by</i>

<sup>12</sup> Volatile Organic Compounds, which are various fumes and vapours normally associated with stored petroleum refinery products


<sup>13</sup> Ammonia

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		<b>APPLIES FOR: SO<sub>2</sub>, NO<sub>x</sub>, VOC &amp; NH<sub>3</sub></b>	<b>L.N. 232 of 2004</b> <b>L.N. 426 of 2007</b> <b>L.N. 383 of 2012</b>			<i>Directive 2010/75/EU with effect from 1<sup>st</sup> January 2016</i>
<b>I3</b>	<b>2010/75/EU (in part)</b>          <b>94/63/EC</b>	Industrial Emissions (Limitation of Emissions of Volatile Organic Compounds) Regulations          The control of Volatile Organic Compounds (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations	<b>S. L. 504.27</b> <b>L.N. 12 of 2013</b>  <i>Revokes</i> L.N. 349 of 2010  <b>S. L. 504.88</b> <b>L.N. 54 of 2009</b> Control of Volatile Organic Compound – VOC Emissions (Storage and Distribution of Petrol from Terminals to Service Stations) Regulations, 2009	MEPA	MPS DPS	Lays down rules for the prevention and control of pollution arising from the use of organic solvents in certain activities and installations To prevent or reduce the direct and indirect effects of emissions of volatile organic compounds into the environment, mainly into the air, and the potential risks to human health. <i>Relevance to EM:</i> This legal notice forms part of the legislation of the Industrial Emissions Directive transposed into Maltese law and applies to all industries which have an IPPC permit. However the activities listed in the annexes do not refer to emissions of VOCs from fuel storage tanks.          To control VOC emissions resulting from the storage of petrol and its distribution from terminals to service stations. Applies to operations, storage facilities and installations and transport vehicles. <i>Relevance to EM:</i> It applies to the petrol service station at the Marsa installation.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Amended by <b>L.N. 319 of 2013</b> <b>L.N. 5 of 2011</b> <b>L.N. 163 of 2009</b>  Repealing  L.N. 214 of 2001			
<b>I4</b>	<b>2008/50/EC</b>  <i>Repealing</i>  96/62/EC; 1999/30/EC; 2000/69/EC; 2002/3/EC  <b>2004/107/EC</b>	on ambient air quality and cleaner air for Europe          relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	<b>L.N. 478 of 2010</b> Environment Protection Act (Cap. 435) - Ambient Air Quality Regulations, 2010  <i>Amended by:</i> <b>L.N. 482 of 2011</b>  Environment and Development Planning Act (CAP. 504) Ambient Air Quality (Amendment) Regulations, 2011	MEPA	MPS DPS	Directives 2008/50/EC & 2004/107/EC are transposed by LN 478/10.  Moreover LN 478/2010 revokes the following: <ol style="list-style-type: none"> <li>1. LN 216 /2001 Ambient Air Quality Assessment and Management</li> <li>2. LN 224/2001 Limit values for NOx, SO2, dust &amp; Pb</li> <li>3. LN 163/2002 Limit values for Benzene &amp; Carbon Monoxide in ambient air</li> <li>4. LN 11/2003 the Ozone in ambient air</li> <li>5. LN 292/2007 Arsenic, cadmium, mercury, nickel &amp; PAHs in ambient air</li> </ol> Local Government is expected to publish air quality threshold limits taking into account criteria settled in L.N. 478 of 2010 annexes.  Although this legislation applies for the setting up by MEPA of an appropriate system for monitoring & controlling concentration values of different atmospheric pollutants, they may apply for Enemalta since target values cannot be exceeded if we have such emissions.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
						<i>Relevance to EM:</i> if existing, environmental impact of stacks emissions should be assessed considering how local air complies with threshold limits.
<b>J</b>	<b>GREEN HOUSE GAS EMISIONS</b>					
<b>J1</b>	<b>2009/29/EC</b> Amending <b>Directive 2003/87/EC</b> Amending <b>Directive 96/61/EC</b>  Amended by <b>Directive 2004/101/EC ;</b> <b>Directive 2008/101/EC;</b> <b>Regulation (EC) 219/2009;</b> <b>Directive 2009/29/EC</b> <b>Decision No 1359/2013/EU</b>  Amended by  <b>Treaty of Accession of Croatia (2012)</b>	To improve and extend the greenhouse gas emission allowance trading Scheme of the Community [ <i>ETS Directive</i> ]  <b>APPLIES FOR: CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs &amp; SF<sub>6</sub></b>	<b>S. L. 504.66</b>  <b>L.N. 434 of 2013</b> European Union Greenhouse Gas Emissions Trading Scheme for Stationary Installations Regulations  Repealing <b>L.N. 140 of 2005</b>  Amended by  <b>L.N. 274 of 2006</b> <b>L.N. 73 of 2006</b> <b>L.N. 263 of 2010</b> <b>L.N. 486 of 2010</b>	MRA <sup>14</sup>	MPS DPS	To regulate CO <sub>2</sub> <sup>15</sup> emission by establishing emission quotas and a Greenhouse Gas <i>Emissions Trading Scheme (ETS)</i> within EU countries.  <i>Relevance to EM:</i> affects directly its generation plants (in the context of allowable emissions)

<sup>14</sup> Responsibilities for the GHG emissions (Climate Change) were transferred from MEPA to MRA.


<sup>15</sup> Carbon Dioxide




Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<p><b>Commission Regulation (EU) No. 601/2012</b></p> <p><i>Repealing :</i> Directive 2007/589/EC</p> <p><i>Amended by</i> <b>Commission Regulation 206/14</b> <b>Commission Regulation 743/2014</b></p>	on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council				<p>This Regulation lays down rules for the monitoring and reporting of greenhouse gas emissions and activity data pursuant to Directive 2003/87/EC in the trading period of the Union emissions trading scheme commencing on 1 January 2013 and subsequent trading periods.</p>
	<p><b>Commission Regulation (EU) No. 600/2012</b></p>	on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to				<p>This Regulation lays down provisions for the verification of reports submitted pursuant to Directive 2003/87/EC and for the accreditation and supervision of verifiers. This Regulation also specifies, without prejudice to Regulation (EC) No 765/2008, provisions for the mutual recognition of verifiers and peer evaluation of national accreditation bodies pursuant to Article 15 of Directive 2003/87/EC.</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		Directive 2003/87/EC of the European Parliament and of the Council				
<b>J2</b>	<b>Regulation (EU) No 517/2014</b>  <i>Repealing:</i>  <b>Regulation (EC) No 842/2006</b>  <b>&amp;</b>	on certain fluorinated greenhouse gases	<b>S.L. 504.92</b>  <b>L.N. 93 of 2010</b> Environment Protection Act (CAP. 435) Certain Fluorinated Greenhouse Gases Regulations, 2010	MEPA	MPS DPS EDist	<p>To contain, prevent and thereby reduce emissions of the fluorinated greenhouse (F-GH) gases covered by the Kyoto Protocol, as listed in Annex I, Part 1, of the Regulations <i>and which include SF6</i>. Basically these regulations cover the following aspects:</p> <ol style="list-style-type: none"> <li>containment, use, recovery and destruction of the F gases covered by this Regulation</li> <li>the labelling and disposal of products and equipment containing those gases</li> <li>the reporting of information on those gases, including imports, exports and production of these gases</li> <li>the uses and the placing on the market prohibitions of the products and equipment</li> <li>the training and certification of personnel involved in activities provided for by this Regulation, specifically in relation to the containment and recovery obligations</li> </ol> <p>Regulation (EC) No 517/2014 applies for the following stationary equipment containing certain F-GH gases:</p> <ol style="list-style-type: none"> <li><i>Art. 3 of EU Regulation:</i> refrigeration, air conditioning and heat pump equipment, including their circuits, as well as fire protection systems</li> <li><i>Art. 4 of EU Regulation:</i> <ol style="list-style-type: none"> <li>Cooling circuits of refrigeration, air-conditioning and heat pump equipment</li> <li>Equipment containing F-GH gas-based solvents</li> </ol> </li> </ol>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<b>Regulation (EC) No. 305/2008</b>	<p>establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear</p> <p>concerning a mechanism for monitoring Community greenhouse gas</p>				<p>c. Fire protection systems &amp; fire extinguishers d. High-voltage switchgear.</p> <p><i>Regulation (EC) No. 305/2008</i> applies for 'high voltage switchgear' meaning switching devices and their combination with associated control, measuring, protective and regulating equipment, and assemblies of such devices and equipment with associated interconnections, accessories, enclosures and supporting structures, intended for use in connection with generation, transmission, distribution and conversion of electric energy at rated voltages above 1000 V; hence it ties with item (e) above and hence applies for SF6.</p> <p><i>EU Decision No. 280/2004/EC</i> is mainly related on the obligations of Member States to monitor GHG emissions. Hence we have to supply MEPA with any information related to these gases</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<a href="#">EU Decision No. 280/2004/EC</a>	emissions and for implementing the Kyoto Protocol				<i>Relevance to EM:</i> affects directly air-conditioning & HV switchgear containing SF6 which Enemalta has in its installations within the generation and distribution plants.
<b>K</b>	<b>CHEMICALS</b>					
<b>K1</b>	<a href="#">Regulation (EC) No 1907/2006</a>  <i>Amended by</i> <a href="#">Regulation (EC) No 453/2010</a>	concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC	<a href="#">S.L. 427.66</a>  <a href="#">L.N. 61 of 2008</a>  Product Safety Act (CAP. 427) Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Implementation) Regulations, 2008  <i>Amended by</i>  <a href="#">L.N. 186 of 2009</a>  <a href="#">S.L. 427.67</a>  <a href="#">L.N. 207 of 2008</a> Product Safety Act (CAP. 427) Registration,	MCCAA	MPS DPS EDist	<p>The purpose of this Regulation is to ensure a high level of protection of human health and the environment, including the promotion of alternative methods for assessment of hazards of substances, as well as the free circulation of substances on the internal market while enhancing competitiveness and innovation. This Regulation is based on the principle that it is for manufacturers, importers and downstream users to ensure that they manufacture, place on the market or use such substances that do not adversely affect human health or the environment. Its provisions are underpinned by the precautionary principle. It excludes certain substances from scope.</p> <p><i>The Maltese Legal Notice makes the Malta Competition and Consumer Affairs Authority as responsible for this Regulation.</i></p> <p><i>For the scope of this Regulation Enemalta may be considered as a downstream user as defined in the same Regulations. The ECHA [European Chemical Agency] "Guidance document for downstream users" subdivides further the down stream users and for this scope Enemalta may be considered as an "End-user"/ "Industrial user", i.e., an actor using substances or preparations in an industrial or professional activity who does not supply it further down-stream.</i></p> <p>In brief under such conditions the obligations may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Ensure that substances are registered in accordance with</li> </ul>

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			Evaluation, Authorisation and Restriction of Chemicals Enforcement (E-REACH) Committee Regulations, 2008			<p>REACH.</p> <ul style="list-style-type: none"> <li>Identify and apply appropriate measures to control the risks communicated in safety data sheet or other information supplied with substances or preparations.</li> <li>Check compliance with an exposure scenario, if you receive one from your supplier, and take further action in case of non-compliance</li> <li>For substances subject to authorisation, comply with the conditions of the authorisation covering your use. You may need to apply for an authorisation if your use is not covered by an authorisation granted to a supplier and you want to continue this use.</li> <li>Check compliance with any restrictions on the substance.</li> </ul>
<b>K2</b>	<p><a href="#">2008/68/EC</a></p> <p><i>Repealing:</i></p> <p><a href="#">94/55/EC</a>, <a href="#">96/49/EC</a>, <a href="#">96/35/EC</a> and <a href="#">2000/18/EC</a></p>	on the inland transport of dangerous goods	<p><a href="#">L.N. No. 211 of 2003</a></p> <p>Traffic Regulation Ordinance (Cap. 65) Malta Transport Authority Act (Cap. 332) Motor Vehicle (Carriage of Dangerous Goods by Road) Regulations, 2003</p> <p><i>In force</i></p>	TM	MPS DPS EDist	<p>This Directive applies to the transport of dangerous goods by road, by rail or by inland waterway within or between Member States, including the activities of loading and unloading, the transfer to or from another mode of transport and the stops necessitated by the circumstances of the transport. There are some exceptions to these requirements.</p> <p>Transport by rail and inland waterways does not apply for transport of goods within Malta. LN 211/2003 is limited to the transport of dangerous goods by road.</p>

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			<i>Amended by</i>  <b>L.N. 349 of 2005</b> <b>L.N. 216 of 2007</b> & <b>L.N. 212 of 2009</b>			
<b>K3</b>	EU Regulation (EC) <b>1272/2008</b>	on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006	<b>L.N. 214 of 2009</b>  Product Safety Act (CAP. 427) Classification, Labelling and Packaging of Substances and Mixtures (CLP) (Implementation) Regulations, 2009	MSA	MPS DPS EDist	<i>This Regulation should be considered together with the REACH regulations.</i>  <i>If Enemalta imports substances from outside the EU then Enemalta has notification obligations. Hence, it is advisable to procure all chemicals that are REACH &amp; CLP compliant.</i>
<b>K4</b>	<b>2003/59/EC</b>  <b>Amending regulations</b>  <b>(EEC) No 3820/85</b> <b>And Council directive 91/439/EEC</b>  <b>And repealing</b>		<b>L.N. 146 of 2003</b> Motor Vehicles (Carriage of Goods by Road) Regulation, 2003  & other subsequent amendments	TM	MPS DPS EDist Petrol.	Regulates the transport of good by road. If vehicle weight exceeds 3.5 tonnes then the drivers must be in possession of a Road Haulage Operator's Licence, and hence in possession of a Certificate of Professional Competence (CPC) which can be achieved through a training programme.  If Enemalta uses such vehicles for the transport of goods, then the drivers must be qualified as indicated above.


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<a href="#">Council Directive 76/914/EEC</a>					
<b>L</b>	<b>NOISE &amp; VIBRATION</b>					
<b>L1</b>	<a href="#">2002/49/EC</a>  Related to <b>Directive 96/61/EC</b> <a href="#">2003/35/EC</a>	The assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise	<a href="#">S. L. 504.63</a>  <a href="#">L.N. 193 of 2004</a> Environment Protection Act, 2001 (CAP. 435) Assessment and Management of Environment Noise Regulations, 2004	MEPA	MPS DPS	<p>The aim of this Directive is to define a common approach intended to avoid, prevent or reduce on a prioritized basis the harmful effects, including annoyance, due to exposure to environmental noise. It also aims at providing a basis for developing Community measures to reduce noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery.</p> <p>It applies to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, hospitals and other noise-sensitive buildings and areas</p> <p>“<i>Environmental noise</i>” means unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity such as those defined in Annex I to Council <b>Directive 96/61/EC</b> concerning integrated pollution prevention and control [<b>IPPC Directive</b> – see item no. 8].</p> <p><i>Relevance to EM:</i> affects choice and operation of noise-emitting plant in proximity to public buildings.</p>
<b>L2</b>	<a href="#">2003/10/EC</a>  Related to <b>Directive</b>	The minimum health and safety requirements	<a href="#">L.N. 158 of 2006</a> Occupational Health and Safety Authority Act	OHSA <sup>16</sup>	MPS DPS	The minimum requirements for the protection of workers from risk to their health and safety arising or likely to arise from exposure to noise and in particular the risk to hearing as a result of their work. It sets limits to exposure limit and action values of noise.


<sup>16</sup> Occupational Health & Safety Authority

Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<a href="#">89/391/EEC</a>	regarding the exposure of workers to the risks arising from physical agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of <b>Directive 89/391/EEC</b> )	(CAP. 424) Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Noise) Regulations, 2006			<i>Relevance to EM:</i> affects directly in obliging it to carry out risk assessments on noise emissions in order to incorporate preventive measures in design and selection of work stations/equipment, and providing personal protection as necessary.
<b>L3</b>	<a href="#">2002/44/EC</a>  <i>Related to Directive <a href="#">89/391/EEC</a></i>	Minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of <b>Directive 89/391/EEC</b> ) - Joint Statement	<a href="#">L.N. 371 of 2005</a> Occupational Health and Safety Authority Act (CAP. 424) Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Vibration) Regulations, 2005	OHSA	MPS DPS	Lays down minimum requirements for the protection of workers from risks to their health and safety arising or likely to arise from exposure to mechanical vibration during their work.  <i>Relevance to EM:</i> affects directly in obliging it to carry out risk assessments on vibration emissions in order to incorporate preventive measures in design and selection of work stations/equipment, and providing personal protection as necessary.




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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		by the European Parliament and the Council.				
<b>L4</b>	<b>No equivalent EU directive</b>		<b>L.N. 295 of 2007</b> Development Planning Act (CAP. 356) Environment Protection Act (CAP. 435) Environmental Management Construction Site Regulations, 2007	MEPA	EDist	<p>These regulations have the scope of limiting environmental degradation through appropriate construction management practices that cause the least nuisance to neighbours, minimising the risk of injury to the public, protecting the property belonging to the Government and Local Councils, and as much as possible reducing the harm to the environment. “Nuisance” means any act, omission or thing which is visually offensive or causes smells or noise, or occasioning or likely to occasion injury, annoyance, offence, harm, danger, or damage of whatever nature, or which is or is likely to be injurious or dangerous to health or the environment or building.</p> <p><i>Relevance to EM:</i> Civil works contracted out by the Electricity Distribution section may involve construction work that generate such nuisance to the public.</p>
<b>M</b>	<b>ODOUR CONTROL</b>					
	<b>No equivalent EU directive</b>		<b>LN 44 of 2002</b> Occupational Health & Safety Authority Act 2000 (Act No XXVII of 2000) Work Place (Minimum Health & Safety Requirements)	OHSA	MPS DPS EDist	Technically, there is no particular law related to odour control and in LN 44(2002) only regulation 10 makes reference to sufficient ventilation to reduce dust and other impurities at the workplace.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
			Regulations, 2002: <b>Regulation 10</b>			
<b>N</b>	<b>ELECROMAGNETIC RADIATION CONTROL</b>					
<b>N1</b>	<b>2013/35/EU (20th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)</b>  <i>Repealing</i>  2004/40/EC	on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)	No L.N. published to date	OHSA	MPS DPS Dist	<p>Lays down minimum requirements for the protection of workers from risks to their health and safety arising or likely to arise from exposure to electromagnetic radiation during their work. Defines EM fields “exposure limit values” which cannot be exceeded, and “action values” at which appropriate measures have to be taken. This Directive is intended to address all known direct biophysical effects and indirect effects caused by electromagnetic fields in order not only to ensure the health and safety of each worker on an individual basis, but also to create a minimum basis of protection for all workers in the Union, while reducing possible distortions of competition.</p> <p>To date this Directive has not been transposed into Maltese Law.</p> <p>Draft EN standard no. FprEN 50499: 2008 has been published under mandate M/351 given to CENELEC by the European Commission and covers the essential requirements of this Directive, and is intended to be a standard under which other standards related to work place assessment can be used. However, given that this standard does not cover exposures from equipment associated with electricity production and supply, such as high power generators, such equipment are covered by separate assessment procedures using</p>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
						other basic, generic or product standards. Following good engineering practices and measuring equipment recommendations are advisable.
<b>N2</b>	<b>Council Recommendation 1999/519/EC</b>	on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)	No LN exists to date	MEPA	MPS DPS EDist	<p>To protect members of the general public within the Community against established adverse health effects that may result as a consequence of exposure to electromagnetic fields. Adherence to the recommended restrictions and reference levels should provide a high level of protection as regards the established health effects that may result from exposure to electromagnetic fields.</p> <p><i>Note: Although no LN has been published a “Report on Recommendations for Limiting Human Exposure to Time-Varying Electric, Magnetic &amp; Electromagnetic Fields in the Frequency Range from 0 Hz to 300 Hz, Malta” was submitted in August 2000 by the Dept of Public Health, and was later reviewed in 2002</i></p> <p><i>Relevance to EM:</i> affects operation of substations, DC’s, or overhead lines in the proximity of the general public.</p>
<b>O</b>	<b>ASBESTOS POLLUTION CONTROL</b>					
<b>O1</b>	<b>87/217/EEC</b> <i>And various amendments</i>	The prevention and reduction of pollution by	<b>S.L. 504.30 (L.N. 228 of 2001)</b> Environment	MEPA	MPS DPS EDist	To lay down measures and to supplement provisions already in force, with a view to preventing and reducing pollution by asbestos in the interests of the protection of human health and the

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		asbestos [ <i>Asbestos Directive</i> ]	Protection Act, 2001 (Act. No. XX of 2001) Prevention and Reduction of Environmental Pollution by Asbestos Regulations, 2001)  <i>as amended by</i> <b>L. N. 426 of 2007</b>			environment.
<b>O2</b>	<b>83/477/EEC</b>  <i>Amended by:</i> <b>2003/18/EC</b>  <i>and</i> <b>2007/30/EC</b>	on the protection of workers from the risks related to exposure to asbestos at work	<b>S. L. 424.23 (L.N. 323 of 2006)</b> Occupational Health & Safety Authority (CAP. 424) Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations, 2006	OHSA	MPS DPS EDist	Lays down the obligations of employers in respect of workers exposed to dust arising from asbestos or materials containing asbestos. The regulations also lay down the exposure limit values and other specific requirements.  <i>Relevance to EM:</i> affects directly storage of existing waste stock & disposal of asbestos materials.

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>P</b>	<b>FIRE &amp; EXPLOSION RISKS</b>					
<b>P1</b>	<b>No equivalent EU directive</b>		<b>L.N. 41 of 2004</b> Occupational Health & Safety Authority Act (Cap. 424) Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations, 2004	OHSA	MPS DPS EDist	Establishes the minimum health and safety requirements for Work in confined spaces and for work in explosive atmospheres, with special emphasis on the obligations of the employer/s.  <i>Relevance to EM:</i> affects directly operations in confined spaces by Enemalta employees.
<b>Q</b>	<b>MAJOR ACCIDENT HAZARDS CONTROL</b>					
<b>Q1</b>	<b>Directive 2012/18/EU (SEVESO III) Article 30</b>  <i>Amending</i>  <b>Directive 96/82/EC</b>     <b>Directive 2003/105/EC</b>	The control of major-accident hazards involving dangerous substances [ <i>The Seveso III Directive</i> ]	<b>S.L. 424.19</b>  <b>L. N. 37 of 2003</b> Occupational Health and Safety Authority Act (CAP. 424) Control of Major Accident Hazard Regulation, 2003 [ <i>COMAH</i> ]  <i>Amended by:</i>  <b>L.N. 4 of 2014</b>	OHSA	DPS	This Directive is aimed at the prevention of major industrial accidents that involve dangerous substances, and the limitation of their consequences for man and the environment, with a view to ensuring high levels of protection throughout the Community in a consistent and effective manner. It applies to establishments where dangerous substances are present in quantities equal to or in excess of the quantities listed in the same Directive.  SEVESO III Directive 2012/18/EU shall replace SEVESO II with effect from 1 <sup>st</sup> June 2015. Apart from other changes the new Directive shall include Heavy Fuel Oil within its scope and hence HFO storage facilities will have to be included.  <i>Relevance to EM:</i> affects directly the purchase and use of dangerous

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
	<p><i>Note: 96/82/EC shall be repealed by:</i></p> <p><i>Directive 2012/18/EU</i></p> <p><i>With effect from 1st June 2015</i></p>		<p><b>L.N. 6 of 2005</b></p>			<p>substances such as chemicals &amp; fuels at the DPS site.</p> <p>Storage of fuel at DPS and MPS if the tanks are still in use.</p>
<b>R</b>	<b>IPPC</b>					
<b>R1</b>	<p><b>2010/75/EU (in part)</b></p> <p><b>Repealing 2008/1/EC</b></p> <p><b>Repealing Directives 96/61/EC 84/360/EEC</b></p> <p><b>&amp; Amended by Directive: 2009/31/EC</b></p>	<p>The Integrated Pollution Prevention Control Directive [<b>IPPC Directive – codified version</b>]</p> <p><b>APPLIES FOR: Various as per plant</b></p> <p>on industrial</p>	<p><b>S.L. 504.54</b></p> <p><b>L.N. 10 of 2013</b></p> <p>Industrial Emissions (Integrated Pollution Prevention and Control) Regulations, 2013</p> <p><i>Revoking</i></p> <p><b>L N. 234 of 2002</b></p> <p>Integrated Pollution Prevention and Control Regulations, 2002</p>	MEPA	MPS DPS	<p>To achieve integrated prevention and control of pollution arising from a range of listed activities. It lays down measures to prevent or reduce emissions to air, water and land from these activities, including measures on waste, in order to achieve a high level of protection of the environment as a whole. It introduces an integrated permitting system, which is required for all listed activities and which must contain specific conditions including <b>Emission Limit Values (ELVs)</b> and the application of <b>Best Available Techniques (BAT – Art. 10 2008/1/EC)</b>.</p> <p><i>Relevance to EM:</i> affects directly its operations (emissions and waste generation, control &amp; disposal)</p> <p>The Industrial Emissions Directive Recast groups together several</p>


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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
		emissions (integrated pollution prevention and control) (Recast)	<p><i>Amended by:</i></p> <p><b>L.N. 230 of 2004</b> &amp; <b>L.N. 426 of 2007</b> &amp; <b>L.N. 56 of 2008</b> &amp; <b>L.N. 437 of 2011</b></p> <p><b>L.N. 9 of 2013</b> Environment &amp; Development Planning Act (CAP. 504) Industrial Emissions (Framework) Regulations, 2013</p> <p><b>L.N. 11 of 2013</b> Environment &amp; Development Planning Act (CAP. 504) Industrial Emissions (Large Combustion Plants) Regulations, 2013</p>			<p>other Directives (combustion plants, waste incineration and waste co-incineration plants, installations using organic solvents, and installations producing titanium dioxide).</p> <p>LN 11(2013) shall revoke LN 172(2010) with effect from 1<sup>st</sup> January 2016, although some regulations of LN 172(2010) shall be applicable until 1<sup>st</sup> January 2020.</p>


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<b>R2</b>	<b>Regulation:</b> <b>166/2006</b>	concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives <b>91/689/EEC</b> [ <i>Hazardous Waste Directive</i> ] and <b>96/61/EC</b> [ <i>IPPC Directive</i> ]	<b>L.N. 152 of 2007</b> European Pollutant Release and Transfer Register Reporting Obligations Regulations, 2007	MEPA	MPS DPS	<p>The scope of these regulations is to establish reporting templates, to fulfil the obligations of Article 7(1) of the EC Regulations regarding the establishment of timeframes for reporting of releases and offsite transfers by industry to MEPA, and to fulfil the obligations of Article 20 of the EC Regulations, regarding penalties applicable to infringements of the provisions of the EC Regulations.</p> <p><i>Relevance to EM:</i> affects directly its reporting obligations in respect of air, water discharge emissions and waste generation, control &amp; disposal.</p>
<b>R3</b>	<b>Commission Implementing Decision</b> <b>2012/249/EU</b>	concerning the determination of start-up and shut-down periods for the purposes of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions	No LN exists to date	MEPA	MPS DPS	<p>The emissions from combustion plants during start-up and shutdown periods are generally at elevated concentrations compared to normal operating conditions. In view of the objective of Directive 2010/75/EU to prevent emissions, those periods should be as short as possible. In addition the startup and shutdown period are to be excluded from measurement of emissions. Directive 2010/75/EU does not determine start-up and shutdown periods, while those periods relate to several provisions in that Directive. For combustion plants covered by Chapter III of Directive 2010/75/EU, the determination of startup and shutdown periods is required for assessing compliance with the emission limit values set out in Annex V to Directive 2010/75/EU, taking into account Part 4 of that Annex, as well as for determining the number of operating hours of the</p>



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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
						combustion plants, where it is relevant for the implementation of that Directive.
<b>S</b>	<b>OZONE DEPLETING SUBSTANCES</b>					
<b>S1</b>	Regulation (EC) No. <b>1005/2009</b>  <i>Repealing:</i>  EU Regulation 2037/2000 as from 1 <sup>st</sup> January 2010	on substances that deplete the ozone layer (recast)	<b>S.L. 504.96</b> <b>L.N. 280 of 2010</b> Environment Protection Act (CAP. 345) – Substances Depleting the Ozone Layer Regulations  <i>Revoking:</i>  <b>L.N. 145 of 2007</b> - Environment Protection Act (CAP. 345) – Substances Depleting the Ozone Layer Regulations, 2007	MEPA	MPS DPS EDist	This Regulation applies to the production, importation, exportation, placing on the market, use, recovery, recycling and reclamation and destruction of the controlled and new substances as detailed in the annexes of the regulations; to the reporting of information on these substances and to the importation, exportation, placing on the market and use of products and equipment containing those substances.  <i>Relevance to EM: As far as Enemalta is concerned these regulations apply for those AC plants or chillers that are using R22 as a refrigerant in excess of 3 kg, since the other plants which use R410A, R407C and R134A have no ozone depletion potential and there are currently no restrictions on the use of these refrigerants.</i>

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Item	EU Directive / Regulation / Decision	Title & Scope	Maltese Legal Notice/s	Reg. Authority	Applies for	Remarks & Obligations
<b>T</b>	<b>LANDSCAPE</b>					
<b>T1</b>	<b>92/43/EEC</b>  Amended by <b>97/62/EC</b> and supplemented by Decision <b>97/266</b>	Natura 2000 The conservation of natural <u>habitats</u> and of wild fauna and flora	<b>L.N. 311 of 2006</b> - Environment Protection Act (CAP. 435) - Development Planning Act (CAP. 356) - Flora, Fauna and Natural Habitats Protection Regulations, 2006	MEPA	MPS DPS EDist	<p>The aim of these regulations is to contribute towards ensuring biodiversity in the territory of the Member States of the European Community through the conservation of natural habitats and of wild fauna and flora in the Maltese Islands.</p> <p>Measures taken pursuant to these regulations shall be designed to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest, and shall take account of economic, social and cultural requirements and regional and local characteristics.</p> <p><i>Relevance to EM: this legislation applies for the conservation of selected sites to protect the natural habitats and of wild fauna and flora in the Maltese Islands. Hence, it is of no relevance to Enemalta.</i></p>