

Nru. 782**ATT DWAR IL-PROTEZZJONI TAL-AMBJENT
(KAP. 549)****Artiklu 69 tal-Att dwar il-Protezzjoni tal-Ambjent**

Ordni ta' Emergenza għall-Konservazzjoni tal-Bejta tal-Fekruna fir-Ramla tal-Mixquqa (Golden Bay)

L-AWTORITÀ għall-Ambjent u r-Riżorsi qiegħda b'dan toħroġ Ordni ta' Emergenza għall-Konservazzjoni fuq is-sit kif deskritt hawn isfel skont id-dispożizzjoni tal-Artikolu 69 tal-Att dwar il-Protezzjoni tal-Ambjent, fuq:

Ir-Ramla tal-Mixquqa (Golden Bay)

u ż-żona tal-madwar hekk kif indikat fil-pjanta taħt Skeda I (ara l-pjanta f'paġna 5928), aktar 'il quddiem imsejha "żona ta' emerġenza għall-konservazzjoni", minħabba li dan is-sit huwa ta' importanza ekoloġika u xjentifika u huwa fil-bżonn ta' konservazzjoni.

Ir-regolamenti li ġejjin għandhom japplikaw:

1. Għall-fini tal-Ordni ta' Emergenza għall-Konservazzjoni, il-kliem "Awtorità"; "konservazzjoni"; u "persuna" għandu jkollhom l-istess tifsira mogħtija lilhom fl-Att.

2. Iz-Żona ta' Emergenza għall-Konservazzjoni tista' tkun sorveljata u mmonitorjata kontinwament inter alia permezz ta' site post temporanju.

3. Ebda persuna m'għandha, sakemm mhux bl-awtorizzazzjoni tal-Awtorità, fiż-Żona ta' Emergenza għall-Konservazzjoni kif indikat fil-pjanta taħt Skeda I (ara l-pjanta f'paġna 5928):

(a) B'xi mod tieġu jew tipprova tieġu, tiddisturba, tikkawża ħsara jew teqred bajd, frieh jew adulti tal-fkieren tal-baħar, kemm ħajjin jew mejtin;

(b) tidhol jew tipprova tidhol, jew b'xi mod tassisti persuna oħra biex tidhol fiż-żona magħluqa mill-Awtorità;

(c) tneħhi kull tip ta' oġġett u apparat, jew parti minnu, li qed jintuża sabiex tkun magħluqa dik iż-żona magħluqa mill-Awtorità jew kwalunkwe installazzjoni, marki u sinjali ufficijali anċillari installati mill-Awtorità;

(d) tpoġġi jew tipprova tpoġġi kull tip ta' oġġett jew materjal ieħor fiż-żona magħluqa mill-Awtorità;

(e) iddendel, twaħħal jew tehmeż jew tipprova ddendel, twaħħal, jew tehmeż xi oġġett fuq l-apparat u tagħmir użat

No. 782**ENVIRONMENT PROTECTION ACT
(Cap. 549)****Article 69 of the Environment Protection Act**

Ir-Ramla tal-Mixquqa (Golden Bay) Turtle Nesting Emergency Conservation Order

THE Environment and Resources Authority is hereby issuing an Emergency Conservation Order in respect of the site as described below in accordance with Article 69 of the Environment Protection Act, for the purpose of conservation on:

Ir-Ramla tal-Mixquqa (Golden Bay)

and its surroundings as per site plan under Schedule I (see site plan on page 5928), hereinafter referred to as "the emergency conservation area", due to ecological and scientific importance of the sites and the need for conservation.

The following regulations shall apply:

1. For the purpose of the Emergency Conservation Order, the terms "Authority"; "conservation"; and "person" shall have the same meaning as that defined in the Act.

2. The Emergency Conservation Area may be monitored continuously *inter alia* by means of a temporary site post.

3. No person shall, within the emergency conservation area designated for such purposes as per site plan under Schedule I (see site plan on page 5928), unless authorised by the Authority:

(a) In any way, take or attempt to take, disturb, damage or destroy any eggs, turtle hatchlings or adult marine turtle, whether alive or dead;

(b) enter or attempt to enter, or in any way assist any other person to enter the area cordoned-off by the Authority;

(c) remove any portion of, or object making up, the cordoning-off of the area done by the Authority or any ancillary installation or any official signage installed by the Authority;

(d) introduce or attempt to introduce any object or material into the area cordoned off by the Authority;

(e) hang, affix or append or attempt to hang, affix or append any object on the cordoning installed by the Authority

sabiex tiġi magħluqa dik iż-żona madwar il-bejta magħluqa mill-Awtorità, jew b'kull mezz ieħor tikkomprometti jew ttipprova tikkomprometti l-integrità tat-tagħmir jew apparat użat;

(f) tpoġġi jew ttipprova tpoġġi kwalunkwe oġġett, li fi kwalunkwe ħin bejn tluġh ix-xemx u nżul ix-xemx, jista' jitfa' jew johloq dell fiż-żona magħluqa mill-Awtorità;

(g) tħalli xi animal li huwa proprjetà tagħha jew taht il-kontroll tagħha jidhol jew jipprova jidhol f'dik iż-żona magħluqa mill-Awtorità;

(h) tnaddaf, jew tneħħi żibel u skart jew kull tip ta' oġġett ieħor miż-żona magħluqa mill-Awtorità, sakemm mhux bl-idejn u bl-awtorizzazzjoni tal-Awtorità;

(i) tiddepożita kwalunkwe żibel sakemm mhux fir-riċipjenti taż-żibel provduti jew faċilitajiet oħra pprovduti għal dan il-għan;

(j) issuq, timmanuvra jew tipparkja kwalunkwe vettura fuq ir-ramel fiż-Żona ta' Emergenza għall-Konservazzjoni, sakemm mhux bl-awtorizzazzjoni tal-Awtorità;

(k) tneħħi kull tip ta' fdalijiet tal-alka magħmula minn *Posidonia oceanica* u *Cymodocea nodosa* minn quddiem iż-żona magħluqa mill-Awtorità, faċċata tal-baħar għajr bl-idejn jew bl-użu ta' għodda tal-idejn mhux mekkanizzati;

(l) thaddem generator li jiġġenera l-elettriku permezz tal-fjuwil;

(m) tagħmel storbu eċċessiv, tohloq vibrazzjonijiet eċċessivi jew iddoqq mużika għolja;

(n) tpoġġi jew tħalli, fil-livell tal-wiċċ tal-baħar, ħbula jew oġġetti oħra li jistgħu potenzjalment jostakolaw il-passaġġ tal-fkieren u l-frieħ tal-fkieren matul wiċċ il-baħar fiż-żona immedjatament quddiem iż-żona magħluqa mill-Awtorità;

(o) ikollha fil-pussess tagħha materjal pirotekniku, loġhob tan-nar jew splussiv, jew tarma jew taħraq kull tip ta' materjal pirotekniku, loġhob tan-nar jew splussiv ieħor;

(p) tinstalla trappoli, xbiek jew apparat simili li jista' b'xi mod jaqbad jew jagħmel xi ħsara lill-bajd tal-fkieren, il-frieħ tal-fkieren jew il-fkieren adulti.

4. Mingħajr preġudizzju għal dak iprovdut taht xi liġi oħra, sat-8 ta' Settembru, 2020, ebda persuna m'għandha, mis-sitta u nofs ta' filgħaxija (6.30 p.m.) ta' kull ġurnata sas-sebgha u nofs ta' filgħodu (7.30 a.m.) tal-ġurnata li jmiss:

(a) tikkampja jew tipparteċipa f'attivitajiet ta' kkampjar fiż-żona ta' emergenza għall-konservazzjoni;

around the nest or in any manner compromise or attempt to compromise the integrity of the cordoning;

(f) place or attempt to place any object that, at any time between sunrise and sunset, may cast a shadow inside the area cordoned-off by the Authority;

(g) allow any animal under his ownership or responsibility to enter or attempt to enter the area cordoned-off by the Authority;

(h) remove any litter or article whatsoever from the area cordoned-off by the Authority unless by hand and authorised by the Authority;

(i) deposit any litter, unless this is deposited in the litter bins or other litter collection facilities provided for such purpose;

(j) drive, manoeuvre or park any vehicle over the sand in the Emergency Conservation Area unless authorised to do so by the Authority;

(k) remove any *Posidonia oceanica* or *Cymodocea nodosa* wrack (alka) from the seaward side in front of the area cordoned-off by the Authority unless by hand or with the use of hand-held unmechanised tools;

(l) utilise fuel powered electricity generators;

(m) generate any excessive noise or vibrations, or play loud music;

(n) deploy at immediate sea surface, ropes or other items that can potentially block passage of turtles and hatchlings at sea surface in any area immediately in front of the area cordoned off by the Authority;

(o) be in possession of, set up or let off any sort of pyrotechnic material, fireworks or explosives;

(p) install any traps, nets or similar devices that in any way may take or harm the eggs, turtle hatching or adult turtles.

4. Without prejudice to any other requirement under any other legislation, until the 8th September, 2020, no person shall, from half past six in the evening (6.30 p.m.) of any day until half past seven in the morning (7.30 a.m.) of the following day:

(a) camp or participate in any camping activity within the emergency conservation area;

(b) tipparteċipa f'attivitajiet tal-catering jew bar-b-ques fiż-żona tal-bejta hekk kif immarkata fi Skeda I (ara l-pjanta f'paġna 5928);

(c) tipparteċipa fi kwalunkwe attività organizzata fiż-żona ta' emerġenza għall-konservazzjoni li tikkonsisti fi grupp ta' iżjed minn għaxar (10) persuni;

sakemm mhux bil-permess tal-Awtorità u mingħajr preġudizzju għal kwalunkwe kundizzjoni imposta mill-Awtorità fil-permess:

izda s-subparagrafu (c) ma japplikax għal stabbilimenti li diġà joperaw legalment.

5. Mill-10 ta' Awwissu, 2020, sat-8 ta' Settembru, 2020, mis-sitta u nofs ta' fil-għaxija (6.30 p.m.) ta' kull ġurnata sas-sebgha u nofs ta' filgħodu (7.30 a.m.) tal-ġurnata li jmiss, ebda persuna m'għandha, sakemm mhux bil-permess tal-Awtorità, fiż-żona indikata bhala żona fejn japplikaw iktar restrizzjonijiet fi Skeda I (ara l-pjanta f'paġna 5928) skont ir-restrizzjonijiet ta' dan l-Artikolu:

(a) tpoġġi, thalli jew tinstalla kwalunkwe oġġett, jew ttipprova tpoġġi, thalli jew tinstalla kwalunkwe oġġett, li jista' b'xi mod ifixkel jew ixxejjel il-passaġġ jew li għandu l-potenzjal li jfixkel jew ixxejjel il-passaġġ tal-frieħ tal-fkieren miż-żona magħluqa mill-Awtorità lejn il-baħar:

Izda stabbilimenti li diġà joperaw legalment għandhom jipprovdu kuritur liberu minn kwalunke ostakolu ta' mill-inqas żewġ metri u nofs wiesgħa sabiex jiżguraw il-passaġġ bla ostakoli tal-frieħ tal-fkieren miż-żona magħluqa direttament lejn il-baħar.

(b) fil-baħar, tpoġġi jew tqiegħed kwalunkwe oġġett jew installazzjoni jew ttipprova tpoġġi jew tqiegħed kwalunkwe oġġett jew installazzjoni li jista' b'xi mod ifixkel jew ixxejjel il-passaġġ jew li raġonevolment għandu l-potenzjal li jfixkel jew ixxejjel il-passaġġ tal-frieħ tal-fkieren lejn il-baħar miftuh;

(c) tpoġġi jew thalli, fil-livell tal-wiċċ tal-baħar, hbula jew oġġetti oħra li jistgħu effettivament jostakolaw il-passaġġ tal-fkieren u l-frieħ tal-fkieren matul wiċċ il-baħar;

(d) tkala parit, xkitt jew kull xorta ta' xibka tas-sajd;

(e) thaffer ħofor fir-ramel;

(f) tagħmel uzu minn jew tkun fil-pussess ta' kull xorta ta' apparat li jitfa' d-dawl għal skopijiet ta' sajd jew għall-qbid ta' fawna:

Izda dawn il-provvedimenti jkunu applikabbli wkoll matul il-ġurnata f'każ li l-bajd tal-fkieren ifaqqas matul il-ġurnata.

(b) participate in a catering activity or any barbecues in the nest area as delineated in Schedule I (see site plan on page 5928);

(c) participate in any organised activity within the emergency conservation area involving a group of more than 10 persons;

unless duly permitted by the Authority and without prejudice to any condition imposed by the Authority under its permit:

Provided that sub-article (c) does not apply to already authorised beach establishments.

5. From the 10th August, 2020, until the 8th September, 2020, from half past six in the evening (6.30 p.m.) of any day until half past seven in the morning (7.30 a.m.) of the following day, no person shall, unless authorised by the Authority, within the area indicated as the area marked as area subject to further restricted activities under Schedule I (see site plan on page 5928).

(a) place, deposit or install any object, or attempt to place, install or deposit any object, that in any way may hinder or has the potential to hinder the safe passage of juvenile turtles from the area cordoned-off by the Authority to the sea:

Provided that authorised beach establishments shall set up a clear corridor free of obstacles of at least two and a half meters width to ensure the hatchlings' unhindered safe passage from the area cordoned-off by the Authority directly to the sea.

(b) at sea, place or deploy any object or installation or attempt to place or deploy any object or installation, that in any way may reasonably hinder or has the potential to reasonably hinder the safe passage of juvenile turtles towards the open sea;

(c) place or deposit at immediate sea surface, ropes or other items that can effectively block passage of turtles and hatchlings at sea surface;

(d) deploy any gill net, trammel net or fishing net of any sort;

(e) dig any holes in the sand;

(f) utilise or be in possession of any sort of lighting device for fishing purposes or the capturing of any fauna:

Provided that the above provisions would apply during daytime in case there is of hatching episodes occurring during the day.

6. Ebda forma ta' tindif tar-ramel b'mod mekkanizzat u, jew aċċess bil-vetturi jew interventi mekkaniċi ma jistgħu jsiru fiż-Żona ta' Emergenza għall-Konservazzjoni kif indikat fil-pjanta taħt Skeda I (ara l-pjanta f'paġna 5928), sakemm mhux bil-permess tal-Awtorità, and dan mingħajr preġudizzju għal kwalunkwe kundizzjoni imposta mill-Awtorità fil-permess tagħha.

7. Ebda persuna m'għandha ġewwa z-Żona ta' Emergenza għall-Konservazzjoni jew fiż-żoni fil-qrib taż-Żona ta' Emergenza għall-Konservazzjoni tiġġenera kwalunkwe dawl, storbju jew vibrazzjonijiet eċċessivi, jew idoqq mużika għolja:

B'dan illi kwalunkwe dawl għandu jħares 'l isfel u jkun mgħotti b'tali mod li ma jkunx direttament vizibbli miż-żona magħluqa mill-Awtorità jew mgħotti b'filtru ta' lewn aħmar:

Izda wkoll, dan il-provvediment ma japplikax għal dawl għall-użu ta' navigazzjoni ta' biċċiet tal-baħar.

8. Din l-Ordni ta' Emergenza għall-Konservazzjoni hija valida mid-data tal-pubblikazzjoni sat-8 ta' Settembru, 2020, u hija mingħajr preġudizzju għar-Regolamenti dwar il-Protezzjoni tal-Flora, Fawna u l-Ambjenti Naturali (L.S. 549.44), u tar-Regolamenti dwar il-Ħarsien tar-Rettli (L.S. 549.02).

9. (1) Il-protezzjoni mogħtija liż-Żona ta' Emergenza għall-Konservazzjoni għandu jkollha l-istess effett daqs dik mogħtija lis-siti li jidhlu taħt il-kappa tan-Netwerk Ekoloġiku Nazzjonali u Siti Speċjali ta' Konservazzjoni inklużi fir-Regolamenti dwar il-Protezzjoni tal-Flora, Fawna u l-Ambjenti Naturali (L.S. 549.44).

(2) Il-provvedimenti inklużi fl-Ordni ta' Emergenza għall-Konservazzjoni huma:

(i) ikkunsidrati bħala mizuri ta' konservazzjoni li jindirizzaw l-oġġettivi globali ta' konservazzjoni u l-protezzjoni tal-fekruna tal-baħar, *Caretta caretta*, u l-bejta tagħha; u

(ii) meħtieġa sabiex dan is-sit protett jiġi mħares skont il-provvedimenti tar-Regolamenti 14 u 19 tar-Regolamenti dwar il-Protezzjoni tal-Flora, Fawna u l-Ambjenti Naturali (L.S. 549.44).

10. Kull persuna li tikser xi waħda mid-disposizzjonijiet tal-Ordni ta' Emergenza għall-Konservazzjoni, tkun haġja ta' reat, u tehel, meta tinsab haġja l-pieni stabbiliti fl-Att dwar il-Protezzjoni tal-Ambjent (Kap. 549).

6. No form of mechanised beach cleaning activity and, or vehicular access or mechanical interventions shall occur within the emergency conservation area designated under Schedule I (see site plan on page 5928), unless duly permitted by the Authority and without prejudice to any condition imposed by the Authority under its permit.

7. No person shall within the Emergency Conservation Area or in the vicinity of the Emergency Conservation Area generate any excessive light, noise or vibrations, or play loud music:

Provided that any light is to be directed downwards and duly screened in such a way not to be directly visible from the area cordoned-off by the Authority or covered with a red coloured filter:

Provided further that this provision shall not apply to navigational lights of seagoing vessels.

8. This Emergency Conservation Order shall be valid from the date of issue up to the 8th September, 2020, and shall be without prejudice to the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44), and the Reptile (Protection) Regulations (S.L. 549.02).



9. (1) The protection allocated to the Emergency Conservation Area has the same effect as the inclusion of the area in the National Ecological Network and Special Areas of Conservation included under the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44).

(2) The provisions included in this Emergency Conservation Order are:

(i) considered as conservation measures addressing the overall conservation objective aimed at protecting the loggerhead turtle, *Caretta caretta*, in its nesting site; and

(ii) required for such protected site in line with the requirements of Regulations 14 and 19 of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44).

10. Any person who acts in contravention of any provision of this Emergency Conservation Order shall be punishable in accordance with the Environment Protection Act (Cap. 549).

 <p>Environment & Resources Authority Hexagon House, Spencer Hill, Marsa, MRS 1441, Malta T +356 2232 3500 W era.org.mt</p>	<p>Emergency Conservation Order</p> <p>Ir-Ramla tal-Mixquqa and its Surroundings</p>	<p>Site covered by the Emergency Conservation Order</p> <p>Area subject to further restricted activities under Articles 3-7</p> <p>Nesting Area</p>	<p>Limiti tal-Mellieħa u l-Imġarr Limits of Mellieħa and Mġarr</p> 	<p>Bounding Co-ordinates of Map (UTM / Metres): Min E 440,539; N 3,977,161 Max E 440,992; N 3,976,742</p>	<p>Date: 8 July, 2020</p> <p>Copyright: Environment & Resources Authority Scale Maps, Mapping Unit, Planning Authority</p>
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