

To: Nicholas Balzan  
Obo Derek Garden Centre  
11, Canon Road,  
Qormi.

Date: 21<sup>st</sup> December 2020  
Our Ref: NP 0369/20

Registration Number: NP 369/20

### Approval of Registration as a Licensed Tree Specialist

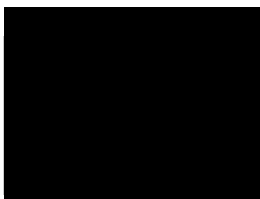
Dear Mr Balzan,

Reference is being made to your application form dated 29<sup>th</sup> July 2020, for your registration as a Licensed Tree Specialist.

The Environment and Resources Authority (ERA) is hereby granting you the requested authorisation as per Regulation 19 of the Trees and Woodlands Protection Regulations 2018 (S.L.549.123), hereunder referred to as the Regulations, under the following conditions:-

1. This registration is subject to the conditions listed in the *Conditions of Registration as a Licensed Tree Specialist v1 (2020)*, copy of which is attached.
2. This registration is granted saving third party rights. The Registration Holder (Mr Nicholas Balzan obo Derek Garden Centre) is not exempt from any other legislation or regulations, codes of practice, conditions or requirements imposed by any other competent authorities, including the obtaining of permits, licenses, or clearances, including consent from the site owner and including specific permits for interventions on protected trees.
3. This registration is valid **until and including 1<sup>st</sup> January 2024** and can be renewed on reapplication thereafter, provided that all registration conditions have been complied with. A request for renewal of the registration should reach the ERA at least thirty (30) days prior to the expiry date of this registration.
4. You may appeal from this decision to the Environment and Planning Review Tribunal in accordance with Article 63 of the Environment Protection Act and with the provisions of the Environment and Planning Review Tribunal Act.

Regards,



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Anthony Aquilina  
Unit Manager (Env. Permitting)

f/ Director Environment and Resources  
**Environment & Resources Authority**

Hexagon House, Spencer Hill, Marsa MRS 1441 T. (+356) 2292 3500 E. info@era.org.mt W. era.org.mt



## Conditions of Registration as a Licensed Tree Specialist

Conditions issued with the authorisation

All Registration holders shall abide by the following conditions as part of their registration:

1. The Registration Holder shall recognize his/ her duty of care to protect the environment and is to be familiar with the legal obligations and good environmental practice related to trees and their protection;
2. All works carried out on trees shall strictly follow the provisions of the Trees and Woodlands Protection Regulations, 2018 (S.L. 549.123) and the conditions of permits for interventions on protected trees issued by the Authority.
3. All interventions on trees shall be carried out in line with the provisions of ERA's Guidelines on Works involving Trees available on <https://era.org.mt/en/Pages/Guidelines-on-.aspx>.
4. The conditions imposed should be adhered to throughout all the activities. Failure to do so could result in enforcement action, cessation of any related works or activities and potentially revocation of the registration.
5. The Registration Holder is to retain the registration card issued by the Authority in such a way so as to be readily available during works being carried out on trees and is to be shown to any officer of the Authority or any duly authorised law enforcement official.
6. The Registration Holder is to keep a log of all works carried out on trees including the species, number and type of intervention, and make it available for inspection by Authority officials.
7. The Registration Holder shall inform the Authority of any changes in details of the registrant (including the address and the company) when such a situation arises at least 30 days following changes.
8. The Registration Holder shall inform the Authority of his/her intention to cease practice by a period of at least 30 days following cessation of such operations;
9. The Registration Holder shall not use this Registration inappropriately.
10. The Registration Holder shall apply for a renewal with the Authority of this registration not later than 30 days prior to the expiry of this registration.
11. The Registration Holder may apply for a variation of the Registration and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
  - a. Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
  - b. Any relevant supporting information

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- c. Any relevant supporting assessments and drawings, and;
- d. The proposed implementation date.

Any such change shall only be implemented following the issue of a variation of the registration by the Authority.

- 12. The Registration Holder shall notify the following matters to the Authority in writing at least 10 working days prior to their occurrence:
  - a. Any change in the Registration Holder's trading name, registered name or registered office address;
  - b. Any change to particulars of the Registration Holder's corporate identity.
- 13. In accordance with Regulation 26 of S.L. 549.123, details of the Registration Holder together with the details of conditions imposed in this Registration shall be maintained by the Authority in a register available for public inspection or maintained in electronic form.
- 14. This Registration shall be made available for any inspection by ERA officials at all times, or any legally recognised compliance and enforcement officials, when requested.
- 15. ERA shall not be held liable for any accidents or injuries which may occur during the activities being permitted through this Registration. It is the responsibility of the Registration Holder to ensure that all safety measures are taken.
- 16. This Registration is without prejudice to any liability of the Registration Holder under the Act and to any punitive measures the Authority may wish to take with respect to works already carried out without Registration or without a valid permit from ERA. ERA may inspect and monitor the activity at the expense of the Registration holder at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate. ERA may also appoint other on-site monitors at the expense of the Registration Holder to act as an on-site liaison between the Registration Holder and ERA if the case arises.
- 17. The Registration is not transferable.