

ENVIRONMENT PROTECTION ACT

(CAP. 549)

**Abandonment, Dumping and Disposal of Waste in Streets and Public Places of Areas
(Amendment) Regulations, 20XX**

In exercise of the powers conferred by Articles 54 and 55 of the Environment Protection Act, the Minister responsible for the Environment, after consultation with the Environment and Resources Authority, has made the following regulations:

Title.
S.L. 549.40.

1. The title of these regulations is the Amendment to the Abandonment, Dumping and Disposal of Waste in Streets and Public Places of Areas (Amendment) Regulations, 20XX and they shall be read and construed as one with the Abandonment, Dumping and Disposal of Waste in Streets and Public Places of Areas Regulations, hereafter referred to as “the principal regulations”.

Adds new regulation to the principal regulations.

2. Immediately after regulation 4A of the principal regulations there shall be added the following new regulation:

“Mandatory Separation of waste.
S.L. 549.63.

4B. (1) Every person shall separate waste in accordance with regulation 12A of the Waste Regulations.

(2) Enforcement of sub-regulation (1) shall be carried out in a phased approach as shall be prescribed by the Minister by notice in the Gazette.”

Amends regulation 8 of the principal regulations.

3. In sub-regulation (1) of regulation 8 of the principal regulations the words “a bin approved” shall be substituted by the words “such number of bins as approved”.

Amends regulation 10 of the principal regulations.

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

(a) In paragraph (d) of sub-regulation (4) thereof, the words “not exceeding six thousand euro (€6,000).” shall be substituted by the following “not exceeding six thousand euro (€6,000):

Provided that the minimum fine of four hundred euro (€400) shall be applicable where the amount of waste is considered minimal.”

(b) Immediately after sub-regulation (4) thereof, the following new sub-regulation shall be added:

“(4A) Any person who contravenes regulation 4B shall be liable on first contravention to reprimand and admonition, on second contravention to a fine (*ammenda*) of twenty-five euro (€25), and in case of subsequent contraventions to a fine (*ammenda*) of fifty euro (€50):

Provided that in case of waste from commercial establishments, the contravenor shall be liable on first contravention to reprimand and admonition, on second contravention to a fine (*ammenda*) of seventy five euro (€75), and in case of subsequent contraventions to a fine (*ammenda*) of one hundred and fifty (€150);”

Amends regulation 12 of the principal regulations.

5. In sub-regulation (1) of regulation 12 of the principal regulations, the words “in regulations 4, 5, 6, 7, 8 and 10(3)” shall be substituted by the words “in regulations 4, 4A, 5, 6, 7, 8 and 10(3)”;

Amends regulation 15 of the principal regulations.

6. In sub-regulation (1) of regulation 15 of the principal regulations the words “in regulations 4, 5, 6, 7, 8 and 9” shall be substituted by the words “in regulations 4, 4A, 4B, 5, 6, 7, 8 and 9”.

Amends Schedule 3 to the principal regulations.

7. Schedule 3 of the principal regulations shall be amended as follows:

(a) in the Maltese text only, the words: ““Riċiklaġġ/Borża Griża/Ħadra” t’fisser karta miġbura, imħallta, plastik u skart tal-metall, intiż għall-ġabra mill-aġent jew kuntrattur tal-Kunsill Lokali rispettiv, fil-ġurnata ndikata; shall be substituted by the words ““Riċiklaġġ/Borża Griża/Ħadra” t’fisser karta plastik u skart tal-metall imħallta, intiż għall-ġabra mill-aġent jew kuntrattur tal-Kunsill Lokali rispettiv, fil-ġurnata ndikata;” and

(b) the words: ““Mixed Waste/Black Bag” means contained mixed refuse, intended for collection by the respective Local Council’s agent or contractor, on the indicated day;” shall be substituted by the words ““Mixed Waste” means contained mixed refuse, intended for collection by the respective Local Council’s agent or contractor, on the indicated day. As from [*insert date – one year from publication of this LN*], all mixed waste placed for collection shall be in transparent bags;”