GWIDA DWAR L-IMPORTAZZJONI F'MALTA TA' GĦASAFAR SELVAĠĠI MEJTIN U PARTIJIET TAGĦHOM LI JINTGĦARFU

(kif emendati permezz tal-A.L. 281/2015: Regolamenti tal-2015 li jemendaw ir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi)

25 ta' Awwissu 2015

Sfond

Permezz ta' dan l-avviż, it-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi, tixtieq tavża lil kull min hu kkonċernat bl-aġġornament tar-rekwiżiti legali u fil-proċedura li japplikaw fil-każ ta' trasport jew importazzjoni lejn Malta ta' għasafar selvaġġi mejtin u partijiet tagħhom li jintgħarfu wara ġiti ta' kaċċa barra mill-pajjiż.

Dan l-aġġornament qiegħed isir wara l-publikazzjoni tal-Avviż Legali 281 tal-2015 li emenda ir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 504.71).

It-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi tirriserva d-dritt li tibdel din il-proċedura skont it-tibdil legali u amministrattiv li jista' jinqala' minn żmien għal żmien. Nies interessati li jġibu tali għasafar f'Malta huma avżati biex ikunu ċerti li qegħdin jaqraw l-iktar kopja riċenti ta' dan id-dokument li jista' jinkiseb mis-sit elettroniku tat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi:
https://environment.gov.mt/en /Pages/WBRU/Licenses.aspx.

Applikazzjoni ta' din il-gwida

Din il-Gwida tapplika fil-każ ta' trasport lejn Malta minn kwalunkwe pajjiż membru tal-Unjoni Ewropea u l-importazzjoni għal ġewwa Malta minn kull pajjiż mhux membru fl-Unjoni Ewropea jew iż-Żona Ekonomika ta' Kummerċ Ħieles Ewropea ta' kwalunkwe għasfur li jinstab b'mod naturali fis-selvaġġ fit-territorju tal-Unjoni Ewropea (riferuti bħala 'għasafar') u kwalunkwe għasafar li ma jinstabux b'mod naturali fis-selvaġġ fit-territorju tal-Unjoni Ewropea imma li jistgħu jinstabu fis-selvaġġ f'pajjiżi li m'humiex membri tal-Unjoni Ewropea (riferuti bħala 'għasafar mhux tat-Territorju Ewropew').

Rekwiżiti differenti, kif spjegat iktar 'il quddiem, japplikaw skont jekk l-għasfur jew għasfur mhux tat-Territorju Ewropew ikunx qiegħed jiddaħħal f'Malta minn pajjiż membru tal-Unjoni Ewropea jew inkella minn pajjiż ieħor.

Kull persuna li qegħda tippjana ġita ta' kaċċa barra minn Malta u tixtieq iġġib lura magħha xi għasafar mejta għandha tirreferi għal din il-gwida qabel tippjana li ssiefer hu hija mħeġġa li ċċempel lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi f'każ ta' diffikulta jew bżonn ta' kjarifika.

Kull persuna li tmur kontra dawn ir-regolamenti li jirrigwardaw trasport, importazzjoni u pussess ta' tajr protett tista' teħel sa €5,000 multa, konfiska tal-*corpus delicti* u sospensjoni tal-liċenzja tal-kaċċa sa ħames snin. Fil-każi ta' dawk misjuba ħatja iktar minn darba din tiżdied għal multa sa €10,000, revoka permanenti tal-liċenzja tal-kaċċa u sa sentejn priġunerija.

Trasport lejn Malta ta' għasafar selvaġġi li jistgħu legalment jiġu kkaċċjati, maqbuda jew akkwistati b'xi mod legittimu ieħor f'pajjiż ieħor tal-Unjoni Ewropea

Kull għasfur selvaġġ li jista' legalment jiġi kkaċċjat, maqbud jew akkwistat b'xi mod legittimu ieħor f'pajjiż ieħor tal-Unjoni Ewropea jista jiġi impurtat ġewwa Malta.

Il-lista tal-ispeċi kollha ta' għasafar li jistgħu legalment jiġu kkaċċjati fil-pajjiżi membri tal-Unjoni Ewropea jinstabu f'Anness IIA tad-Direttiva tal-Għasafar, liema lista tista' tiġi aċċessata minn:
http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:020:0007:0025:EN:PDF

Xi speċi ta' għasafar jistgħu jiġu kkaċċjati biss f'ċertu pajjiżi membri tal-Unjoni Ewropea. Lista ta' dawn l-għasafar u l-pajjiżi membri fejn jistgħu jiġu kkaċċjati tinsab f'Anness IIB tad-Direttiva tal-Għasafar, liema lista tista' tiġi aċċessata minn:
http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:020:0007:0025:EN:PDF

Minbarra dawn l-għasafar li jinsabu f'Anness II tad-Direttiva tal-Għasafar, xi Stati Membri jistgħu jawtorizzaw, permezz ta' deroga, il-kaċċa ta' speċi li mhumiex imniżżlin f'din l-iskeda. F'dawn il-każijiet, l-għasafar ikkaċċjati jistgħu jinġiebu Malta biss bl-awtorizzazzjoni jew permess maħruġ mill-awtoritajiet kompetenti tal-Istat Membru fejn ġew maqtula. Dan il-permess irid ikun speċifikament għall-kaċċatur konċernat, jew akkumpanjat b'dokumentazzjoni oħra bħala prova li l-għasfur ġie legalment maqtul fil-pajjiż oriġinali.

Biex jinġiebu Malta għasafar li ġew legalment ikkaċċjati, maqbuda jew legalment akkwistati fi Stat Membru tal-Unjoni Ewropea ma hemm bżonn ta' ebda liċenzja ta' importazzjoni.

Madankollu, skont id-dispożizzjonijiet tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 504.71), id-detentur tal-għasafar għandu jżomm fil-pussess tiegħu dawk il-permessi, ċertifikati, awtorizzazzjonijiet u dokumenti oħra li jikkonfermaw, għas-sodisfazzjon tat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi, li tali għasafar ġew akkwistati skont id-Direttiva tal-Għasafar u skont il-liġijiet tal-pajjiż fejn ġew maqbuda.

Importanti wieħed jinnota li għal dawk l-ispeċi kollha li mhumiex inklużi fi Skeda II jew Skeda III tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi, jiġifieri dawk l-ispeċi li mhumiex kaċċabbli Malta u allura protetti, it-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi toffri, mingħajr ħlas, li tispezzjona l-kunsinna fil-punt ta' entratura f'Malta biex jiġi kkonfermat li kollox huwa konformi mal-liġi.

Waqt din l-ispezzjoni, l-eżemplari jiġu mmarkati b'siġill uniku nnumerat. Informazzjoni fuq l-ispeċi, minn fejn oriġina (inqabad), dettalji ta' min qiegħed jimporta u n-numru tas-siġill jinżammu mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi. Dan is-servizz huwa offrut biex tali individwu fil-futur ikun f'pożizzjoni li jagħti prova lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi jew xi entità oħra li l-eżemplar fil-pussess tiegħu huwa bla dubju dak l-istess eżemplar li ġie kkaċċjat legalment fi Stat Membru ieħor u miġjub Malta.

Kull persuna li tixtieq iġġib Malta għasafar li ġew legalment ikkaċċjati fi Stat Membru ieħor u li mhumiex imniżżla fi Skeda II u Skeda III hija mitluba li:

A. Tinforma lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi (bit-telefon fuq 23886214; 23886215 jew 23886219 jew b'email fuq wildbirds@gov.mt) ħafna qabel ma ssiefer, b'dawn id-dettalji:

i. Isem, indirizz u numru tal-Karta tal-Identità ta kull persuna li sejra għall-kaċċa
ii. Il-pajjiż ta' fejn se ssir il-kaċċa
iii. L-ispeċi li tixtieq tikkaċċja
iv. Il-kwantità ta' għasafar li tixtieq iġġib magħha

B. Fl-istess ħin, tinforma lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bil-mod ta' kif se ddaħħal l-eżemplari f'Malta, jiġifieri jekk hux bl-ajru, bil-baħar, bil-posta, b'servizz ta' *courier* jew b'xi arranġament ieħor.

Jekk ġej bl-ajru:

Informa lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bin-numru tat-titjira, il-kumpanija tal-ajru tat-titjira tar-ritorn lejn Malta flimkien mal-ajruport minn fejn titlaq it-titjira u jekk l-għasafar hux se jinġiebu fil-bagalji mal-passiġġieri fl-Ajruport Internazzjonali ta' Malta jew inkella bħala merkanzija li tinħatt il-Cargo Terminal, Luqa.

Jekk ġej bil-baħar:

Informa lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bid-data u l-ħin ta' x'ħin se jasal il-vapur, l-isem tal-vapur u tal-kumpanija, port tat-tluq u numru tal-post ta' rmiġġ fejn se jitrakka.

Jekk l-eżemplari ser jinġiebu bil-posta jew bil-*courier*:

Il-propjetarju tal-eżemplari irid javża lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi x'ħin jirċievi n-notifika tal-wasla tal-pakkett ħalli dan ikun jista' jiġi eżaminat jew il-Posta jew fl-uffiċċju tal-kumpanija tal-*couriers*.

C. Kun żgur li, f'każ ta' għasafar protetti skont id-Direttiva tal-Għasafar u li ġew maqtula b'deroga, għandek fil-pussess tiegħek id-dokumenti u l-evidenza kollha meħtieġa maħruġa mill-awtoritajiet kompetenti tal-pajjiż fejn l-għasafar ġew maqtula li jagħtuk permess toqtol l-għasafar ikkonċernati.

D. Kun żgur li rċevejt konferma tal-appuntament mal-uffiċjali tat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi u li dawn se jkunu preżenti biex jispezzjonaw il-kunsinna meta din tasal Malta.

Importazzjoni lejn Malta ta' għasafar selvaġġi li jistgħu legalment jiġu kkaċċjati, maqbuda jew akkwistati b'xi mod legittimu ieħor f'pajjiż mhux membru tal-Unjoni Ewropea

Ir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 504.71) jipprojbixxu l-importazzjoni ta' kwalunkwe eżemplari ta' għasafar li ġejjin minn pajjiż mhux fl-Unjoni Ewropea sew jekk ħaj u kif ukoll mejjet li jinkludu partijiet minnhom jew derivattivi tagħhom, sakemm dak l-għasfur ma jkunx gie akkwistat legalment fil-pajjiż minn fejn ġej

jew imnissel fil-magħluq u fiż-żewġ każi l-esportazzjoni tiegħu ġiet awtorizzata mill-awtorità kompetenti responsabbli mill-protezzjoni ta' dik l-ispeċi f'dak il-pajjiż.

Dan jimplika li l-kaċċa jew l-akkwist tal-eżemplar irid ikun kopert b'awtorizzazzjoni speċifika u miktuba mill-awtorità kompetenti responsabbli mill-protezzjoni ta' dik l-ispeċi f'dak il-pajjiż li tikkonferma li l-eżemplari jistgħu legalment jiġu kkaċċjati, maqbuda jew akkwistati b'xi mod legittimu ieħor u li l-esportazzjoni tagħhom barra l-pajjiż ġew awtoriżżati.

Minn barra dan, liċenzja tal-importazzjoni maħruġa taħt ir-Regolamenti li Jikkontrollaw l-Importazzjoni (L.S. 117.14) hija meħtieġa għall-eżemplari kollha minn dawn il-pajjiżi.

Importanti li wieħed jinnota li għal dawk l-ispeċi kollha li mhumiex inklużi fi Skeda II jew Skeda III tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi u li ma jinstabux b'mod naturali fis-selvaġġ fit-territorju tal-Istati Membri tal-Unjoni Ewropea, jiġifieri dawk l-ispeċi li mhumiex kaċċabbli Malta u allura protetti, it-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi toffri, mingħajr ħlas, li tispezzjona l-kunsinna fil-punt ta' entratura f'Malta biex jiġi kkonfermat li kollox huwa konformi mal-liġi.

Waqt din l-ispezzjoni, l-eżemplari jiġu mmarkati b'siġill uniku nnumerat. Informazzjoni fuq l-ispeċi, minn fejn oriġina (inqabad), dettalji ta' min qiegħed jimporta u n-numru tas-siġill jinżammu mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi. Dan is-servizz huwa offrut biex tali individwu fil-futur ikun f'pożizzjoni li jagħti prova lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi jew xi entità oħra li l-eżemplar fil-pussess tiegħu huwa bla dubju dak l-istess eżemplar li ġie kkaċċjat legalment f'pajjiż ieħor li mhux Stat Membru tal-Unjoni Ewropea u miġjub Malta.

Kull persuna li tixtieq iġġib Malta għasafar li ġew legalment ikkaċċjati f'pajjiż ieħor li mhux Stat Membru tal-Unjoni Ewropea u li mhumiex imniżżla fi Skeda II u Skeda III huwa rakkomandat li:

A. Tinforma lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi (bit-telefon fuq 23886214; 23886215 jew 23886219 jew b' email fuq wildbirds@gov.mt) qabel sew ma ssiefer b'dawn id-dettalji:

i. Isem, indirizz u numru tal-Karta tal-Identità ta' kull persuna li sejra għall-kaċċa
ii. Il-pajjiż ta' fejn se ssir il-kaċċa
iii. L-ispeċi li tixtieq tikkaċċja
iv. Il-kwantità ta għasafar li tixtieq iġġib magħha

B. Fl-istess ħin, tinforma lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bil-mod ta' kif se daħħal l-eżemplari f'Malta, jiġifieri jekk hux bl-ajru, bil-baħar, bil-posta, b'servizz ta' *courier* jew b'xi arranġament ieħor.

Jekk ġej bl-ajru:

Informa lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bin-numru tat-titjira, il-kumpanija tal-ajru tat-titjira tar-ritorn lejn Malta flimkien mal-ajruport minn fejn titlaq it-titjira u jekk l-għasafar hux se jinġiebu fil-bagalji mal-passiġġieri fl-Ajruport Internazzjonali ta' Malta jew inkella bħala merkanzija li tinħatt il-Cargo Terminal, Luqa.

Jekk ġej bil-baħar:

Informa lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi bid-data u l-ħin ta' x'ħin se jasal il-vapur, l-isem tal-vapur u tal-kumpanija, port tat-tluq u numru tal-post ta' rmiġġ fejn se jitrakka.

Jekk l-eżemplari ser jinġiebu bil-posta jew bil-*courier*:

Il-propjetarju tal-eżemplari irid javża lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi x'ħin jirċievi n-notifika tal-wasla tal-pakkett ħalli dan ikun jista' jiġi eżaminat jew il-Posta jew fl-uffiċċju tal-kumpanija tal-*couriers*.

C. Kun żgur li, f'każ ta' għasafar protetti skont id-Direttiva tal-Għasafar u li ġew maqtula b'deroga, għandek fil-pussess tiegħek id-dokumenti u l-evidenza kollha meħtieġa maħruġa mill-awtoritajiet kompetenti tal-pajjiż fejn l-għasafar ġew maqtula li jagħtuk permess toqtol l-għasafar konċernati.

D. Kun żgur li rċevejt konferma tal-appuntament mal-uffiċjali tat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi u li dawn se jkunu preżenti biex jispezzjonaw il-kunsinna meta din tasal Malta.

Rekwiżiti oħrajn

L-iskop ta' din il-Gwida hija strettament limitata għad-dispożizzjonijiet tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 504.71) u dan mingħajr preġudizzju lejn rekwiżiti legali oħra (CITES, Saħħa, Veterinarji, Kontroll tal-Importazzjoni, eċċ.) li jistgħu japplikaw. Persuni kkonċernati għandhom jitolbu parir u awtorizzazzjonijiet meħtieġa minn awtoritajiet oħra bħall-Uffiċċju tas-CITES tal-MEPA, id-Dipartiment tas-Servizzi Veterinarji, l-Uffiċċju tas-Saħħa fil-Port u d-Dipartiment tal-Kummerċ. Hija r-responsabbiltà tal-importatur li jara li għandu l-permessi neċessarji minn dawn l-awtoritajiet.

GUIDANCE NOTE ON THE IMPORTATION OF DEAD WILD BIRD SPECIMENS AND RECOGNISABLE PARTS THEREOF INTO MALTA

(as updated by L.N. 281/2015: Conservation of Wild Birds (Amendment) Regulations 2015)

25th August 2015

Background

By means of this notice, the Wild Birds Regulation Unit (WBRU) notifies all concerned of updated legal requirements and procedures that apply in the case of transport or importation into Malta of any dead wild birds or any recognisable parts thereof following hunting trips abroad.

This update follows Legal Notice 281 of 2015 which amended the Conservation of Wild Birds Regulations (S.L. 504.71).

The Unit reserves the right to amend the procedure in accordance with any relevant legal and administrative developments that may arise from time to time. Interested parties are advised to always ensure that they refer to the latest version of the Guidance Document as available on the Wild Birds Regulation Unit's website: https://environment.gov.mt/en /Pages/WBRU/Licenses.aspx.

Applicability of this Guidance Note

This Guidance Note applies in the case of transport into Malta from any EU Member State and the importation into Malta from any country outside the EU and European Economic Area (EEA) of any birds that naturally occur in the wild state within the territory of the European Union (hereunder termed "birds") and any birds that do not naturally occur in the wild state within the territory of the European Union but which may naturally occur in the wild state in any country outside the territory of the European Union (hereunder termed "Non-European territory birds").

Different requirements, as explained below, apply depending on whether the bird or a non-European territory bird is brought over into Malta from an EU Member State or imported from any country from outside the European Union.

Any person planning a hunting trip abroad and wishing to bring into Malta any bird trophy should consult this guidance prior to planning a hunting trip abroad and is encouraged to contact the Wild Birds Regulation Unit in case of any doubt and should any clarification be required.

Any person who contravenes regulations concerning possession, the transport into Malta or importation of protected wild birds may be liable to fines of up to €5,000, confiscation of *corpus delicti,* and suspension of hunting licence for up to five years. In case of repeat offences, the penalty may be increased up to €10,000 fine, permanent revocation of hunting license and imprisonment for up to two years.

Transporting into Malta of wild birds legally hunted, captured or otherwise lawfully acquired in another EU Member State

Any bird species that may be legally hunted, captured or otherwise lawfully acquired in an EU Member State under the legislation of that Member State may be brought over to Malta.

The list of species that can be lawfully hunted in all EU Member States is found in Annex II/A of the Birds Directive which can be accessed from the following link: http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:020:0007:0025:EN:PDF

Some bird species can only be lawfully hunted in some EU Member States. The list of such species and Member States where these can be lawfully hunted is found in Annex II/B of the Birds Directive, which list can be found near the end from the following link: http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:020:0007:0025:EN:PDF

In addition to these birds listed in Schedule II of the Birds Directive, some Member States may occasionally authorise, by means of a derogation, the hunting of species that are not listed in Schedule II. In such cases, birds so hunted may only be brought into Malta subject to authorisation or permit issued by the competent authority of that Member State where the species were hunted. This permit must be specific to the hunter concerned, or be accompanied by other documentation proving that the specimen was lawfully acquired in the country of origin.

In order to bring over such lawfully hunted, captured or otherwise legally acquired specimens from an EU Member State into Malta, no import licence is necessary.

However, in accordance with the Conservation of Wild Birds Regulations (S.L. 504.71) the holder of the birds in question is obliged to keep in his possession all those permits, certificates and documentation that prove to the satisfaction of the Wild Birds Regulation Unit that such birds were obtained in accordance with the EU Wild Birds Directive (Council Directive 79/409/EEC) and in line with the legislation of the Member State in which they were lawfully hunted.

It should be noted that for those species that are not included in Schedule II or III of the Conservation of Wild Birds Regulations, that is, species that are not legally hunted in Malta and are therefore protected, the Wild Birds Regulation Unit will inspect, free of charge, the consignment at point of entry into Malta, to confirm its compliance with the Regulations.

During such an inspection, specimens are tagged with a security seal bearing a unique serial number. Record of the bird species, its origin, details of the person bringing in the specimen and the serial number of the tag are also maintained by the Wild Birds Regulation Unit. This service is offered so that the holder of the protected bird will in the future be in a position to prove to the Wild Birds Regulation Unit and any other enforcement authority that the specimen that is in his possession is undoubtedly the same specimen that was legally shot in another EU Member State and subsequently brought over into Malta.

Any person intending to bring into Malta birds that may be legally hunted in another EU Member State but which are not listed in Schedule II or III is recommended to:

A. Inform the Wild Birds Regulation Unit (via telephone on 23886214; 23886215 or 23886219 or via email on the address wildbirds@gov.mt) well in advance of the hunting trip the following details:

i. The name, surname and I.D. card number of each individual going hunting
ii. The country where they intend to hunt
iii. The species they intend to hunt
iv. The quantity of birds expected to be brought over

B. At the same time, inform the Wild Birds Regulation Unit about the means of transport of the specimens, that is, whether the specimens shall be brought over by air; by sea; by parcel post, by courier service or any other arrangement.

If returning by air:

Inform the WBRU about the flight number and airline company of the return flight to Malta and the Airport of Departure of the return flight and whether the specimen shall be brought over as accompanied luggage at Malta International Airport or whether they shall be carried by the airline company as cargo and brought to the Cargo Shed at the old airport at Luqa.

If returning by sea:

Inform the WBRU the date and time of arrival of the vessel, the vessel's name, shipping company, and port of departure and the name of the berth upon arrival.

If goods are brought over via parcel post or courier:

The owner of the goods is to alert the Wild Birds Regulation Unit upon receiving the delivery notice so that the parcel can be opened and the goods inspected at the Parcel Post Office or at the Courier service company's office.

C. Ensure that, in the case of birds that are protected according to the EU Wild Birds Directive and that have been shot under some form of derogation from the Directive, are accompanied by all documentary evidence issued by the governmental authority responsible for bird conservation in that Member State where the birds were shot, authorising them to shoot the individual birds in question.

D. Ensure that confirmation of an appointment with officials of the Wild Birds Regulation Unit to be present at point of entry to inspect the consignment has been received prior to departure.

Importation into Malta of wild bird species legally killed, captured or otherwise lawfully acquired in countries which are not Member States of the EU

The Conservation of Wild Birds Regulations (S.L. 504.71) prohibits the importation of any bird specimen, or any Non-European territory bird, whether alive or dead, or any

part or derivative thereof, unless it was legally acquired in its country of origin or is captive bred, and in both cases the export of which has been authorised by the competent authorities responsible for the species' protection in the country of origin.

This implies that the hunting or other acquisition of the specimen must be covered by a written and specific authorisation of the competent authority of the country of origin, to confirm that the specimen was hunted, captured or otherwise acquired lawfully under legislation of that country, and that its export outside of that country has been authorised.

Moreover, an import trade licence issued under the Importation Control Regulations (S.L. 117.14) is required for all bird specimens originating from all third countries.

In all cases, the holder of the birds or Non-European territory birds is obliged to keep in his possession all those permits, certificates and documentation that prove to the satisfaction of the Wild Birds Regulation Unit that such birds were either lawfully hunted or lawfully acquired in their country of origin.

It should be noted that for those species that are not included in Schedules II/A or III of the Conservation of Wild Birds Regulations, and which are not naturally occurring within the European Territory of the Member States and which can be legally hunted, captured or otherwise lawfully acquired in their country of origin and subsequently imported into Malta, the Wild Birds Regulation Unit, will inspect, free of charge, the consignment at point of entry into Malta and to tag the specimens with a security seal bearing a unique serial number. Record of the bird species, its origin, details of the person bringing in the specimen and the serial number of the tag are also maintained by the Wild Birds Regulation Unit.

This service is offered so that the holder of the bird will be in a position to prove to the enforcement authorities that the bird that is now in Malta is the same specimen that was legally shot in another country.

Any person intending to import into Malta birds that may be legally hunted in another non-EU Member State is required to:

A. Provide the Wild Birds Regulation Unit (via telephone on 23886214; 23886215 or 23886219 or via email on the address wildbirds@gov.mt) well in advance of their hunting trip, with the following details:

i. The name, surname and I.D. card number of each individual going hunting
ii. The country where they intend to hunt/legally acquire
iii. The species they intend to hunt/ legally acquire
iv. The quantity of birds expected to be brought over

B. At the same time, inform the Wild Birds Regulation Unit about the means of transport of the specimens, that is, whether the specimens shall be brought over by air; by sea; by parcel post, by courier service or any other arrangement.

If returning by air:

Inform the WBRU about the flight number and airline company of the return flight to Malta and the Airport of Departure of the return flight and whether the specimen shall be brought over as accompanied luggage at Malta International Airport or whether they shall be carried by the airline company as cargo and brought to the Cargo Shed at the old airport at Luqa.

If returning by sea:

Inform the WBRU the date and time of arrival of the vessel, the vessel's name, shipping company, and port of departure and the name of the berth upon arrival.

If goods are brought over via parcel post or courier:

The owner of the goods is to alert the Wild Birds Regulation Unit upon receiving the delivery notice so that the parcel can be opened and the goods inspected at the Parcel Post Office or at the Courier service company's office.

C. Ensure that, in the case of birds that are listed in Schedule III and that have been legitimately acquired in their country of origin, are accompanied by all documentary evidence proving such legal acquisition issued by the governmental authority responsible for bird conservation in that country where the birds were taken from the wild.

D. Ensure that confirmation of an appointment with officials of the Wild Birds Regulation Unit to be present at point of entry to inspect the consignment has been received prior to departure.

Additional requirements

The scope of this Guidance Note is strictly limited to the provisions of the Conservation of Wild Birds Regulations and is without prejudice to other legal requirements (CITES, Health, Veterinary, Import Control, etc) that may also apply. The persons concerned are advised to seek relevant authorisations from other regulatory institutions such as the CITES Office at the Malta Environment and Planning Authority, the Department of Veterinary Services; the Port Health office at the Public Health Department and the Department of Commerce. It shall be the responsibility of any person wishing to bring over or import into Malta such specimens to check with the relevant authorities regarding any other requirements imposed by the latter.