No. 1280

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes
(for the purposes of article 3(2)(c) of Chapter 512 of the Laws of Malta

1. Introduction

Title of the Legal Notice	Animal Slaughter or Killing (Protection) (Amendment) Regulations, 2023, hereinafter referred to as "the regulations"
Activity to be regulated	The slaughter or killing of animals
Responsible entity	The Animal Health and Welfare Department

2. Summary and Background

2.1 Aims & Objectives of the legislation

The objective of these regulations is be in conformity with the current European Union Regulations.

2.2 Public Consultation

No public consultation was needed.

3. Overview of the structure of the instrument

The legal notice consists of five (5) regulations and consist of the following:

1. Citation and commencement.

2. General amendments to the principal regulations.

3. Amends regulation 1 of the principal regulations.

4. Substitutes regulation 2 of the principal regulations.

5. Amends regulation 16 of the principal regulations.

4. Commentary on the regulations

Regulation 2: Deletes regulations 4 to 15 of the principal regulations as well as all the Schedules to the principal regulations.

Regulation 3: Amends sub-regulation (4) of regulation 1 of the principal regulations to change the scope of the principal regulations since European Union Council Directive 93/119/EEC has become obsolete. Therefore, the scope is being changed to make reference to the implimentation of the requirements of the provisions of Council Regulation (EC) No 1099/2009 of 24 September 2009 and to impose fines and penalties when there is a breach of the regulations.

Regulation 4: Substitutes regulation 2 of the principal regulations so all terms and expressions used in the regulations shall have the same meaning as assigned to them in the principal Act and Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing. It also defines the competent authority in Malta as the Veterinary Services.

Regulation 5: Amends regulation 16 of the principal regulations by adding a new sub-regulation to give power to the Director for Veterinary Services to proceed in accordance with article 47 of the principal Act when a breach of the regulations has been committed.

5. Concluding Section

These regulations shall come into force within two (2) months from their publication in the Gazette.

N.B: These Explanatory Notes are not intended to be an exhaustive description of the legal instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

19th September, 2023

User Guidelines

1. Introduction

Title of the Legal Notice	Animal Slaughter or Killing (Protection) (Amendment) Regulations, 2023, hereinafter referred to as "the regulations"
Activity to be regulated	The slaughter or killing of animals
Responsible entity	The Animal Health and Welfare Department

2. Objectives & Purpose of the Legislation

The objective of these regulations is be in conformity with the current European Union Regulations.

3. Commentary on parts and articles

The legal notice consists of five (5) regulations and consist of the following:

1. Citation and commencement.

2. General amendments to the principal regulations.

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and Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing. It also defines the competent authority in Malta as the Veterinary Services.

Regulation 5: Amends regulation 16 of the principal regulations by adding a new sub-regulation to give power to the Director for Veterinary Services to proceed in accordance with article 47 of the principal Act when a breach of the regulations has been committed.

Disclaimer: The information contained within this document is intended only as guidelines and is not intended, nor should be construed, as legislation. Please refer to the related legal notice for a more comprehensive understanding.

For any other information kindly contact the Technical Policy and Coordination Unit within the Animal Health and Welfare Department using the following contact details:

Animal Health and Welfare Department
(Attn: Director General – Animal Health and Welfare Department)
Triq il-Biccerija, Albertown, Marsa, MRS1123, Malta
Tel no: +(356) 22925100

Email: (infoahwd.mafa@gov.mt)

No. 1281

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes
(for the purposes of article 3(2)(c) of Chapter 512 of the Laws of Malta)

1. Introduction

Title of the Legal Notice	Calves (Protection) (Amendment) Regulations, 2023, hereinafter referred to as "the regulations"
Activity to be regulated	The keeping and breeding of calves.
Responsible entity	The Animal Health and Welfare Department

2. Summary and Background

2.1 Aims & Objectives of the legislation

The objective of these regulations is to provide for the minimum measurements and requirements for calves' pens.

2.2 Public Consultation

No public consultation was needed.

3. Overview of the structure of the instrument

The regulations are made up of eight (8) regulations and consist of the following:

1. Citation and commencement.

2. Amends regulation 1 of the principal regulations.

3. Amends regulation 2 of the principal regulations.

4. Amends regulation 3 of the principal regulations.

5. Deletes regulation 5 of the principal regulations.

6. Substitutes regulation 6 of the principal regulations.

7. Substitutes regulation 8 of the principal regulations.

8. Amends regulation 9 of the principal regulations.

4. Commentary on the regulations

Regulation 2: Amends regulation 1 of the principal regulations which changes the scope of the principal regulations to make reference to European Union Council Directive 2008/119/EC of 18 December 2008.

Regulation 3: Amends regulation 2 of the principal regulations to provide the following new definitions: "competent authority", "Director", "final consumer" and "Regulation (EU) 2017/625" and adds a new-sub-regulation.

Regulation 4: Amends regulation 3 of the principal regulations which provides for the minimum measurements and requirements for calves' individual pens and for the space for calves kept in groups after the age of eight (8) weeks.

Regulation 5: Deletes regulation 5 of the principal regulations.

Regulation 6: Substitutes regulation 6 of the principal regulations to bring in line the inspections and reporting procedures in accordance with the provisions of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017.

Regulation 7: Substitutes regulation 8 of the principal regulations to make reference to the provisions of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017.

Regulation 8: Amends regulation 9 of the principal regulations so that the provisions of article 47 of the Act apply to the principal regulations.

5. Concluding Section

The publication of these regulations is required to update the national legislation with the current European Union Directives and Regulations in force.

These regulations shall come into force within two (2) months from their publication in the Gazette.

N.B: These Explanatory Notes are not intended to be an exhaustive description of the legal instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

19th September, 2023

User Guidelines

1. Introduction

Title of the Legal Notice	Calves (Protection) (Amendment) Regulations, 2023, hereinafter referred to as "the regulations"
Activity to be regulated	The keeping and breeding of calves.
Responsible entity	The Animal Health and Welfare Department

2. Objectives & Purpose of the Legislation

The objective of these regualtions is to provide for the minimum measurements and requirements for calves' pens.

3. Commentary on parts and articles

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