

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,877, 24 ta' Frar, 2012

Taqsimha B

A.L. 77 tal-2012

**ORDINANZA DWAR L-ESPLOŻIVI
(KAP. 33)**

**Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar
Kontroll ta' Xogħlijiet tan-Nar u Esplożivi Ohra**

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 22 tal-Ordinanza dwar l-Esplożivi, il-Ministru tal-Intern u Affarijiet Parlamentari għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-Regolamenti hu r-Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar Kontroll ta' Xogħlijiet tan-Nar u Esplożivi Ohra u għandhom jinqraw u jiftiehm u haġa waħda mar-Regolamenti dwar Kontroll ta' Xogħlijiet tan-Nar u Esplożivi Ohra, hawn iżjed 'il quddiem msejha "ir-regolamenti prinċipali".

Titolu.

L.S. 33.03.

2. Ir-Regolament 4 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

Jemenda r-regolament 4 tar-regolamenti prinċipali.

(a) minnufih wara r-regolament 4(2)(d) tiegħu għandu jiżdied dan il-paragrafu ġdid li ġej:

"(e) Kategorija "TEMP" - għall-persuni li jkollhom liċenza valida biex jaħarqu xogħlijiet tan-nar fi Stat ieħor, b'mod partikolari fi Stat Membru, u li jkunu awtorizzati jaħarqu xogħlijiet tan-nar f'Malta matul avveniment, bħal ma huma wirjiet ta' xogħlijiet tan-nar jew festi."; u

(b) minnufih wara r-regolament 4(11) tiegħu għandhom jiżdiedu dawn is-subregolamenti li ġejjin:

"(12) Liċenza tal-Kategorija "TEMP" għandha tkun valida għal matul avveniment, bħal ma huma wirjiet ta' xogħlijiet tan-nar jew festi, matul liema d-detentur ikun qed jaħraq xogħlijiet tan-nar f'Malta.

(13) Applikazzjonijiet għal liċenzi tal-Kategorija "TEMP" iridu jkunu approvati mill-organizzatur tal-avveniment għal liema l-applikant ikun ser jaħraq xogħlijiet tan-nar. Dawn l-applikazzjonijiet għandhom ikunu preżentati mill-applikant, jew mill-organizzatur f'isem l-applikant, mill-anqas 14 -il jum qabel il-bidu tal-avveniment. L-applikazzjonijiet għandhom jinkludu d-dettalji personali tal-applikant, tagħrif dwar id-dati u s-siti ta' fejn jinħarqu x-xogħlijiet u kopji ta' kull liċenza jew kwalifika miżmuma mill-applikant. Liċenzi jew kwalifiki originali jistgħu jiġu preżentati f'data iżjed tard skont id-direttivi mogħtija mill-Kummissarju.

(14) L-applikanti għal-liċenza tal-Kategorija "TEMP"

jistgħu, jekk jitqiesu neċessarji mill-Kummissarju, jkunu meħtieġa li jgħaddu minn eżami orali biex jiġi aċċertat li huma għandhom t-tagħrif u l-ħila teknika meħtieġa biex jaħarqu xogħlijiet tan-nar mingħajr periklu għalih innifsu jew għall-oħrajn."

Iżid r-regolament 6A mar-regolamenti prinċipali.

3. Minnufih wara r-regolament 6 tar-regolamenti prinċipali għandu jiżdied dan ir-regolament ġdid li ġej:

"Kondizzjonijiet tal-liċenza.

6A. (1) Id-detentur tal-liċenza ta' Fabbrika tax-Xogħlijiet tan-Nar għandu jkun responsabbli li jiżgura li l-fabbrika tax-xogħlijiet tan-nar hija konformi mad-disposizzjonijiet ta' dawn ir-regolamenti inkluż, iżda mhux limitat:

(a) li jiżgura li d-detenturi tal-liċenza 'A' qegħdin jikkontrollaw b'mod xieraq id-detenturi tal-liċenza oħra f'kull ħin; u

(b) li jzomm u jaġġorna r-Registru skont ir-regolament 22.

(2) Detenturi tal-liċenza kollha għandhom jaħdmu taħt id-direzzjoni ta' dak id-detentur tal-liċenza u għandhom jirraportaw għandu dwar kull obbligu prevvist b'dawn ir-regolamenti.

(3) Kull meta fabbrika tax-xogħlijiet tan-nar tkun qed tikser ir-regolamenti 7, 8 u 9 jew inkella tkun xort'oħra qed tikser b'mod serju dawn ir-regolamenti, jew tikser xi ligi oħra, kif stipulat fl-Ordinanza, il-Kummissarju għandu jissospendi il-liċenza tad-detentur tal-liċenza, kif ukoll l-liċenza ta' kull persuna oħra nvoluta fil-ksur."

Jemenda r-regolament 16 tar-regolamenti prinċipali.

4. Ir-regolament 16 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (1) tiegħu, minnufih wara l-kliem "regolament 15" għandhom jiżdiedu l-kliem "jew għall kull fini oħra";

(b) fil-paragrafu (b) tas-subregolament (1) tiegħu, il-kliem "Dipartiment tal-Mużewijiet" għandhom jiġu sostitwiti bil-kliem "Supretendenza tal-Wirt Kulturali jew xi entità oħra responsabbli mill-preservazzjoni tal-wirt kulturali skont l-Att dwar il-Patrimonju Kulturali."; u

(ċ) fil-paragrafu (ċ) tas-subregolament (1) tiegħu, minflok il-kliem "ta' l-Awtorità dwar l-Ippjanar," għandhom jiġu sostitwiti l-kliem "tal-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar."

L.N. 77 of 2012

EXPLOSIVES ORDINANCE
(CAP. 33)
Control of Fireworks and other Explosives (Amendment)
Regulations, 2012

IN exercise of the powers conferred by article 22 of the Explosives Ordinance, the Minister for Home and Parliamentary Affairs has made the following regulations:-

1. The title of these Regulations is the Control of Fireworks and other Explosives (Amendment) Regulations, 2012 and they shall be read and construed as one with the Control of Fireworks and other Explosives Regulations, hereinafter referred to as "the principal regulations".

Citation and
Commencement
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S.L. 33.03.

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

Amends
regulation 4of
the principal
regulations.

(a) immediately after regulation 4(2)(d) thereof there shall be added the following new paragraph:

"(e) Category "TEMP"- for persons holding a valid licence to let off fireworks in another State, particularly in a Member State, and who are authorised to let off fireworks in Malta for the duration of an event, such as fireworks exhibitions or festivals."; and

(b) immediately after regulation 4(11) thereof there shall be added the following new subregulations:

"(12) A Category "TEMP" licence shall be valid for the duration of an event, such as a fireworks exhibition or festival, during which the holder would be letting off fireworks in Malta.

(13) Applications for licences in Category "TEMP" are to be endorsed by the organiser of the event on the occasion of which the applicant is to let off fireworks. Such applications shall be submitted by the applicant, or by the organiser on behalf of the applicant, at least 14 days prior to the commencement of the event. Applications shall include the personal details of the applicant, information relating to the dates and site for letting off and copies of any licences or qualifications held by the applicant. Original licences or qualifications may be submitted at a later date as directed by the Commissioner.

(14) Applicants for a Category "TEMP" licence may, if deemed necessary by the Commissioner, be required to pass an oral test to ascertain that they possess the necessary technical

knowledge and ability to let off fireworks without danger to themselves or to others."

Adds regulation 6A to the principal regulations.

3. Immediately after regulation 6 of the principal regulations there shall be added the following new regulation:

"Licence conditions.

6A. (1) The licensee of a fireworks factory shall be responsible to ensure that the fireworks factory is compliant with the provisions of these regulations including, but not limited to:

(a) ascertaining that licence 'A' holders are adequately supervising other licence holders at all times; and

(b) maintaining and updating the Register in regulation 22.

(2) All licence holders shall work under the direction of the licensee and shall report to him in relation to any obligation foreseen by these regulations.

(3) Whenever a fireworks factory is in contravention of regulations 7, 8, and 9 or is otherwise in serious breach of these regulations, or is in breach of any other law, as stipulated in the Ordinance, the Commissioner shall suspend the licence pertaining to the licensee, as well as the licence of any other person directly involved in the contravention."

Amends regulation 16 of the principal regulations.

4. Regulation 16 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, immediately after the words "regulation 15" there shall be inserted the words "or for any other purpose";

(b) in paragraph (b) of sub-regulation (1) thereof, the words "Museums Department" shall be substituted by the words "Superintendence of Cultural Heritage or any other entity responsible for the preservation of cultural heritage in terms of the Cultural Heritage Act."; and

(c) in paragraph (c) of sub-regulation (1) thereof, immediately after the words "of the" there shall be added the words "Malta Environment and".

