

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,894, 23 ta' Marzu, 2012

Taqsimha B

**A.L. 100 tal-2012**

**ATT DWAR L-AWTORITÀ TA' MALTA DWAR IR-RIŻORSI  
(KAP. 423)**

**Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar  
il-Petroleum għas-Suq tal-Karburanti bl-Ingrossa fuq l-Art**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 28(1) tal-Att dwar Awtorità ta' Malta dwar ir-Riżorsi, il-Ministru għar-Riżorsi u Affarijiet Rurali, wara konsultazzjoni mal-Awtorità ta' Malta dwar ir-Riżorsi, għamel dawn ir-regolamenti li ġejjin:-

**1.** It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar il-*Petroleum* għas-Suq tal-Karburanti bl-Ingrossa fuq l-Art, u dawn ir-regolamenti għandhom jinqraw u jinftiehem waħda waħda Regolamenti dwar il-*Petroleum* għas-Suq tal-Karburanti bl-Ingrossa fuq l-Art, hawn iżjed 'il quddiem imsejha "ir-regolamenti prinċipali".

Titolu.

L.S. 423.28

**2.** Is-subregolament (1) tar-regolament 1 tar-regolamenti prinċipali għandu jiġi sostitwit b'dan li ġej:

Jemenda r-regolament 1 tar-regolamenti prinċipali.

"(1) It-titolu ta' dawn ir-regolamenti hu Regolamenti dwar il-*Petroleum* fis-Suq tal-Karburanti bl-Ingrossa fuq l-Art, l-Ibbottiljar tal-LPG u l-Facilitajiet tal-Ħzin Primarji."

**3.** Ir-regolament 2 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

Jemenda r-regolament 2 tar-regolamenti prinċipali.

(a) minflok it-tifsira "persuna kompetenti" għandu jidhol dan li ġej:

" "persuna kompetenti" tfisser persuna approvata mill-Awtorità li:

(a) tipprattika l-professjoni ta' inġinier taħt l-Att dwar il-Professjoni tal-Inġinerija; u

Kap. 321.

(b) li jkollha taħriġ tajjeb, għarfien suffiċjenti, esperjenza u kapaċità hekk kif approvati mill-Awtorità biex:

(i) tagħmel spezzjonijiet tal-verifika ta' faċilità awtorizzata;

(ii) tissorvelja tibdil materjali fil-faċilità awtorizzata;

(iii) tiċċertifika bil-miktub li l-faċilità awtorizzata hija mhaddma kif stabbilit fil-kondizzjonijiet tal-awtorizzazzjoni u, jew f'linji gwida u, jew Kodiċi ta' Prattika debitament approvati mill-Awtorità;

(iv) tiċċertifika bil-miktub id-disinn, il-bini, l-ittestjar u l-ikkummissjonar tat-tagħmir, u, jew tas-siti li jkunu intiżi biex ikunu msemmija għal dan il-għan mill-Awtorità bħala faċilitajiet awtorizzati;

(v) tagħmel xogħol ieħor ta' xorta teknika li jkun kumplimentari jew anċillari ma' dak imsemmi hawn qabel"; u

(b) minflok it-tifsira "tibdil materjali" għandu jidhol dan li ġej:

" "tibdil materjali" tfisser kull tibdil li, fil-limiti ta' l-applikazzjoni tal-awtorizzazzjoni, jista' fl-opinjoni tal-Awtorità jaffettwa b'mod raġonevoli l-operazzjoni tal-faċilità awtorizzata, u tinkludi żjieda, tibdil, tneħħija, irranġar, skambjar jew waqfien mill-użu ta' xi tagħmir sew elettriku sew mekkaniku;"

Jemenda r-regolament 33 tar-regolamenti prinċipali.

**4.** Ir-regolament 33 tar-regolamenti prinċipali għandu jiġi enumerat mill-ġdid bħala r-regolament 33(1) u minnufih wara s-subregolament (1) hekk kif enumerat mill-ġdid għandu jżied is-subregolament ġdid li ġej:

"(2) Il-provditur awtorizzat imsemmi fis-subregolament (1) għandu jiżgura li kontenut minimu ta' *biofuel* bħala perċentwali tal-kontenut tal-enerġija totali ta' *petrol* MSA EN 228 u ta' *diesel* MSA EN 590 imqiegħed fis-suq, kif provdut fis-Sitt Skeda, ikun verifikat u misjub li jkun iħares il-kriterji ta' sostenibbiltà stabbiliti fir-regolament 4 tar-Regolamenti dwar il-Kriterji ta' Sostenibbiltà tal-Biokarburanti."

L.S.423.47

Jemenda l-Ewwel Skeda li tinsab mar-regolamenti prinċipali.

**5.** Fl-Ewwel Skeda li tinsab mar-regolamenti prinċipali, minflok il-kliem:

"L-EWWEL SKEDA  
Regolament 8(2)"

għandhom jidhlu l-kliem:

"L-EWWEL SKEDA

Regolament 2, 8(2)

Dritt dovut lill-Awtorità għall-approvazzjoni bħala persuna kompetenti ..... €35".

6. Fit-Tieni Skeda li tinsab mar-regolamenti prinċipali, minflok il-kliem:

Jemenda t-Tieni  
Skeda li tinsab  
mar-regolamenti  
prinċipali.

"(a) €4,659 fis-sena fil-każ ta' faċilità primarja tal-ħżin li ma tkunx teċċedi kapaċità ta' 25,000 tunnellata;

(b) €9,317 fis-sena fil-każ ta' faċilità primarja tal-ħżin li tkun teċċedi 25,000 tunnellata iżda li ma tkunx teċċedi kapaċità ta' 100,000 tunnellata;

(ċ) €13,976 fis-sena fil-każ ta' faċilità primarja tal-ħżin li tkun teċċedi kapaċità ta' 100,000 tunnellata."

għandhom jidhlu l-kliem:

"(a) €1,500 fis-sena fil-każ ta' faċilità primarja tal-ħżin li ma tkunx teċċedi kapaċità ta' sitt tunnellati, iżda li fil-każ ta' faċilità primarja tal-ħżin tal-LPG dan l-ammont ta' dritt ta' awtorizzazzjoni għandu jkun applikabbli meta l-kapaċità ma tkunx teċċedi żewġ tunnellati;

(b) €2,500 fis-sena fil-każ ta' faċilità primarja tal-ħżin li tkun teċċedi 2,500 tunnellata, iżda li fil-każ ta' faċilità primarja tal-ħżin tal-LPG dan l-ammont ta' dritt ta' awtorizzazzjoni għandu jkun applikabbli meta l-kapaċità ma tkunx teċċedi 50 tunnellata;

(ċ) €5,000 fis-sena fil-każ ta' faċilità primarja tal-ħżin li tkun teċċedi l-kapaċitajiet imsemmija fil-paragrafu (b) iżda li ma tkunx teċċedi l-kapaċità ta' 25,000 tunnellata;

(d) €10,000 fis-sena fil-każ ta' faċilità primarja tal-ħżin li tkun teċċedi l-kapaċità ta' 25,000 tunnellata iżda li ma tkunx teċċedi l-kapaċità ta' 100,000 tunnellata;

(e) €15,000 fis-sena fil-każ ta' faċilità primarja tal-ħżin

li teċċedi l-kapaċità ta' 100,000 tunnellata:".

Jissostitwixxi t-Tielet Skeda li tinsab mar-regolamenti prinċipali.

7. It-Tielet Skeda li tinsab mar-regolamenti prinċipali għandha tiġi sostitwita b'dan li ġej:

"IT-TIELET SKEDA  
Regolament 30(1)

Żejt tal-gass li jaqa' taht il-Kodiċi CN 2710.19.45.00 għandu jiġi mmarkat bil-kulur CI Solvent Yellow 174 li għandu jiġi miżjud b'mhux inqas minn dik il-kwantità li tagħti intensità ta' kulur meta din tiġi mkejla bi spettrofotometru ta'  $430 \pm 10\text{nm}$ , li tikkorrispondi għal 5 mg ta' CI Solvent Yellow 174 kif definit fl-Indiċi tal-Ilwien għal kull litru ta' żejt minerali."

---

**L.N. 100 of 2012**

**MALTA RESOURCES AUTHORITY ACT  
(CAP. 423)**

**Petroleum for the Inland (Wholesale) Fuel Market  
(Amendment) Regulations, 2012**

IN exercise of the powers conferred by article 28(1) of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs, after consultation with the Malta Resources Authority, has made the following regulations:-

**1.** The title of these regulations is the Petroleum for the Inland (Wholesale) Fuel Market (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the Petroleum for the Inland (Wholesale) Fuel Market Regulations, hereinafter referred to as "the principal regulations".

Citation.

S.L. 423.28

**2.** Sub-regulation (1) of regulation 1 of the principal regulations shall be substituted by the following:

Amends regulation 1 of the principal regulations.

"(1) The title of these regulations is the Petroleum for the Inland Wholesale Fuel Market, Bottling of LPG and Primary Storage Facilities Regulations."

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

Amends regulation 2 of the principal regulations.

(a) for the definition "competent person" there shall be substituted the following definition:

" "competent person" means a person who is approved by the Authority and who:

(a) practices the profession of an engineer under the Engineering Profession Act; and

Cap. 321.

(b) who is suitably trained, has sufficient knowledge, experience and capability as approved by the Authority to:

(i) carry out assessment inspections of authorised facilities;

(ii) supervise material alterations to authorised facilities;

(iii) certify in writing that authorised facilities are being maintained and operated as prescribed in any authorisation conditions and, or guidelines and, or Codes of Practice duly approved by the Authority;

(iv) certify in writing the design, construction, testing and commissioning of equipment and, or sites intended to be designated by the Authority as authorised facilities;

(v) carry out other work of a technical nature that is complimentary or ancillary to the above;" and

(b) for the definition "material alterations" there shall be substituted the following definition:

"material alteration" means any alteration which, within the limits of the applicability of the authorisation, may in the opinion of the Authority reasonably affect the operation of an authorised facility and includes the addition, change, removal, repair, replacement or cessation of use of any equipment, whether electrical or mechanical;".

Amends regulation 33 of the principal regulations.

**4.** Regulation 33 of the principal regulations shall be renumbered as regulation 33(1) and immediately after sub-regulation (1) as renumbered there shall be added the following new sub-regulation:

"(2) The authorised provider referred to in sub-regulation (1) shall ensure that the minimum biofuel amounts as a percentage of the total energy content of MSA EN 228 petrol and MSA EN 590 diesel placed on the market, as provided for in the Sixth Schedule, are audited and verified to be in compliance to the sustainability criteria set out in regulation 4 of the Biofuels (Sustainability Criteria) Regulations.".

Amends the First Schedule to the principal regulations.

**5.** In the First Schedule to the principal regulations for the words:

"FIRST SCHEDULE  
Regulation 8(2)"

there shall be substituted the words:

"FIRST SCHEDULE  
Regulation 2, 8(2)

Fee due to the Authority for approval as a competent person ..... €35".

6. In the Second Schedule to the principal regulations for the words:

Amends the  
Second  
Schedule to the  
principal  
regulations.

"(a) €4,659 per annum in the case of a primary storage facility which does not exceed 25,000 tonnes capacity;

(b) €9,317 per annum in the case of a primary storage facility which exceeds 25,000 tonnes but does not exceed 100,000 tonnes capacity;

(c) €13,976 per annum in the case of a primary storage facility which exceeds 100,000 tonnes capacity"

there shall be substituted the words:

"(a) €1,500 per annum in the case of a primary storage facility which does not exceed six tonnes capacity, but in the case of a primary storage facility of LPG such amount of authorisation fee shall be applicable when the capacity does not exceed two tonnes;

(b) €2,500 per annum in the case of a primary storage facility which does not exceed 2,500 tonnes, but in the case of a primary storage facility of LPG such authorisation fee shall be applicable when the capacity does not exceed 50 tonnes;

(c) €5,000 per annum in the case of a primary storage facility which exceeds the capacities mentioned in paragraph (b) but which does not exceed 25,000 tonnes capacity;

(d) €10,000 per annum in the case of a primary storage facility which exceeds 25,000 tonnes but which does not exceed 100,000 tonnes capacity;

(e) €15,000 per annum in the case of a primary storage facility which exceeds 100,000 tonnes capacity."

Substitutes the  
Third Schedule  
to the principal  
regulations.

7. For the Third Schedule to the principal regulations there shall be substituted the following:

"THIRD SCHEDULE  
Regulation 30(1)

Gas Oil falling within CN Code 2710.19.45.00 shall be marked with CI Solvent Yellow 174 dye added in not less than such a quantity that gives a colour intensity when measured in a spectrophotometer at  $430 \pm 10\text{nm}$ , corresponding to 5 mg of CI Solvent Yellow 174 as defined in the Colour Index per litre of mineral oil."

---

