



GOVERNMENT OF MALTA

**Government response to the Consultation on the
Protection of Wild Rabbit (Amendment) Regulations,
2021**

08/10/2021

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Executive Summary

Introduction and overview

The proposed legal amendment introduces a twelve-point penalty system to tally with the penalty system as proposed in the Conservation of Wild Birds Regulations (S.L. 549.42). Each offence category in Schedule II of the Protection of Wild Rabbit Regulations is assigned a number of points, ranging from two to four. Once an individual accumulates an aggregate of twelve points or more during a two-year period, his general licence (the one associated with the offences committed in case he has multiple licence categories) will be suspended by the Wild Birds Regulation Unit for a period of one (1) year, in line with the proposed amendment to regulation 5. All points will be reset to zero if the licensee does not commit other offences as found in Schedule II within two years from the date of last offence. The following administrative fines have been included in Schedule II to tally with the list of administrative fines in Schedule VIII of the Conservation of Wild Birds Regulations:

- Failure to report any information which may be specified by the Wild Birds Regulation Unit.
- Carrying a firearm within specific distances from any town or village, or other inhabited areas and within restricted areas.
- Trespassing of private property, unless such trespassing is an offence under any other law. The fines pegged to each offence category are proposed to remain as those listed in the current Schedule II of S.L.549.90. No increase in fines are proposed.

The draft Legal Notice amendment was issued for public consultation between 8 September and 7 October 2021, inclusive of both dates. The objective of the consultation was to invite the public to submit representations on the draft amendment.

This consultation sought views on the legal amendment as outlined in this section.

Responses to the consultation and process used to seek stakeholder views

This document is the Government Response to this consultation and sets out the Government's decisions on these matters.

The consultation closed on 7 October 2021. The consultation document (i.e. the draft Legal Notice) was available online and responses were accepted electronically. In total, there was 1 submission from one hunting organisation. Respondent's comments submitted *ad verbatim* are included as Annex A to this report.

Summary of responses and decisions

The following is a summary of the consultation responses received. We would like to thank all those who took the time to review this legal amendment.

Statistics.

- Total feedback received: 1

- Total feedback received by individuals: X
- Total feedback received by organisations: 1
- Total feedback received through email: 1
- Total feedback received through online form: X
- Total feedback received by post: X

The respondents' comment requested a clarification on whether suspension due to the accumulation of points as specified in the legal amendment will affect all General License categories related to wild rabbit.

Contact Details

If you have any questions regarding this response, please contact us on wildbirds@gov.mt

Annex A: List of respondents

Ref No.	Date Received	Name and Surname / Name of Entity ¹	Comments Received	Response by WBRU
1	07/10/2021	Saint Hubert Hunters (KSU)	<p>Whilst being in agreement with the proposed regulations we ask for your clarification on whether suspension due to the accumulation of points as specified will affect all General License categories related to wild rabbit. Namely if a person possess both Hunting of wild rabbit and Capturing categories will both be suspended should points be accumulated in relation to one category only?</p>	<p>The proposed legal amendment specifically mentions “the respective general licence”. Since rabbit hunting and rabbit ferreting are two separate general licence, only that licence for which the corresponding penalty points have been accumulated will be suspended. Although the proposed revised Schedule II pegs the same type of offence for rabbit ferreting and rabbit hunting, the two activities cannot be carried out concurrently as specified in the Protection of Wild Rabbit Regulations (S.L.549.90). Thus, there will be a clear distinction between the associated accumulation of penalty points per general licence category.</p>

¹ Included unless a request for confidentiality has been made.