

A.L. 99 ta' l-2004**ATT DWAR IL-HARSIEN TA' L-AMBJENT
(KAP. 435)****Regolamenti ta' l-2004 dwar l-Immaniġġar ta' Skart
(Vetturi fi Tmiem Żmienhom)**

BIS-SAHHA tas-setghat moghtija bl-artikoli 9 u 11 ta' l-Att dwar il-harsien ta' l-Ambjent, hawn iżjed 'il quddiem imsejjah "l-Att", il-Ministru għall-Affarijiet Rurali u l-Ambjent, għamel dawn ir-regolamenti li ġejjin:-

1. (1) It-titolu ta' dawn ir-regolamenti hu **Regolamenti ta' l-2004 dwar l-Immaniġġar ta' Skart (Vetturi fi Tmiem Żmienhom)**. Titolu, bidu fis-sehh u skopijiet.

(2) Dawn ir-regolamenti għandhom jidhlu fis-sehh f' dik id-data li l-Ministru responsabbli għall-ambjent jista' b'avviż fil-Gazzetta jistabilixxi, u dati differenti jistgħu jiġu hekk stabbiliti għal disposizzjonijiet differenti u għal skopijiet differenti ta' dawn ir-regolamenti.

(3) Dawn ir-regolamenti jipprovdu miżuri, proċeduri u gwida addizzjonali ma' dawk li hemm fir-Regolamenti ta' l-2001 dwar Permessi u Kontrolli fil-Maniġġar ta' Skart, li l-għan tagħhom hu, bhala l-ewwel prijorità, il-prevenzjoni ta' l-iskart minn vetturi u, barra minn hekk, l-użu mill-ġdid, ir-riċiklaġġ u forom ohra ta' rkuprar ta' vetturi fi tmiem żmienhom u l-komponenti tagħhom biex titnaqqas it-tnehhija ta' skart. Dawn għandhom ukoll l-għan li jġibu titjib fil-hidma ambjentali ta' l-operaturi ekonomiċi kollha involuti fiċ-ċiklu tal-hajja tal-vetturi u, b'mod speċjali, l-operaturi involuti direttament fit-trattament ta' vetturi fi tmiem żmienhom.

2. (1) F'dawn ir-regolamenti, kemm-il darba r-rabta tal- Tifsir. kliem ma tkunx tehtieġ xort'ohra:

“apparat li jqatta' b'ċejjeċ b'ċejjeċ” tfisser kull apparat użat biex iqatta' b'ċejjeċ b'ċejjeċ jew jifframmenta vetturi fi tmiem żmienhom, inkluż għall-iskop li jittiehed direttament ruttam tal-hadid li jista' jerga' jintuża;

“Awtorità Kompetenti” tfisser l-Awtorità Maltija għall-Ambjent u l-Ippjanar u dawk il-korpi jew persuni ohra kif il-Ministru responsabbli għall-ambjent jista' b'ordni fil-Gazzetta jordna, u korpi u persuni ohra kif jistgħu jiġu magħzula bhala l-awtorità kompetenti għal disposizzjonijiet differenti u għal għanijiet differenti ta' dawn ir-regolamenti;

“Ftehim” tfisser ftehim li Malta tkun tagħmel parti minnu, milhuq bejn grupp ta' stati, li jagħtu reċiprokament liċ-ċittadini ta' dawn l-istati jew lid-dipendenti tagħhom, id-dritt li jidhlu fit-territorju ta' dan l-istat u li joqogħdu u jgħixu fih u li jitolqu minnu, li jiċċaqalqu liberament f'dawn l-istati għal dak il-perjodu li jista' jkun stabbilit fil-ftehim, u li jahdmu jew jistabbilixxu, jipprovdu jew jirċievu servizzi fih; u “Stat Miftiehem” u “ċittadin ta' Stat Miftiehem” għandhom jitfissru f'dan is-sens; u meta stat ikun jagħmel parti minn Ftehim bħal dak soġġett għal modifiki u adattamenti, ċittadin ta' Stat Miftiehem għandu jkun soġġett għal dawk il-modifiki jew adattamenti skond kif jista' jkun ordnat;

“imqegħdin fis-suq” tfisser meta vettura, materjal jew komponenti ta' vetturi jkunu trasferiti mill-istadju tal-manifattura, bl-intenzjoni li jitqegħdu fuq is-suq;

“informazzjoni dwar żarmar” tfisser l-informazzjoni meħtieġa għat-trattament korrett u ambjentalment san, ta' vetturi fi tmiem żmienhom. Għandha tkun aċċessibbli għal faċilitajiet ta' trattament li huma awtorizzati minn manifatturi ta' vetturi u produttori ta' komponenti f'forma ta' manwali jew permezz ta' mezzi elettronici;

“operatori ekonomiċi” tfisser produttori, distributuri, kolletturi, kumpanniji ta' assigurazzjoni ta' vetturi bil-mutur, dawk li jżarmaw, dawk li jqattgħu b'ċeċċ b'ċeċċ, irkupraturi, riċiklaturi u operatori ohra ta' trattament ta' vetturi fi tmiem żmienhom, inklużi l-komponenti u l-materjali tagħhom;

“permess” tfisser permess mahruġ taht ir-Regolamenti ta' l-2001 dwar Permessi u Kontrolli fil-Maniġġar ta' Skart;

“prevenzjoni” tfisser miżuri li jaħsbu għat-tnaqqis tal-kwantità u ta' għemil ta' hsara lill-ambjent minn vetturi fi tmiem żmienhom minn kull materjal u sustanza tagħhom;

“produttur” tfisser il-manifattur tal-vettura jew l-importatur ta' vettura;

“riċiklaġġ” tfisser l-ipproċessar mill-ġdid, fi proċess ta’ produzzjoni, ta’ kull materjal ta’ skart għall-iskop oriġinali jew għal skopijiet oħra, imma mhux għall-irkupru ta’ enerġija. Rkupru ta’ enerġija tfisser l-użu ta’ skart kombustibbli bhala mezz għall-ġenerazzjoni ta’ enerġija permezz ta’ incinerazzjoni diretta ma’ skart ieħor jew għalih iżda bi rkupru tas-shana;

“skart” b’żieda ma’ dak li jingħad fl-Att, tfisser kull haġa, sustanza, prodott jew oġġett, f’ għamla sew solida sew likwida, ta’ xorta sew perikoluża sew xort’oħra, li pussessur jwarrab għar-rimi, jew ikun bi hsiebu jew ikun mehtieg li jwarrab għar-rimi, jew dak kollu li jitqies li jkun skart mill-Awtorità Kompetenti;

“sustanza perikoluża” tfisser kull sustanza li l-Awtorità Kompetenti tqis li tkun perikoluża skond ma hemm fi Skeda 1 li tinsab ma’ dawn ir-regolamenti;

“trattament” tfisser kull attività wara li l-vettura fi tmiem żmienha tkun ingħatat lil faċilità biex tkun innaddfa mit-tingis, żarmata, ipressata, mqatta’ b’cejjeċ b’cejjeċ, rkuprata jew imhejjija għar-rimi ta’ l-iskart mit-tqattigh b’cejjeċ b’cejjeċ, u kull operazzjoni oħra magħmula għall-irkuprar u, jew rimi tal-vettura fi tmiem żmienha u l-komponenti tagħha;

“triċikletti bil-mutur” tfisser vetturi bi tliet roti rrangati simetrikament li għandhom magna li għandha ċilindrata li taqbeż il-50 ċm³ jekk din tkun tat-tip li taħdem b’kombustjoni interna jew ikollha veloċità massima maħsuba ta’ aktar minn 45 kilometru fis-siegha;

“użu mill-ġdid” tfisser kull operazzjoni li biha komponenti ta’ vetturi fi tmiem żmienhom jintużaw għall-istess skop li għalih kienu oriġinarjament maħsuba;

“vettura” tfisser kull vettura bil-mutur li tintuża għall-ġarr tal-passiġġieri u li jkun fiha mhux aktar minn tmien sedili barra dak tas-sewwieq u li jkollha piż massimu li ma jaqbiżx il-hames tunnellati metriċi, vetturi li jintużaw għall-ġarr ta’ merkanzija u li għandhom piż massimu li ma jaqbiżx it-3.75 tunnellati metriċi maħsubin biex jintużaw fit-triq, u vetturi bi tliet roti imma mhux triċikletti bil-mutur;

“vettura bil-mutur bi tliet roti” tfisser vetturi bil-mutur bi tliet roti, b’zewġ roti jew mod ieħor, maħsubin għall-ivvjaġġar fit-triq, imma mhux:

- triċikletti bil-mutur,
- *tractors* u makkinarju użati għal skopijiet agrikoli jew simili,
- vetturi ddisinjati primarjament għal użu ta' divertiment lil hinn mit-triq li għandhom roti rrangati simetrikament b'rota waħda fuq quddiem u tnejn fuq wara,
- vetturi maħsubin għal kontroll tal-mixi,
- vetturi maħsubin għall-użu minn persuni fiżikament diżabilitati,
- vetturi maħsubin għall-użu f'kompetizzjonijiet, fit-toroq jew ikun x'ikun it-terren,
- vetturi b'veloċità massima maħsuba li ma tkunx taqbeż is-6 kilometri fis-siegħa;

“vettura għal skop speċjali” tfisser vettura bil-mutur mibnija jew adattata apposta, mghammra b'taġmir divers li jagħtiha l-hila li taġmel ċerti funzjonijiet li ma jkollhomx x'jaqsmu mat-trasport. Dan ifisser li l-iskop primarju ta' vettura ta' dan it-tip ma jkunx it-trasport ta' persuni jew merkanzija. Din il-kategorija ta' vetturi tinkludi:

- trakkijiet għall-ġajjnuna ta' vetturi f'każ ta' hsara,
- vetturi b'pompi bil-mutur (bħal ma huma vetturi tat-tifi tan-nar),
- trakkijiet użati għat-tindif tat-toroq, gandotti u hidmiet simili (bħal ma huma vetturi kenniesa, vetturi bexxiexa u li jbattlu l-fosos),
- trakkijiet li jisprejjaw ta' kull xorta, kemm jekk ikollhom taġmir tas-shana kemm jekk le,
- trakkijiet bil-krejn, mhux għall-ġarr tal-merkanzija,
- *derricks* mobbli għat-thaffir,

- trakkijiet b'mekkanizmu għall-bini ta' mniesel, jiġifieri, bi pjattaforma li tiċċaqlaq fuq appoġġ vertikali u li ġeneralment tiegħu l-enerġija tagħha mill-magna tal-vettura,
- trakkijiet li jhalltu l-konkos,
- settijiet mobbli li jiġġeneraw l-elettriku,
- unitajiet mobbli radjologiċi, kliniċi u laboratorji,
- unitajiet ta' xandir minn barra (vetturi bil-mutur), vannijiet li jittrasmettu u jirċievu telegrafija, radjo-telegrafija jew radjo-telefonija, vannijiet bir-radar,
- trakkijiet bis-*searchlight*,
- kjoskijiet mobbli,
- vetturi ohra bil-mutur mhux speċifikati f'dawn ir-regolamenti;

“vettura fi tmiem żmienha” tfisser vettura li tkun skart;

“vettura li ma jkollha ebda valur fis-suq jew li jkollha valur negattiv” tfisser vettura li l-ispiza biex tiġi trattata u biex jiġi użat mill-ġdid il-materjal tagħha tkun daqs, jew teċċedi, il-prezz tal-komponenti u materjal li jkunu rkuprati waqt it-trattament;

“vettura qadima” tfisser vettura storika jew vettura ta' valur għall-kollezzjonisti, jew li tkun intiża biex tinżamm f'mużewijiet, u li tkun miżmuma b'mod korrett u li ma tkunx ta' dannu għall-ambjent, kemm jekk tkun tajba biex tintuża jew biex tkun żmontata;

(2) Il-frazzjiet l-oħra kollha għandu jkollhom l-istess tifsir mogħti lilhom fir-Regolamenti ta' l-2001 dwar Permessi u Kontrolli fil-Maniġġar ta' Skart.

A.L. 337 ta' l-2001.

3. (1) Dawn ir-regolamenti għandhom ikopru vetturi u vetturi fi tmiem żmienhom, inklużi l-komponenti u l-materjal tagħhom. Bla preġudizzju għar-regolament 5(4), dan japplika irrispettivament minn kif il-vettura tkun inġenierata *service* jew issewwiet meta kienet tintuża u irrispettivament minn jekk din tkunx mġammra b'komponenti fornuti mill-produttur jew b'komponenti

Skop.

ohra li t-twahhil taghhom bhala *spare parts* jew kif mibdulin ikun jaqbel mad-disposizzjonijiet legislattivi adatti.

(2) Dawn ir-regolamenti ghandhom japplikaw bla preġudizzju ghad-disposizzjonijiet eżistenti, b'mod partikolari fir-rigward ta' *standards* ta' sigurtà, emissjonijiet ta' arja u kontrolli ta' hsejjes u harsien tal-hamrija u ta' l-ilma.

(3) Vetturi ghal skopijiet speċjali ghandhom ikunu esklużi mid-disposizzjonijiet tar-regolament 7 ta' dawn ir-regolamenti.

(4) Fil-każ ta' vetturi bil-mutur bi tliet roti u komponenti jew unitajiet tekniċi separati, ghandhom japplikaw biss ir-regolamenti 5(1), 5(2) u 6 ta' dawn ir-regolamenti.

(5) Vetturi qodma ghandhom ikunu esklużi mid-disposizzjonijiet ta' dawn ir-regolamenti:

Iżda id-disposizzjonijiet ta' dawn ir-regolamenti ghandhom japplikaw ghal dawk il-vetturi qodma li s-sid taghhom jiddeċiedi jew ikun bi hsiebu jew ikun mehtieġ li jwarrab ghar-rimi.

Prevenzjoni.

4. (1) Biex tippromwovi l-prevenzjoni ta' l-iskart, l-Awtorità Kompetenti ghandha, kull fejn ikun mehtieġ u prattikabbli, tinkoraggixxi li:

(a) l-manifatturi ta' vetturi, f'koperazzjoni ma' manifatturi ta' materjal u tagħmir, jillimitaw l-użu ta' sustanzi perikolużi fil-vetturi u jirriduċuhom kemm jista' jkun sa mill-bidu nett tal-vettura 'l quddiem, biex b'mod partikolari jipprevjenu t-tfiġh taghhom fl-ambjent, jagħmlu r-riċiklaġġ aktar faċli, u jevitaw il-htieġa tar-rimi ta' l-iskart perikoluż;

(b) id-disinn u l-produzzjoni ta' vetturi ġodda ikunu jagħtu każ shih u jiffaċilitaw iż-żarmar, l-użu mill-ġdid u l-irkuprar, b'mod partikolari r-riċiklaġġ, ta' vetturi fi tmiem żmienhom, il-komponenti u kull materjal taghhom;

(ċ) manifatturi ta' vetturi, b'koperazzjoni ma' manifatturi ta' materjal u tagħmir, jintegraw kwantità dejjem akbar ta' materjal riċiklat f'vetturi u prodotti ohra, sabiex jiżviluppaw swieq għall-materjal riċiklat.

(2) Il-materjal u l-komponenti ta' vetturi mqeghdin fis-suq wara id-data tad-dhul fis-sehh ta' dawn ir-regolamenti

m'ghandux ikollhom ċomb, merkurju, kadmju jew kromju heksivalenti hlief fil-każijiet elenkati fi Skeda 4 li tinsab ma' dawn ir-regolamenti u taht il-kondizzjonijiet hemm speċifikati.

5. (1) L-Awtorità Kompetenti ghandha tiehu l-miżuri ġbir. neċessarji biex tiżgura:

(a) li operaturi ekonomiċi jużaw sistemi eżistenti ta' ġbir jew iwaqqfu sistemi għall-ġbir tal-vetturi kollha fi tmiem żmienhom u, sa fejn ikun teknikament prattikabbli, tal-partijiet kollha użati u skartati li jitnehhew meta l-vetturi jissewew; u

(b) l-aċċessibilità adegwata ta' faċilitajiet ta' ġbir.

(2) Dawk li ghandhom vetturi fi tmiem żmienhom ghandhom jittrasferixxu dawk il-vetturi gewwa faċilitajiet ta' trattament awtorizzati.

(3) (a) Kull meta vettura fi tmiem żmienha tigi trasferita gewwa xi faċilità ta' trattament awtorizzata, id-detentur tal-karozza u, jew sid il-karozza ghandhom jingħataw ċertifikat ta' distruzzjoni mahruġ mill-operatur tal-faċilità. Id-dereġistrazzjoni ta' vettura fi tmiem żmienha ghandha ssir wara li jigi pprezentat dan iċ-ċertifikat.

(b) Il-hruġ ta' ċertifikat ta' distruzzjoni mill-operatur ta' faċilità ta' trattament ma jagħtihx id-dritt li jippretendi xi rimborż finanzjarju, minbarra f'każijiet meta dan ikun ġie rranġat speċifikatament mill-Awtorità Kompetenti.

(ċ) Iċ-ċertifikat ta' distruzzjoni għandu għallinqas ikollu l-informazzjoni elenkata fi Skeda 2 li tinsab ma' dawn ir-regolamenti.

(4) Il-konsenja ta' vettura gewwa faċilità ta' trattament skond is-subregolament (3) ghandha ssir bla spejjeż kemm għall-aħhar detentur kemm għall-propjetarju sew għaliex il-vettura ma jkollha ebda valur fis-suq sew għax ikollha valur negattiv kif ġej:-

(a) mid-data tad-dhul fis-sehħ ta' dawn ir-regolamenti, fil-każ ta' vetturi mqegħdin fis-suq mill-1 ta' Lulju, 2002;

(b) mill-1 ta' Jannar, 2007, fil-każ ta' vetturi mqegħdin fis-suq qabel l-1 ta' Lulju, 2002:

Iżda il-produtturi ghandhom igarrbu l-ispejjeż kollha, jew parti sinifikanti minnhom, ta' l-implimentazzjoni ta' din il-miżura u, jew

jiehdu lura l-vetturi fi tmiem żmienhom taht l-istess kondizzjonijiet imsemmija f'dan is-subregolament:

Iżda wkoll l-Awtorità Kompetenti tista' tiddeċiedi li l-konsenja ta' vetturi fi tmiem żmienhom ma tkunx għal kollox bla hlas jekk il-vettura fi tmiem żmienha ma jkollhiex il-komponenti essenzjali ta' vettura, b'mod partikolari l-magna, l-qafas tal-vettura, il-*catalytic converter*, il-*gearbox* u r-roti, jew ikollha skart li jkun żdied mal-vettura fi tmiem żmienha.

(5) Ċertifikati ta' distruzzjoni mahruġin fi Stati Miftiehma ohra skond is-subregolament (3) ta' dan ir-regolament għandhom ikunu rikonnoxxuti għal finijiet ta' deregistrazzjoni.

Trattamento.

6. L-Awtorità Kompetenti għandha tiehu l-miżuri neċessarji biex tiżgura li:

A.L. 337 ta' l-2001.

(1) Il-vetturi fi tmiem żmienhom kollha jinħażnu, anki jekk biss temporanjament, u jkunu ttrattati skond id-disposizzjonijiet tar-Regolamenti ta' l-2001 dwar Permessi u Kontrolli fil-Maniġġar ta' Skart, u f'konformità mal-htigijiet tekniċi minimi mnizzlin fi Skeda 3 li tinsab ma' dawn ir-regolamenti, bla preġudizzju għal xi regolamenti rilevanti ohra dwar sahha u ambjent.

(2) Kull stabbiliment jew azjenda li tagħmel operazzjonijiet ta' trattament għandu jkollha permess validu mill-Awtorità Kompetenti.

(3) Kull stabbiliment jew azjenda li tagħmel operazzjonijiet ta' trattament għandha mill-inqas taqdi l-obbligi li ġejjin skond Skeda 3 li tinsab ma' dawn ir-regolamenti:

(a) vetturi fi tmiem żmienhom għandhom jizzarmaw minn kollox qabel isirihom trattament ulterjuri jew arrangamenti ekwivalenti biex jitnaqqas kull impatt negattiv fuq l-ambjent. Kull komponent u materjal ittikkettjat jew identifikabbli b'xi mod iehor skond ir-regolament 4(2) għandhom jizzarmaw minn kollox qabel jinghataw trattament ulterjuri;

(b) kull materjal u komponent perikoluż għandu jitnehha u jkun segregat b'mod selettiv biex ma jniġġisx skart sussegwenti maqtugh b'ċeċjeċ b'ċeċjeċ minn vetturi fi tmiem żmienhom;

(ċ) operazzjonijiet ta' żarmar u hżin ghandhom isiru b'mod li jiżgura li komponenti tal-vettura jkunu adattabbli għal użu mill-ġdid u rkuprar, u b'mod partikolari għar-riċiklaġġ:

Iżda l-operazzjonijiet ta' trattament biex vetturi fi tmiem żmienhom jitnaddfu minn tingis kif imsemmi fi Skeda 3 ghandhom isiru kemm jista' jkun malajr.

(4) Il-permess imsemmi fil-paragrafu (2) ta' dan ir-regolament ghandu jinkludi l-kondizzjonijiet neċessarji kollha għal konformità mal-htigijiet tal-paragrafi (1), (2) u (3) ta' dan l-istess regolament.

(5) Stabbilimenti jew azjendi li jaghmlu operazzjonijiet ta' trattament ghandhom, safejn hu prattikabbli, jintroduċu sistemi awtentikati ta' maniġġar ambjentali.

7. (1) Operaturi ekonomiċi ghandhom, safejn hu prattikabbli u bla preġudizzju għall-htigijiet fir-rigward tas-sigurtà ta' vetturi u htigijiet ambjentali bhal emissjonijiet fl-ajru u kontroll tal-hsejjes, jużaw mill-ġdid komponenti li jkunu adattati għall-użu mill-ġdid, jirkupraw komponenti li ma jistghux jintużaw mill-ġdid u jagħtu preferenza lir-riċiklaġġ meta dan ikun ambjentalment vijabbli.

Użu mill-ġdid u rkuprar.

(2) L-Awtorità Kompetenti ghandha tiehu miżuri neċessarji biex tiżgura li jintlaħqu l-miri li ġejjin minn operaturi ekonomiċi:

(a) mhux aktar tard mill-1 ta' Jannar, 2006, fil-każ tal-vetturi kollha fi tmiem żmienhom, l-użu mill-ġdid u l-irkuprar ghandu jittella' għal minimu ta' 85% kalkulat bhala piż medju għal kull vettura u sena. Fil-limitu ta' l-istess żmien, l-użu mill-ġdid u r-riċiklaġġ ghandu jittella' għal minimu ta' 80% kalkulat bhala piż medju għal kull vettura u sena; fil-każ ta' vetturi prodotti qabel l-1 ta' Jannar, 1980, l-Awtorità Kompetenti tista' tistabbilixxi miri aktar baxxi, iżda mhux aktar baxxi minn 75 % fil-każ ta' użu mill-ġdid u rkuprar u mhux aktar baxxi minn 70 % fil-każ ta' użu mill-ġdid u riċiklaġġ; u

(b) mhux aktar tard mill-1 ta' Jannar, 2015, fil-każ tal-vetturi kollha fi tmiem żmienhom, l-użu mill-ġdid u l-irkuprar ghandu jittella' għal minimu ta' 95% kalkulat bhala piż medju għal kull vettura u sena. Fil-limitu ta' l-istess żmien, l-użu mill-ġdid u r-riċiklaġġ ghandu jittella' għal minimu ta' 85 % kalkulat bhala piż medju għal kull vettura u sena.

8. L-Awtorità Kompetenti ghandha tiehu miżuri neċessarji biex tiżgura li:

(1) Il-produtturi, bi ftehim ma' manifatturi ta' materjal u tagħmir, ghandhom jużaw in-nomenklatura ta' l-*ISO standards* ta' kodifikar ta' komponenti u materjali msemmija fl-Iskeda V ta' dawn ir-regolamenti rigward it-twahhil ta' tikketti u l-identifikazzjoni ta' komponenti u materjal ta' vetturi, b'mod partikolari biex jiffaċilitaw l-identifikazzjoni ta' dawk il-komponenti u materjal li huma adattati għall-użu mill-ġdid u rkuprar.

(2) Il-produtturi ghandhom jipprovdu informazzjoni dwar żarmar għal kull tip ta' vettura ġdida mqieghda fis-suq fi żmien sitt xhur minn meta l-vettura titqiegħed fis-suq. Din l-informazzjoni ghandha tidentifika, safejn ikun meħtieġ mill-faċilitajiet ta' trattament biex jistgħu jikkonformaw mad-disposizzjonijiet ta' dawn ir-regolamenti, il-komponenti u l-materjal ta' vetturi differenti u l-lokazzjoni tas-sustanzi perikolużi kollha fil-vetturi, b'mod partikolari bl-iskop li jintlahqu l-oġġettivi stipulati fir-regolament 7 ta' dawn ir-regolamenti.

(3) Bla preġudizzju għall-konfidenzjalità kummerċjali u industrijali, manifatturi ta' komponenti użati fil-vetturi ghandhom jgħaddu lill-faċilitajiet ta' trattament awtorizzati, safejn dan ikun mitlub minn dawn il-faċilitajiet, kull informazzjoni meħtieġa dwar żarmar, hżin u ttestjar ta' komponenti li jistgħu jerġgħu jintużaw.

9. L-operaturi ekonomiċi rilevanti ghandhom jipubblikaw informazzjoni fuq:

(a) id-disinn ta' vetturi u l-komponenti tagħhom bl-iskop li jkun magħruf kemm dawn jistgħu jkunu rkuprati u riċiklati,

(b) it-trattament ambjentalment san ta' vetturi fi tmiem żmienhom, b'mod partikolari t-tnehhija tal-fluwidi kollha u ż-żarmar,

(ċ) l-iżvilupp u l-aħjar użu ta' modi ta' użu mill-ġdid, riċiklaġġ u rkuprar ta' vetturi fi tmiem żmienhom u l-komponenti tagħhom,

(d) il-progress milhuq fir-rigward ta' l-irkuprar u riċiklaġġ biex jitnaqqas l-iskart li jrid jintrema u joghlew irati ta' rkuprar u riċiklaġġ:

Iżda din l-informazzjoni għandha tkun aċċessibbli għal xerrejja prospettivi ta' vetturi. Għandha tkun inkluża f'letteratura promozzjonali użata fil-promozzjoni tal-vettura ġdida.

10. Bl-iskop li jilhqgħu l-oġġettivi, u jissodisfaw id-disposizzjonijiet ta' dawn ir-regolamenti, operaturi ekonomiċi jistgħu jidhlu fi ftehim ma' l-Awtorità Kompetenti. Kull ftehim bhal dan għandu jispeċifika r-regoli dettaljati għall-implimentazzjoni ta' dawn ir-regolamenti. Aktar minn hekk għandu:

- (a) jkun jista' jiġi infurzat kull tali ftehim bil-liġi;
- (b) jispeċifika l-oġġettivi ma' l-iskadenzi korrispondenti ta' żmien;
- (ċ) ikun ippubblikat fil-Gazzetta;
- (d) ikun ikkontrollat il-hin kollu u regolarment kull r-żultat milhuq bil-ftehim, ikun rappurtat lill-awtoritajiet kompetenti u jkun aċċessibbli għall-pubbliku taħt il-kondizzjonijiet stipulati fil-ftehim;
- (e) ikun eżaminat il-progress milhuq taħt ftehim skond provvedimenti li jagħmlu l-awtoritajiet kompetenti.

11. L-Awtorità Kompetenti tista' teżenta lill kull operatur ekonomiku mill-provvedimenti ta' dawn ir-regolamenti, kollha jew in parti, kemm il-darba l-istess operatur ekonomiku juri lill-Awtorità Kompetenti li jipparteċipa fi skema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom.

Parteċipazzjoni fi skema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom.

12. (1) Jekk operatur ekonomiku jagħzel li juża skema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom eżistenti, huwa għandu jissottometti lill-Awtorità Kompetenti kopja ffirmata tal-ftehim ma' l-operatur ta' l-iskema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom biex jiġi verifikat jekk l-iskema hijiex kompatibbli mal-provvedimenti ta' dawn ir-regolamenti.

Ftehim ma operatur ta' skema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom.

(2) L-operatur ta' l-iskema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom msemmija fis-subregolament (1) ta' dan ir-regolament għandu:

- (i) jintrabat li jopera skond il-provvedimenti tal-Ligijiet u regolamenti oħra, dak li jkun maqbul ma' u f'isem l-operatur ekonomiku;

(ii) ta' kull sitt xhur, jipprovdi lill-Awtorità Kompetenti l-informazzjoni mitluba fir-regolament 9, li għandu japplika *mutatis mutandis* bhal fil-każ ta' l-operatur ekonomiku;

(3) L-Awtorità Kompetenti tista' tispeċifika l-format li din l-informazzjoni għandha tinghata fih.

(4) L-Awtorità Kompetenti għandha tagħmel dawn ir-rapporti disponibbli skond il-provvedimenti tar-Regolamenti ta' l-2001 dwar il-Libertà ta' l-Aċċess għall-Infurmazzjoni dwar l-Ambjent.

A.L. 217 ta' l-2001.

Permess mehtieg minn operatur ta' skema ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom.

13. (1) Kull persuna li tixtieq thaddem skema approvata ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom taht dawn ir-regolamenti, għandha tottjeni permess mahrug mill-Awtorità Kompetenti skond il-provvedimenti tar-Regolamenti ta' l-2001 dwar il-Permessi u Kontrolli fil-Maniġġar ta' Skart.

Applikazzjoni għall-permess biex topera skema ta' l-irkupru u trattament ta' vetturi fi tmiem żmienhom.

(2) Minghajr preġudizzju għall-provvedimenti tar-Regolamenti ta' l-2001 dwar il-Permessi u Kontrolli fil-Maniġġar ta' Skart, kull persuna li tapplika għal dan il-permess, għandha tipprovdi lill-Awtorità Kompetenti b'din l-informazzjoni, skond il-każ:

(a) kopja tal-Memorandum u l-Istatut ta' l-Assoċjazzjoni;

(b) kopja ta' permess għall-izvilupp validu mahruġ taht l-Att dwar l-Ippjanar;

(ċ) deskrizzjoni tas-sistema proposta li tkun ser tipprovdi għat-trattament ta' vetturi fi tmiem żmienhom skond il-provvedimenti ta' dawn ir-regolamenti;

(d) pjan finanzjarju dwar l-iskema proposta;

(e) il-volum ta' vetturi fi tmiem żmienhom li jkunu ġew trattati jew mahsuba li ser ikunu trattati;

(f) proposti dwar iċ-ċertifikazzjoni ta' l-operaturi ekonomiċi li ser jagħmlu użu mill-iskema;

(g) proposti dwar kif l-informazzjoni mitluba f'dawn ir-regolamenti ser tingabar u tinghata lill-Awtorità Kompetenti;

(h) kull informazzjoni oħra meqjusa bhala rilevanti u mitluba mill-Awtorità Kompetenti.

(3) L-Awtorità Kompetenti tista' tispeċifika l-format li fih ghandha tinghata din l-informazzjoni.

(4) L-Awtorità Kompetenti ghandha taghmel dawn ir-rapporti disponibbli skond il-provvedimenti tar-Regolamenti ta' l-2001 dwar il-Libertà ta' l-Aċċess għall-Infurmazzjoni dwar l-Ambjent.

A.L. 217 ta' l-2001.

14. Persuna tkun hatja ta' reat taht dawn ir-regolamenti jekk: Reati taht dawn ir-regolamenti.

(a) tonqos milli tikkonforma ruhha ma' xi disposizzjoni ta' dawn ir-regolamenti jew tonqos milli tikkonforma ruhha mal-kondizzjonijiet tal-permess jew ma' xi ordni mogħtija legalment skond xi disposizzjoni ta' dawn ir-regolamenti; jew

(b) tikser xi restrizzjoni, projbizzjoni jew htieġa imposti minn jew taht dawn ir-regolamenti; jew

(ċ) taġixxi bi ksur ta' xi disposizzjoni ta' dawn ir-regolamenti; jew

(d) tikkonfossa jew tipprova, jew tghin, jew thajjar, lil xi persuna ohra b'kull mezz, inkluż ir-reklamar, l-għoti ta' parir jew ġegħil, biex tikser id-disposizzjonijiet ta' dawn ir-regolamenti jew biex tonqos milli tikkonforma ruhha ma' xi disposizzjonijiet simili, inkluża xi ordni mogħtija legalment skond xi disposizzjoni ta' dawn ir-regolamenti, jew biex tikser xi restrizzjoni, projbizzjoni jew htieġa imposta minn jew taht dawn ir-regolamenti msemmija.

15. Min jagħmel reat kontra dawn ir-regolamenti jista', meta jinsab hati, jehel: Pieni.

(a) meta jinsab hati għall-ewwel darba, multa ta' mhux anqas minn hames mitt lira (Lm500) iżda mhux iżjed minn elf lira (Lm1,000);

(b) meta jinsab hati għat-tieni darba jew aktar drabi, multa ta' mhux anqas minn elf lira (Lm1,000) iżda mhux iżjed minn elfejn lira (Lm2,000), jew għal priġunerija għal żmien mhux iżjed minn sentejn, jew għal dik il-multa u priġunerija flimkien:

Izda il-qorti tista' tordna lil kull min ikun instab hati li għamel reat kontra dawn ir-regolamenti li jhallas dawk l-ispejjeż li l-Awtorità Kompetenti tkun għamlet bhala riżultat ta' dak ir-reat, ir-revoka tal-

permess mahruġ mill-Awtorità Kompetenti u l-konfiska tal-*corpus delicti*.

Kif japplika
Kap. 9.

16. (1) Id-disposizzjonijiet ta' l-artikli 23 u 30 tal-Kodiċi Kriminali għandhom, *mutatis mutandis*, japplikaw għal proċedimenti dwar reati kontra dawn ir-regolamenti, b'dan illi li l-iskwalifika milli persuna jkollha jew tikseb liċenza, permess jew awtorità ma għandha f'ebda każ tkun għal zmien inqas minn sena.

(2) Minkejja d-disposizzjonijiet ta' l-artikolu 370 tal-Kodiċi Kriminali, il-proċedimenti dwar reat kontra dawn ir-regolamenti għandhom isiru quddiem il-Qorti tal-Maġistrati (Malta) jew il-Qorti tal-Maġistrati (Għawdex), skond ma jista' jkun il-każ, u għandhom ikunu skond id-disposizzjonijiet tal-Kodiċi Kriminali li jirregolaw il-proċedura quddiem dawk il-qrati bhala qrati ta' ġudikatura kriminali.

(3) Minkejja d-disposizzjonijiet tal-Kodiċi Kriminali, l-Avukat Ġenerali għandu dejjem ikollu dritt ta' appell quddiem il-Qorti ta' Appell Kriminali minn kull sentenza mogħtija mill-Qorti tal-Maġistrati (Malta) jew mill-Qorti tal-Maġistrati (Għawdex) dwar proċedimenti għal xi reat kontra dawn ir-regolamenti.

SKEDA 1

Sustanzi u u preparattivi li huma “perikolużi”

F’ dawn ir-regolamenti, is-sustanzi u l-preparattivi hawn taht imnizzla huma “perikolużi”:

(a) sustanzi u preparattivi splussivi: sustanzi solidi, likwidi, *pasty* jew *gelatinous* li jistgħu jirreaġixxu b’mod esotermiku mingħajr ossiġnu u li b’hekk jistgħu faċilment jevolvu f’gass, u li, taht ċertu kundizzjonijiet speċifiċi, jiddetonaw, jew faċilment iqabdbu, jew meta jishnu u jkunu parzjalment konfinati, jisplodu;

(b) sustanzi u preparattivi *oxidising*: sustanzi u preparattivi li jagħmlu reazzjoni esotermika qawwija meta jiġu f’kuntatt ma sustanzi oħrajn, partikolarment sustanzi f’ammabbli;

(c) sustanzi u preparattivi estremament f’ammabbli: sustanzi u preparattivi likwidi li għandhom *flash-point* stremament baxxa kif ukoll *boiling-point* baxxa, u sustanzi u preparattivi tal-gass li huma f’ammabbli meta jiġu f’kuntatt ma l-arja f’temperatura ta’ l-ambjent;

(d) sustanzi u preparattivi estremament f’ammabbli li jkunu taht pressjoni:

– Sustanzi u preparattivi li jistgħu isiru jaħarqu u eventwalment jieħdu n-nar mingħajr il-htieġa ta’ xi forma ta’ enerġija oħra, meta jiġu f’kuntatt ma l-arja f’temperatura ta’ l-ambjent, jew

– Sustanzi u preparattivi solidi li jieħdu n-nar faċilment meta jiġu f’kuntatt ta’ xi sors ta’ *ignition* u li jibqgħu jaqdbu jew ikomplu jiġu kkunsmati anke wara li titneħħa is-sors ta’ l-*ignition*, jew

– Sustanzi jew preparattivi likwidi li għandhom *flash-point* baxx hafna, jew

– Sustanzi jew preparattivi li meta jiġu f’kuntatt ma’ l-ilma jew arja umda, jevolvu f’ gassijiet fi kwantitajiet perikolużi, u li jaqdbu malajr;

(e) Sustanzi u preparattivi f’ammabbli: sustanzi u preparattivi likwidi li għandhom *flash-point* baxxa;

(f) sustanzi u preparattivi tossiċi hafna: sustanzi u preparattivi li fi kwantitajiet zgħar hafna jikkawzaw il-mewt, jew dannu akut jew kroniku għas-saħħa meta dawn jingibdu man-nifs, jinbelgħu jew jiġu assorbiti fil-gilda;

(g) sustanzi u preparattivi tossiċi: sustanzi u preparattivi li fi kwantitajiet zgħar jikkawzaw il-mewt, jew dannu akut jew kroniku għas-saħħa meta dawn jingibdu man-nifs, jinbelgħu jew jiġu assorbiti fil-gilda;

(h) sustanzi u preparattivi dannużi: sustanzi u preparattivi li jistgħu jikkawzaw il-mewt, jew dannu akut jew kroniku għas-saħħa meta dawn jingibdu man-nifs, jinbelagħu jew jiġu assorbiti fil-gilda;

(i) sustanzi u preparattivi korrużivi: sustanzi u preparattivi li meta jiġu f'kuntatt ma *tissues* hajjin, jistgħu jiddistribwuhom;

(j) sustanzi u preparattivi irritanti: sustanzi u preparattivi li ma humiex korrużivi li jistgħu, meta jiġu f'kuntatt immedjat, fit-tul jew ripetut mal-ġilda jew *mucous membrane*, jikkawżaw infjammazzjoni;

(k) sustanzi u preparattivi sensitizzanti: sustanzi u preparattivi li, jekk jingibdu man-nifs, jew jekk jippenetraw il-ġilda, jistgħu jikkawżaw reazzjoni ta' iper-senitizzazzjoni, b'mod li jekk wiehed jerga jesponi ruhhu għal din is-sustanza jew preparattiv, jirriżultaw effetti avversi u karatteristiċi;

(l) sustanzi u preparattivi karċinogeniċi: sustanzi u preparattivi li jekk jingibdu man-nifs jew jinbelgħu jew jekk jippenetraw il-ġilda, jinduċu l-kanċer, jew iżiedu il-probabilita' tal-kanċer;

(m) sustanzi u preparattivi mutageniċi: sustanzi u preparattivi li jekk jingibdu man-nifs jew jinbelgħu jew jekk jippenetraw il-ġilda jistgħu jinduċu difetti ġenetiċi li jintirtu, jew iżidu il-probabilita tagħhom;

(n) sustanzi u preparattivi li huma tossiċi għar-riproduzzjoni: sustanzi u preparattivi li jekk jingibdu man-nifs jew jinbelgħu jew jekk jippenetraw il-ġilda, jistgħu jiproduċu jew iżidu il-probabilita' ta' effetti avversi li ma jintirtitx fit-tnissil u, jew mankament tal-funzjonijiet jew kapacitajiet riproduttivi tar-raġel jew tal-mara;

(o) sustanzi u preparattivi li huma ta' perikolu għall-ambjent: sustanzi u preparattivi li jekk jidhlu fl-ambjent, jikkostitwixxu jew jistgħu jikkostitwixxu perikolu immedjat jew fil-futur għal xi wiehed jew iżjed mill-komponenti ta' l-ambjent.

SKEDA II**Htiġijiet minimi biex jinhareg ċertifikat ta' distruzzjoni skond il-provvedimenti tar-regolament 5(3)**

1. Isem, indirizz, firma u n-numru ta' registrazzjoni jew identifikazzjoni ta' l-istabiliment jew negozju li johroġ iċ-ċertifikat;
2. Isem u indirizz ta' l-Awtorita' Kompetenti responsabbli mill-ħruġ tal-permess (skond il-provvedimenti tar-regolament 6) għall-istabiliment jew negozju li johroġ iċ-ċertifikat;
3. Meta iċ-ċertifikat jinhareg min produttur, *dealer* jew xi hadd li jiġbor f'isem faċilità ta' trattament awtorizzata, l-isem u l-indirizz u n-numru ta' registrazzjoni jew identifikazzjoni ta' l-istabiliment jew negozju li johroġ iċ-ċertifikat;
4. Id-data li fih jinhareg iċ-ċertifikat;
5. Il-*Vehicle nationality mark* u n-numru ta' registrazzjoni (għandu jitwahnhal id-dokument ta' registrazzjoni jew dikjarazzjoni mill-istabiliment jew negozju li johroġ iċ-ċertifikat li d-dokument ta' registrazzjoni gie distrutt);
6. It-tip ta' vettura, il-marka u l-mudell;
7. In-numru ta' identifikazzjoni tal-vettura (*chassis*);
8. Isem, indirizz, nazzjonalita' u l-firma tal-persuna li kellha fil-pussess tagħha il-vettura jew tas-sid ta' l-istess vettura.

SKEDA III

Htiġijiet tekniċi minimi għat-trattament skond il-provvedimenti tar-regolament 6(1)

1. Siti fejn jinħażnu il-vetturi fi tmiem żmienhom qabel ma jiġu trattati (inkluż postijiet fejn il-ħażna tkun temporanja):

- uċuħ impermeabbli f'dawk iż-zoni partikolari fejn għandu jiġi provdut għall-ġbir ta' *spillage*, *decanters* u *cleanser-degreasers*,

- apparat biex jiġi trattat l-ilma, inkluż l-ilma tax-xita, u dan f'konformita ma' regolamenti dwar is-saħħa u l-ambjent.

2. Siti fejn isir it-trattament:

- uċuħ impermeabbli f'dawk iż-zoni partikolari fejn għandu jiġi provdut għall-ġbir ta' *spillage*, *decanters* u *cleanser-degreasers*,

- żoni adattati fejn jinħażnu *spare parts* żarmati, inkluż post ta' ħażna impermeabbli għal *spare parts* imniġġsa biż-żejt,

- kontenituri adattati biex jinħażnu l-batteriji, *filters* u *condensers* li jkollhom *PCB/PCT* (għandu jiġi provdut *electrolyte neutralisation* fuq is-sit jew xi mkien ieħor),

- Tankijiet adattati għall-ħażna ta' likwidi li jinħarġu mill-vetturi fi tmiem żmienhom: *fuel*, żejt tal-magna, *gearbox oil*, *transmission oil*, *hydraulic oil*, *cooling liquids*, *antifreeze*, *brake fluids*, aċidu tal-batterija, *air-conditioning system fluids* kif ukoll kull likwidu ieħor li jkun hemm fil-vetturi fi tmiem żmienhom,

- apparat biex jiġi trattat l-ilma, inkluż l-ilma tax-xita, u dan f'konformita ma' regolamenti dwar is-saħħa u l-ambjent,

- zona adattata għall-ħażna ta' *tyres* użati, u għall-prevenzjoni kontra il-periklu ta' nirien u ħażniet eċċessivi ta' *tyres*.

3. Operazzjonijiet ta' trattament biex il-vetturi fi tmiem żmienhom jiġu *depolluted*:

- għandhom jitneħħew il-batteriji u l-*liquified gas tanks*,

- għandhom jitneħħew jew jiġu eliminati komponenti li jistgħu jisplodu (bħal *air bags*),

- għadhom jitneħħew u jinġabru separatament biex jinħażnu il-*fuel*, żejt tal-magna, *gearbox oil*, *transmission oil*, *hydraulic oil*, *cooling liquids*, *antifreeze*, *brake fluids*, aċidu tal-batterija, *air-conditioning system fluids* kif ukoll kull likwidu ieħor li jkun hemm fil-vetturi fi tmiem żmienhom, sakemm dawn ma jkunux meħtieġa biex jerġghu jintużaw dawk il-*parts* ikkonċernati,

- għandhom jitnehhew, sakemm ikun possibbli, daww il-komponenti li jkollhom il-merkurju.

4. Operazzjonijiet ta' riċiklaġġ biex jiġi inkoraġġit ir-riċiklaġġ:

- għandhom jitnehhew il-*catalysts*,
- għandhom jitnehhew il-komponenti tal-metall li jkollhom iċ-*comb*, *aluminium* u *magnesium* jekk dawn il-metalli ma jiġux isseparati fil-proċess ta' tqattieġ,
- għandhom jitnehhew it-*tyres* u l-komponenti tal-plastik kbar (bħal *bumpers*, *dashboard*, *fluid containers*, *etc*), jekk dawn il-komponenti ma jiġux isseparati fil-proċess ta' tqattieġ b'mod li jkunu jistgħu jiġu riċiklati,
- għandu jitneħħa il-ħġieġ.

5. Daww l-operazzjonijiet li jokkonċernaw il-ħażna għandhom isiru b'tali mod biex tiġi evitata ħsara għall-komponenti li fihom ikun hemm il-likwidu jew komponenti li jistgħu jiġu rkuprati u *spare parts*.

SKEDA IV

Materjal u komponenti eżenti mill-provvedimenti tar-regolament 4

Materjal u komponenti	Skop u d-data ta' meta tiskadi l-eżenzjoni	Biex jiġi mmarkat skond il-provvedimenti tar-regolament 4(2)
Ċomb bhala element għall- <i>alloying</i>		
1. Azzar li jintuża fil-magna u azzar iggalvanizzat li jkollu sa 0.35% ċomb fil-piż		
2. a) <i>Aluminium</i> li jintuża fil-magna li jkollu sa 2% ċomb fil-piż	1 ta' Lulju 2005 ⁽¹⁾	
b) <i>Aluminium</i> li jintuża fil-magna li jkollu sa 1% ċomb fil-piż	1 ta' Lulju 2008 ⁽²⁾	
3. <i>Copper alloy</i> li jkollu sa 4% ċomb fil-piż		
4. <i>Lead-bronze bearing shells</i> u <i>bushes</i>		
Ċomb u <i>compounds</i> taċ-ċomb fil-komponenti		
5. Batteriji		X
6. <i>Vibration dampers</i>		X
7. <i>Wheel balance weights</i>	Vetturi tat-tip approvati qabel 1 ta' Lulju 2003 u <i>wheel balance weights</i> li ser jintużaw fuq dawn il-vetturi: 1 Lulju 2005 ⁽³⁾	X

Materjal u komponenti	Skop u d-data ta' meta tiskadi l-eżenzjoni	Biex jiġi mmarkat skond il-provvedimenti tar-regolament 4(2)
8. <i>Vulcanising agents</i> u <i>stabilizers</i> għall- <i>elastomers</i> fi <i>fluid handling</i> u <i>powertrain applications</i>	1 ta' Lulju 2005 ⁽⁴⁾	
9. <i>Stabiliser</i> f'zebgha protettiva	1 ta' Lulju 2005	
10. <i>Carbon brushes</i> għall-muturi ta' l-elettriku	Vetturi tat-tip approvati qabel 1 ta' Lulju 2003 u <i>carbon brushes</i> għall-muturi ta' l-elettriku li ser jintużaw f'dawn il-vetturi: 1 ta' Jannar 2005	
11. <i>Solder</i> f' <i>electronic circuit boards</i> u applikazzjonijiet elettronici oħra		X ⁽⁵⁾
12. Ram fi <i>brake linings</i> li jkollu iżjed min 0.5% <i>comb</i> fil-piż	Vetturi tat-tip approvati qabel 1 ta' Lulju 2003 u xogħol ta' manutenzjoni fuq dawn il-vetturi: 1 ta' Lulju 2004	X
13. <i>Valve seats</i>	Tipi ta' magni zviluppati qabel l- 1 ta' Lulju 2003: 1 ta' Lulju 2006	
14. Komponenti elettronici li jkollhom iċ- <i>comb</i> f'matrici komposta tal- <i>ħġieg</i> jew <i>ċeramika</i> <i>ħlief</i> <i>ħġieg</i> tal- <i>bozzoz</i> u l- <i>qoxra</i> ta' l- <i>spark plugs</i>		X ⁽⁶⁾ (għall-komponenti kollha <i>ħlief</i> il- <i>piezo</i> fil-magni)
15. <i>ħġieg</i> tal- <i>bozzoz</i> u l- <i>qoxra</i> ta' l- <i>spark plugs</i>	1 ta' Jannar 2005	
16. <i>Pyrotechnic initiators</i>	1 ta' Lulju 2007	

Materjal u komponenti	Skop u d-data ta' meta tiskadi l-eżenzjoni	Biex jiġi mmarkat skond il-provvedimenti tar-regolament 4(2)
Kromu heksavalenti		
17. <i>Corrosion preventive coatings</i>	1 ta' Lulju 2007	
18. <i>Absorption refrigerators f' motorcaravans</i>		X
Merkurju		
19. <i>Discharge lamps u instrument panel displays</i>		X
Kadmju		
20. <i>Thick film pastes</i>	1 July 2006	
21. Batteriji għall-vetturi elettronici	Wara il-31 ta' Diċembru 2005, it-tqeghid fis-suq ta' batteriji <i>NiCd</i> jista' jsir jekk dawn ikunu ser ibiddu batteriji fuq vetturi mqegħda fis-suq qabel din id-data.	X

- (1) Sa l-1 ta' Jannar 2005, l-Awtorita' Kompetenti għandha tara jekk din l-iskeda għandiex tiġi riveduta tenut kont tad-disponibilità fis-suq ta' materjal li jista' jissostitwixxi ċ-comb, u tenut kont ta' l-oġġettivi tar-regolament 4(2).
- (2) Ara postilla 1.
- (3) Sa l-1 ta' Jannar 2005, l-Awtorita' Kompetenti tivvaluta din l-eżenzjoni tenut kont ta' aspetti li jirrigwardjaw is-sigurtà fuq it-toroq.
- (4) Ara postilla 1.
- (5) Jiġi żarmat jekk flimkien ma' dak li jingħad fil-kaxxa 14, tinqabeż il-medja ta' 60 gramma kull karożza. Fl-applikazzjoni ta' din il-klawsola ma għandhomx jitqiesu mezzi elettronici li ma jkunux gew installati fil-vettura mill-manifattur waqt li din kienet qegħda tinbena.
- (6) Jiġi żarmat jekk flimkien ma' dak li jingħad fil-kaxxa 14, tinqabeż il-medja ta' 60 gramma kull karożza. Fl-applikazzjoni ta' din il-klawsola ma għandhomx

jitqiesu mezzi elettronici li ma jkunux ġew installati fil-vettura mill-manifattur waqt li dina kienet qeghda tinbena.

Noti:

- Livell massimu ta' konċentrazzjoni sa 0.1% fil-piż u fuq kull materjal omogeneu, għaċ-ċomb, kromju heksavalenti u merkurju u sa 0.01% fil-piż u fuq kull materjal omogeneu għall-kadmju huwa aċċettabbli, kemm il-darba dawn is-sustanzi ma jkunux ġew introdotti intenzjonalment¹,
- Livell massimu ta' konċentrazzjoni sa 0.4% ta' ċomb fil-piż fl-*aluminium* huwa ukoll aċċettabbli kemm il-darba dan ma jkunux ġie introdott intenzjonalment²,
- Livell massimu ta' konċentrazzjoni sa 0.4% ta' ċomb fil-piż fir-ram bl-iskop ta' *friction materials* fi *brake linings* huwa aċċettabbli sa l- 1 ta' Lulju 2007 kemm il-darba dan ma jkunux ġie introdott intenzjonalment³,
- L-użu mill-ġdid ta' *parts* ta' vetturi li kienu diġa' tqeghdu fis-suq fid-data ta' meta tiskadi xi eżenzjoni hija permissibbli mingħajr l-ebda limitazzjoni u dan peress li ma taqax taht ir-regolament 4(2),
- Sa l-1 ta' Lulju 2007, *parts* godda meħtieġa għat-tiswija⁴ ta' *parts* ta' vetturi eżenti mill-provvedimenti tar-regolament 4(2) għandhom jikkwalifikaw għall-istess eżenzjonijiet.

¹ Introdott intenzjonalment tfisser l-użu deliberat ta' materjal fil-formulazzjoni ta' materjal jew komponent liema preżenza fil-materjal jew komponent hija intiża biex tagħti karatteristika, apparenza jew kwalita' speċifika lill-istess materjal jew komponent. L-użu ta' materjal riċiklat biex jiġu manifatturati prodotti godda, u f'liema materjal jista jkun hemm ammont ta' metall regolat, ma għandhiex titqies bhala introduzzjoni intenzjonata.

² Ara postilla 1.

³ Ara postilla 1.

⁴ Din il-klawsola tapplika għal dawk ir-*replacement parts* u mhux għall-komponenti li jkunu ser jintużaw għall-manutenzjoni normali tal-vetturi.. Ma tapplikax għall-*wheel balance weights*, *carbon brushes* għall-muturi elettronici u *brake linings* u dan peress li dawn il-komponenti jidhlu f' kategoriji oħra..

SKEDA V

Komponenti u standards ta' kodifikar ta' materjal skond il-provvedimenti tar-regolament 8(1)

Ghall-immarkar u l-identifikazzjoni ta' komponenti tal-plastik tal-vetturi li ghandhom piż ta' iżjed min 100 gramma ghandha tiġi użata n-nomenklatura hawn taht imnizzla:

- *ISO 1043-1:2001 Plastics — Symbols and abbreviated terms. Part 1: Basic polymers and their special characteristics.*
- *ISO 1043-2:2000 Plastics — Symbols and abbreviated terms. Part 2: Fillers and reinforcing materials.*
- *ISO 11469:2000 Plastics — Generic identification and marking of plastic products.*

Ghall-immarkar u l-identifikazzjoni tal-komponenti u materjali *elastomer* tal-vetturi li ghandhom piż ta' aktar min 200 gramma, in-nomenklatura hawn taht imnizzla ghandha tiġi użata:

- *ISO 1629:1995 Rubbers and latices — Nomenclature. This shall not apply to the labelling of tyres.*

Is-simboli '<' jew '>' użati fl-istandards ISO, jistgħu jiġu sostitwiti b' parentesi.

L.N. 99 of 2004

**ENVIRONMENT PROTECTION ACT
(CAP. 435)**

**Waste Management (End of Life Vehicles)
Regulations, 2004**

IN exercise of the powers conferred by articles 9 and 11 of the Environment Protection Act, 2001, hereinafter referred as “the Act”, the Minister for Rural Affairs and the Environment has made the following regulations:-

1. (1) The title of these regulations is the Waste Management (End of Life Vehicles) Regulations, 2004. Citation, commencement and objectives.

(2) These regulations shall come into force on such date as the Minister responsible for the environment may by notice in the Gazette appoint and different dates may be so appointed for different provisions and different purposes of these regulations.

(3) These regulations provide additional measures, procedures and guidance to those in the Waste Management (Permit and Control) Regulations, 2001, which aim, as a first priority, at the prevention of waste from vehicles and, in addition, at the reuse, recycling and other forms of recovery of end of life vehicles and their components so as to reduce the disposal of waste. They also aim to achieve the improvement in the environmental performance of all of the economic operators involved in the life cycle of vehicles and, especially, the operators directly involved in the treatment of end of life vehicles.

2. (1) In these regulations, unless the context otherwise requires: Interpretation.

“Agreement” means an agreement to which Malta is a party, entered into by a group of states, reciprocally granting to citizens of such states or to their dependants, the right to enter, remain and reside in and leave the territory of such state, to move freely within such states for such period as may be established in the agreement, and to work or establish, provide or receive services therein; and “Agreement State” and “citizen of an Agreement State” shall be construed accordingly; and

where a state is a party to such an Agreement subject to modifications and adaptations, a citizen of an Agreement State shall be subject to such modifications or adaptations as may be prescribed;

“Competent Authority” means the Malta Environment and Planning Authority and such other body or person as the Minister responsible for the environment may by order in the Gazette prescribe, and different bodies or persons may be designated as the competent authority for different provisions and different purposes of these regulations;

“dismantling information” means all information required for the correct and environmentally sound treatment of end of life vehicles. It shall be made available to authorised treatment facilities by vehicle manufacturers and component producers in the form of manuals or by means of electronic media;

“economic operators” means producers, distributors, collectors, motor vehicle insurance companies, dismantlers, shredders, recoverers, recyclers and other treatment operators of end of life vehicles, including their components and materials;

“end of life vehicle” means a vehicle which is waste;

“hazardous substance” means any substance which the Competent Authority considers to be dangerous in terms of Schedule 1 to these regulations;

“motor tricycles” means vehicles with three symmetrically arranged wheels fitted with an engine having a cylinder capacity of more than 50 cm³ of the internal combustion type or a maximum design speed of more than 45 km/h;

“permit” means a permit issued under the Waste Management (Permit and Control) Regulations, 2001;

“prevention” means measures aiming at the reduction of the quantity and the harmfulness for the environment of end of life vehicles, their materials and substances;

“producer” means the vehicle manufacturer or the importer of a vehicle;

“put on the market” means when a vehicle, materials or components of vehicles are transferred from the manufacturing stage with the intention of distribution on the market;

“recycling” means the reprocessing, in a production process, of the waste materials for the original purpose or for other purposes, but excluding energy recovery. Energy recovery means the use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;

“reuse” means any operation by which components of end of life vehicles are used for the same purpose for which they were originally intended;

“shredder” means any device used for tearing into pieces or fragmenting end of life vehicles, including for the purpose of obtaining directly reusable metal scrap;

“special purpose vehicles” means a motor vehicle specially constructed or adapted, equipped with various devices that enable it to perform certain non-transport functions. This means that the primary purpose of such a vehicle is not the transport of persons or goods. This category of vehicles includes:

- motor breakdown lorries,
- motor pump vehicles (for example, fire fighting vehicles),
- lorries used for cleaning streets, gutters, and similar activities (for example, sweepers, sprinklers and cesspool emptiers),
- spraying lorries of all kinds, whether or not fitted with heating equipment,
- crane lorries, not for the transport of goods,
- mobile drilling derricks,
- lorries fitted with stacking mechanisms, that is, with a platform which moves on a vertical support and is generally powered by the vehicle engine,
- concrete mixer lorries,

- mobile electric generator sets,
- mobile radiological units, clinics and laboratories,
- outside broadcasting units (motor vehicles), telegraphy, radio-telegraphy or radio-telephony transmitting and receiving vans, radar vans,
- searchlight lorries,
- mobile kiosks,
- other motor vehicles not specified in these regulations;

“three wheel motor vehicle” means three-wheel motor vehicles, twin-wheeled or otherwise, intended to travel on the road, but excluding:-

- motor tricycles,
- tractors and machines used for agricultural or similar purposes,
- vehicles designed primarily for off-road leisure use having wheels arranged symmetrically with one wheel at the front of the vehicle and two at the rear,
- vehicles intended for pedestrian control,
- vehicles intended for use by the physically handicapped,
- vehicles intended for use in competitions, on roads or whatever the terrain might be,
- vehicles with a maximum design speed not exceeding 6 km/h;

“treatment” means any activity after the end of life vehicle has been handed over to a facility for depollution, dismantling, shearing, shredding, recovery or preparation for disposal of the shredder wastes, and any other operation carried out for the recovery and. or disposal of the end of life vehicle and its components;

“vehicle” means any motor vehicle used for the carriage of passengers and comprising no more than eight seats in addition to the driver’s seat and having a maximum weight not exceeding five metric tonnes, vehicles used for the carriage of goods and having a maximum weight not exceeding 3.75 metric tonnes intended for use on the road, and three-wheel motor vehicles, but excluding motor tricycles;

“vehicle having no market value or a negative one” means a vehicle whose treatment costs and reutilisation of the resulting materials equal or exceed income from the reused components and materials recovered during treatment operations;

“vintage vehicle” means a historic vehicle or vehicle of value to collectors or intended for museums, kept in a proper and environmentally sound manner, either ready for use or stripped into parts;

“waste” in addition to what is said in the principal Act means any thing, substance, product or object, whether in solid or liquid form, whether hazardous or otherwise, which the holder discards, or intends, or is required to discard, or any other which is deemed to be waste by the Competent Authority.

(2) All other terms shall have the same meaning as that assigned to them in the Waste Management (Permit and Control) Regulations, 2001.

L.N. 337 of
2001.

3. (1) These regulations shall cover vehicles and end of life vehicles, including their components and materials. Without prejudice to regulation 5(4), this shall apply irrespectively of how the vehicle has been serviced or repaired during use and irrespectively of whether it is equipped with components supplied by the producer or with other components whose fitting as spare or replacement parts accords with the appropriate legislative provisions.

Scope.

(2) These regulations shall apply without prejudice to existing provisions, in particular with regard to safety standards, air emissions and noise controls and the protection of soil and water.

(3) Special-purpose vehicles shall be excluded from the provisions of regulation 7 of these regulations.

(4) For three-wheel motor vehicles and components or separate technical units of such vehicles, only regulations 5(1), 5(2) and 6 of these regulations shall apply.

(5) Vintage vehicles shall not fall within the scope of these regulations;

Provided that such vintage vehicles shall fall within the scope of these regulations in the event that the owner or holder of such a vehicle decides or intends or is required to discard of such a vehicle.

Prevention.

4. (1) In order to promote the prevention of waste, the Competent Authority shall, wherever appropriate and practicable, encourage:

(a) vehicle manufacturers, in liaison with material and equipment manufacturers, to limit the use of hazardous substances in vehicles and to reduce them as far as possible from the very first production of the vehicle onwards, so as in particular to prevent their release into the environment, make recycling easier, and to avoid the need to dispose of hazardous waste;

(b) the design and production of new vehicles which take into full account and facilitate the dismantling, reuse and recovery, in particular the recycling, of end of life vehicles, their components and materials;

(c) vehicle manufacturers, in liaison with material and equipment manufacturers, to integrate an increasing quantity of recycled material in vehicles and other products, in order to develop the markets for recycled materials.

(2) Materials and components of vehicles put on the market after the date of coming into force of these regulations shall not contain lead, mercury, cadmium or hexavalent chromium other than in cases listed in Schedule 4 to these regulations under the conditions specified therein.

Collection.

5. (1) The Competent Authority shall take necessary measures to ensure:

(a) that economic operators shall use existing collection systems or set up systems for the collection of all end of life vehicles and, as far as technically feasible, of any waste used parts which are removed when vehicles are repaired; and

(b) the adequate availability of collection facilities.

(2) Holders of all end of life vehicles shall transfer these vehicles to authorised treatment facilities.

(3) (a) Whenever an end of life vehicle is transferred to an authorised treatment facility, the holder and. or owner of the vehicle shall be presented with a certificate of destruction issued by the operator of the facility. The deregistration of the end of life vehicle shall be conditional to the presentation of this certificate.

(b) The issue of the certificate of destruction by the operator of a treatment facility does not entitle him to claim any financial reimbursement, except in cases where this has been explicitly arranged by the Competent Authority.

(c) The certificate of destruction shall at least contain the information listed in Schedule 2 to these regulations.

(4) The delivery of the vehicle to an authorised treatment facility in accordance with sub-regulation (3) shall occur without any cost for either the last holder or the owner as a result of the vehicle having no market value or a negative one as follows:-

(a) as from the date of entry into force of these regulations, for vehicles put on the market as from 1st July, 2002;

(b) as from the 1st January, 2007, for vehicles put on the market before the 1st July, 2002:

Provided that producers shall meet all, or a significant part of, the costs of the implementation of this measure and, or take back of end of life vehicles under the same conditions as referred to in this sub-regulation:

Provided further that the Competent Authority may decide that the delivery of end of life vehicles is not fully free of charge if the end of life vehicle does not contain the essential components of a vehicle, in particular the engine, the coachwork, the catalytic converter, the gearbox and the wheels, or contains waste which has been added to the end of life vehicle.

(5) Certificates of destruction issued in other Agreement States in accordance with sub-regulation (3) hereof shall be recognised for purposes of deregistration.

6. The Competent Authority shall take necessary measures to ensure that:-

(1) All end of life vehicles shall be stored, even if only temporarily, and treated in accordance with the provisions of the Waste Management (Permit and Control) Regulations 2001, and in compliance with the minimum technical requirements set out in Schedule 3 to these regulations, without prejudice to any other relevant regulations on health and environment.

(2) Any establishment or undertaking carrying out treatment operations shall hold a valid permit from the Competent Authority.

(3) Any establishment or undertaking carrying out treatment operations shall fulfil at least the following obligations in accordance with Schedule 3 to these regulations:

(a) end of life vehicles shall be stripped before further treatment or other equivalent arrangements are made in order to reduce any adverse impact on the environment. Components or materials labelled or otherwise made identifiable in accordance with regulation 4(2) shall be stripped before further treatment;

(b) hazardous materials and components shall be removed and segregated in a selective way so as not to contaminate subsequent shredder waste from end of life vehicles;

(c) stripping operations and storage shall be carried out in such a way as to ensure the suitability of vehicle components for reuse and recovery, and in particular for recycling:

Provided that treatment operations for depollution of end of life vehicles as referred to in Schedule 3 shall be carried out as soon as possible.

(4) The permit referred to in paragraph (2) hereof shall include all conditions necessary for compliance with the requirements of paragraphs (1), (2) and (3) hereof.

(5) Establishments or undertakings which carry out treatment operations shall, as far as practicable, introduce certified environmental management systems.

7. (1) Economic operators shall, as far as practicable and without prejudice to requirements regarding the safety of vehicles and environmental requirements such as air emissions and noise control, reuse components which are suitable for reuse, recover components which cannot be reused and give preference to recycling when this is environmentally viable.

Reuse and recovery.

(2) The Competent Authority shall take necessary measures to ensure that the following targets shall be attained by economic operators:

(a) no later than the 1st January, 2006, for all end of life vehicles, the reuse and recovery shall be increased to a minimum of 85% by an average weight per vehicle and year. Within the same time limit the reuse and recycling shall be increased to a minimum of 80% by an average weight per vehicle and year; for vehicles produced before the 1st January, 1980, the Competent Authority may lay down lower targets, but not lower than 75 % for reuse and recovery and not lower than 70 % for reuse and recycling; and

(b) no later than the 1st January, 2015, for all end of life vehicles, the reuse and recovery shall be increased to a minimum of 95% by an average weight per vehicle and year. Within the same time limit, the re-use and recycling shall be increased to a minimum of 85 % by an average weight per vehicle and year.

8. The Competent Authority shall take necessary measures to ensure that:

Coding standards dismantling information.

(1) Producers, in concert with material and equipment manufacturers, shall use the nomenclature of ISO component and material coding standards referred to in Schedule 5 for the labelling and identification of components and materials of vehicles, in particular to facilitate the identification of those components and materials which are suitable for reuse and recovery.

(2) Producers shall provide dismantling information for each type of new vehicle put on the market within six months after the vehicle is put on the market. This information shall identify, as far as it is needed by treatment facilities in order to comply with the provisions of these regulations, the different vehicle components and materials, and the location of all hazardous substances in the vehicles, in particular with a view to the achievement of the objectives laid down in regulation 7 of these regulations.

(3) Without prejudice to commercial and industrial confidentiality, manufacturers of components used in vehicles shall make available to authorised treatment facilities, as far as it is requested by these facilities, appropriate information concerning dismantling, storage and testing of components which can be reused.

Reporting and information.

9. The relevant economic operators shall publish information on:

(a) the design of vehicles and their components with a view to their recoverability and recyclability,

(b) the environmentally sound treatment of end of life vehicles, in particular the removal of all fluids and dismantling,

(c) the development and optimisation of ways to reuse, recycle and recover end of life vehicles and their components,

(d) the progress achieved with regard to recovery and recycling to reduce the waste to be disposed of and to increase the recovery and recycling rates:

Provided that this information shall be made accessible to the prospective buyers of vehicles. It shall be included in promotional literature used in the marketing of the new vehicle.

Agreements.

10. For the purposes of achieving the objectives, and satisfying the provisions of these regulations, economic operators may be parties to agreements with the Competent Authority. Such agreements shall specify the detailed rules of implementation of these regulations. Moreover:

(a) these agreements shall be enforceable at law;

(b) they shall specify the objectives with the corresponding deadlines;

(c) they shall be published in the Gazette;

(d) the results achieved under an agreement shall be monitored regularly, reported to the competent authorities and made available to the public under the conditions set out in the agreement;

(e) the competent authorities shall make provisions to examine the progress reached under an agreement.

11. The Competent Authority may exempt an economic operator from all or part of these regulations provided the economic operator provides evidence to the Competent Authority of participating in an authorised end of life vehicle collection and treatment scheme.

Participation in an end of life vehicle collection and treatment scheme.

12. (1) If an economic operator chooses to make use of an existing authorised end of life vehicle collection and treatment scheme, he shall be required to submit to the Competent Authority a signed agreement with the operator of the authorised end of life vehicle collection and treatment scheme to prove that the scheme complies with the provisions of these regulations.

Signed agreement with an operator of an end of life vehicle collection and treatment scheme.

(2) The operator of the end of life vehicle collection and treatment scheme referred to in subregulation (1) of this regulation shall :

(i) bind himself to carry out the activities agreed to and on behalf of the economic operator in accordance with any existing laws and regulations,

(ii) provide the Competent Authority with the information referred to in regulation 9 as it applies *mutatis mutandis* to the economic operator, and

(3) The Competent Authority may specify the format in which such information is to be made available.

(4) The Competent Authority shall make this information available in accordance with the Freedom of Access to Information on the Environment Regulations, 2001.

L.N. 217 of 2001.

13. (1) Persons who intend to operate an end of life vehicle collection and treatment scheme as required under these regulations shall require and obtain a valid permit from the Competent Authority in terms of the Waste Management (Permit and Control) Regulations, 2001.

Permit required by an operator of an end of life vehicle collection and treatment scheme.

(2) Without prejudice to the Waste Management (Permit and Control) Regulations, 2001, in applying for such a permit, any such person shall provide the Competent Authority with the following information as applicable:

Application for permit to operate an end of life vehicle collection and treatment scheme.

(a) a copy of the memorandum and articles of association;

(b) a copy of a valid development permit issued under the Development Planning Act;

(c) a description of the proposed system which will provide for the treatment of the end of life vehicle in accordance with the provisions of these regulations;

(d) a financial plan in relation to the proposed scheme;

(e) the volume of end of life vehicles so treated or projected to be treated;

(f) proposals for the certification of economic operators who will make use of this scheme;

(g) proposals of how the information required under the provisions of these regulations will be compiled and made available to the Competent Authority;

(h) any other relevant information requested by the Competent Authority.

(3) The Competent Authority may specify the format in which such information is to be made available.

(4) The Competent Authority shall make this information available in accordance with the Freedom of Access to Information on the Environment Regulations, 2001.

L.N. 217 of 2001.

Offences under these regulations.

14. Any person shall be guilty of an offence under these regulations if:

(a) he fails to comply with any provision of these regulations or fails to comply with permit conditions or with any order lawfully given in terms of any provision of these regulations; or

(b) he contravenes any restriction, prohibition or requirement imposed by or under these regulations; or

(c) he acts in contravention of any of the provisions of these regulations; or

(d) he conspires or attempts, or aids, or abets, any other person by whatever means, including advertising, counselling or procurement to contravene the provisions of these regulations

or to fail to comply with any such provisions, including any order lawfully given in terms of any of the provision of these regulations, or to contravene any restriction, prohibition or requirement imposed by or under the said regulations.

15. Any person who commits an offence against these regulations shall, on conviction, be liable: Penalties.

(a) on a first conviction to a fine (*multa*) of not less than five hundred Maltese liri (Lm500) but not exceeding one thousand Maltese liri (Lm1,000);

(b) on a second or subsequent convictions, to a fine (*multa*) of not less than one thousand Maltese liri (Lm1,000), but not exceeding two thousand Maltese liri (Lm2,000) or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment:

Provided that the court may order any person who has been found guilty of committing an offence against these regulations to pay for the expenses incurred by the Competent Authority as a result of the said offence, the revocation of the permit issued by the Competent Authority mentioned in these regulations and the confiscation of the *corpus delicti*.

16. (1) The provisions of articles 23 and 30 of the Criminal Code shall, *mutatis mutandis*, apply to proceedings in respect of offences against these regulations, so however that the disqualification from holding or obtaining a licence, permit or authority shall in no case be for less than one year. Applicability of Cap. 9.

(2) Notwithstanding the provisions of article 370 of the Criminal Code, proceedings for an offence against these regulations shall be held before the Court of Magistrates (Malta) or the Court of Magistrates (Gozo), as the case may be, and shall be in accordance with the provisions of the Criminal Code regulating the procedure before the said courts as courts of criminal judicature.

(3) Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgement given by the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) in respect of proceedings for any offence against these regulations.

SCHEDULE 1

Substances and preparations which are “dangerous”

The following substances and preparations are "dangerous" within the meaning of these regulations:

(a) explosive substances and preparations: solid, liquid, pasty or gelatinous substances and preparations which may also react exothermically without atmospheric oxygen thereby quickly evolving gases, and which, under defined test conditions, detonate, quickly deflagrate or upon heating explode when partially confined;

(b) oxidising substances and preparations: substances and preparations which give rise to a highly exothermic reaction when in contact with other substances, particularly flammable substances;

(c) extremely flammable substances and preparations: liquid substances and preparations having an extremely low flash-point and a low boiling-point and gaseous substances and preparations which are flammable in contact with air at ambient temperature and pressure;

(d) highly flammable substances and preparations:

- Substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or
- Solid substances and preparations which may readily catch fire in contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or
- Liquid substances and preparations having a very low flash-point, or
- Substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities;

(e) flammable substances and preparations: liquid substances and preparations having a low flash-point;

(f) very toxic substances and preparations: substances and preparation which in very low quantities cause death or acute or chronic damage to health when inhaled, swallowed or absorbed via the skin;

(g) toxic substances and preparations: substances and preparations which in low quantities cause death or acute or chronic damage to health when inhaled, swallowed or absorbed via the skin;

(h) harmful substances and preparations: substances and preparations which may cause death or acute or chronic damage to health when inhaled, swallowed or absorbed via the skin;

(i) corrosive substances and preparations: substances and preparations which may, on contact with living tissues, destroy them;

(j) irritant substances and preparations: non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membrane, can cause inflammation;

(k) sensitising substances and preparations: substances and preparations which, if they are inhaled or if they penetrate the skin, are capable of eliciting a reaction of hyper sensitisation such that on further exposure to the substance or preparation, characteristic adverse effects are produced;

(l) carcinogenic substances and preparations: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence;

(m) mutagenic substances and preparations: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce heritable genetic defects or increase their incidence;

(n) substances and preparations which are toxic for reproduction: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may produce, or increase the incidence of, non-heritable adverse effects in the progeny and/or an impairment of male or female reproductive functions or capacity;

(o) substances and preparations which are dangerous for the environment: substances and preparations which, were they to enter the environment, would present or may present an immediate or delayed danger for one or more components of the environment.

SCHEDULE 2

Minimum requirements for the certificate of destruction issued in accordance with regulation 5(3)

1. Name, address, signature and registration or identification number of the establishment or undertaking issuing the certificate;
2. Name and address of the Competent Authority responsible for the permit (in accordance with regulation 6) for the establishment or undertaking issuing the certificate of destruction;
3. Where the certificate is issued by a producer, dealer or collector on behalf of an authorised treatment facility, the name and address and registration or identification number of the establishment or undertaking issuing the certificate;
4. Date of issue of the certificate of destruction;
5. Vehicle nationality mark and registration number (attach the registration document or a statement by the establishment or undertaking issuing the certificate that the registration document has been destroyed);
6. Class of vehicle, brand and model;
7. Vehicle identification number (chassis);
8. Name, address, nationality and signature of the holder or owner of the vehicle delivered.

SCHEDULE 3
Minimum technical requirements for treatment
in accordance with regulation 6(1)

1. Sites for storage (including temporary storage) of end of life vehicles prior to their treatment:

- impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers,

- equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations.

2. Sites for treatment:

- impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers,

- appropriate storage for dismantled spare parts, including impermeable storage for oil-contaminated spare parts,

- appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), filters and PCB/PCT-containing condensers,

- appropriate storage tanks for the segregated storage of end-of-life vehicle fluids: fuel, motor oil, gearbox oil, transmission oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, battery acids, air-conditioning system fluids and any other fluid contained in the end of life vehicle,

- equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations,

- appropriate storage for used tyres, including the prevention of fire hazards and excessive stockpiling.

3. Treatment operations for depollution of end of life vehicles:

- removal of batteries and liquefied gas tanks,

- removal or neutralisation of potential explosive components, (e.g. air bags),

- removal and separate collection and storage of fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air-conditioning system fluids and any other fluid contained in the end-of-life vehicle, unless they are necessary for the re-use of the parts concerned,

- removal, as far as feasible, of all components identified as containing mercury.

4. Treatment operations in order to promote recycling:

- removal of catalysts,

- removal of metal components containing copper, aluminium and magnesium if these metals are not segregated in the shredding process,

- removal of tyres and large plastic components (bumpers, dashboard, fluid containers, etc), if these materials are not segregated in the shredding process in such a way that they can be effectively recycled as materials,

- removal of glass.

5. Storage operations are to be carried out avoiding damage to components containing fluids or to recoverable components and spare parts.

SCHEDULE 4
Materials and components exempt from regulation 4

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with regulation 4(2)
Lead as an alloying element		
1. Steel for machining purposes and galvanized steel containing up to 0.35% lead by weight		
2. a) Aluminium for machining purposes with a lead content up to 2% by weight b) Aluminium for machining purposes with a lead content up to 1% by weight	1 July 2005 ⁽¹⁾ 1 July 2008 ⁽²⁾	
3. Copper alloy containing up to 4% lead by weight		
4. Lead-bronze bearing shells and bushes		
Lead and lead compounds in components		
5. Batteries		X
6. Vibration dampers		X
7. Wheel balance weights	Vehicles type-approved before 1 July 2003 and wheel balance weights intended for servicing of these vehicles: 1 July 2005 ⁽³⁾	X

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with regulation 4(2)
8. Vulcanising agents and stabilizers for elastomers in fluid handling and powertrain applications	1 July 2005 ⁽⁴⁾	
9. Stabiliser in protective paints	1 July 2005	
10. Carbon brushes for electric motors	Vehicles type-approved before 1 July 2003 and carbon brushes for electric motors intended for servicing of these vehicles: 1 January 2005	
11. Solder in electronic circuit boards and other electric applications		X ⁽⁵⁾
12. Copper in brake linings containing more than 0.5% lead by weight	Vehicles type-approved before 1 July 2003 and servicing on these vehicles: 1 July 2004	X
13. valve seats	Engine types developed before 1 July 2003: 1 July 2006	
14. Electrical components which contain lead in a glass or ceramic matrix compound except glass in bulbs and glaze of spark plugs		X ⁽⁶⁾ (for components other than piezo in engines)
15. Glass in bulbs and glaze of spark plugs	1 January 2005	
16. Pyrotechnic initiators	1 July 2007	

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with regulation 4(2)
Hexavalent chromium		
17. Corrosion preventive coatings	1 July 2007	
18. Absorption refrigerators in motorcaravans		X
Mercury		
19. Discharge lamps and instrument panel displays		X
Cadmium		
20. Thick film pastes	1 July 2006	
21. Batteries for electrical vehicles	After 31 December 2005, the placing on the market of NiCd batteries shall only be allowed as replacement parts for vehicles put on the market before this date.	X

- (1) By 1 January 2005 the Competent Authority shall assess whether the phase-out time scheduled for this entry has to be reviewed in relation to the availability of substitutes for lead, taking into account the objectives of regulation 5(2).
- (2) See footnote 1.
- (3) By 1 January 2005, the Competent Authority shall assess this exemption in relation to road safety aspects.
- (4) See footnote 1.
- (5) Dismantling if, in correlation with entry 14, an average threshold of 60 grams per vehicle is exceeded. For the application of this clause, electronic devices not installed by the manufacturer on the production line shall not be taken into account.
- (6) Dismantling if, in correlation with entry 11, an average threshold of 60 grams per vehicle is exceeded. For the application of this clause, electronic devices

B 1070

not installed by the manufacturer on the production line shall not be taken into account.

Notes:

- a maximum concentration value up to 0.1% by weight and per homogeneous material, for lead, hexavalent chromium and mercury and up to 0.01% by weight per homogeneous material for cadmium shall be tolerated, provided these substances are not intentionally introduced¹,
- a maximum concentration value up to 0.4% by weight of lead in aluminium shall also be tolerated provided it is not intentionally introduced²,
- a maximum concentration value up to 0.4% by weight of lead in copper intended for friction materials in brake linings shall be tolerated until 1 July 2007 provided it is not intentionally introduced³,
- the reuse of parts of vehicles which were already on the market at the date of expiry of an exemption is allowed without limitation since it is not covered by regulation 4(2),
- until 1 July 2007, new replacement parts intended for repair⁴ of parts of vehicles exempted from the provisions of regulation 4(2) shall also benefit from the same exemptions.

¹ Intentionally introduced shall mean deliberately utilized in the formulation of a material or component where its continued presence is desired in the final product to provide a specific characteristic, appearance or quality. The use of recycled materials as feedstock for the manufacture of new products, where some portion of the recycled materials may contain amounts of regulated metals, is not to be considered as intentionally introduced.

² See footnote 1.

³ See footnote 1.

⁴ This clause applies to replacement parts and not to components intended for normal servicing of vehicles. It does not apply to wheel balance weights, carbon brushes for electric motors and brake linings as these components are covered in specific entries.

SCHEDULE 5
Component and material coding standards
in accordance with regulation 8(1)

For the labelling and identification of vehicle plastic components and materials having a weight of more than 100 grams, the following nomenclature shall apply:

- ISO 1043-1:2001 Plastics — Symbols and abbreviated terms. Part 1: Basic polymers and their special characteristics.
- ISO 1043-2:2000 Plastics — Symbols and abbreviated terms. Part 2: Fillers and reinforcing materials.
- ISO 11469:2000 Plastics — Generic identification and marking of plastic products.

For the labelling and identification of vehicle elastomer components and materials having a weight of more than 200 grams, the following nomenclature shall apply:

- ISO 1629:1995 Rubbers and latices — Nomenclature. This shall not apply to the labelling of tyres.

The symbols '<' or '>' used in the ISO standards, can be substituted by brackets.