

A.L. 44 ta' l-2008

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

**ATT DWAR L-AWTORITÀ MARITTIMA TA' MALTA
(KAP. 352)**

**ATT DWAR IL-BASTIMENTI MERKANTILI
(KAP. 234)**

**REGOLAMENTI TA' L-2008 DWAR IL-KWALITÀ
TAL-KARBURANTI**

BIS-SAHHA tas-setghat moghtija permezz tas-subartikolu (1) ta' l-artikolu 28 ta' l-Att dwar l-Awtorità ta' Malta dwar ir-Riżorsi u bis-sahha tas-setghat moghtija, permezz tas-subartikolu (1) ta' l-artikolu 28 ta' l-Att dwar l-Awtorità Marittima ta' Malta u mis-subartikolu (1) ta' l-artikolu 374 ta' l-Att dwar il-Bastimenti Merkantili, il-Ministru tar-Riżorsi u l-Infrastruttura u l-Ministru ghall-Kompetittività u l-Kompetizzjoni, wara konsultazzjoni ma' l-Awtorità ta' Malta dwar ir-Riżorsi u l-Awtorità Marittima ta' Malta, ghamlu dawn ir-regolamenti li ġejjin:-

1. (1) It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' 1-2008 dwar il-Kwalità tal-Karburanti. Titolu, skop u dhul fis-sehh.

(2) L-iskop ta' dawn ir-regolamenti hu li jirregola il-kwalità tal-karburanti f'Malta u biex tiġi trasposta d-Direttiva 93/12/KEE, id-Direttiva 1999/32/KE, id-Direttiva 2005/33/KE, id-Direttiva 98/70/KE u d-Direttiva 2003/17/KE.

(3) Dawn ir-regolamenti ghandhom jidhlu fis-sehh f'dik id-data li l-Ministru responsabbli ghar-riżorsi u l-Ministru responsabbli ghall-bastimenti jistabilixxu b'avviż fil-Gazzetta, u dati differenti jistghu jiġu hekk stabbiliti ghal disposizzjonijiet differenti u ghanijiet differenti ta' dawn ir-regolamenti.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem Tifsiriet. ma tkunx tehtieg xort'ohra:-

“Anness VI ghall-MARPOL” tfisser l-Anness, intitolat Regolamenti ghall-Prevenzjoni tat-Tniġġis ta' l-Arja mill-Bastimenti, li l-Protokoll ta' l-1997 iżid mal-MARPOL;

“Awtorità kompetenti” tfisser l-Awtorità ta’ Malta dwar ir-Rizorsi u l-Awtorità Marittima ta’ Malta skond ir-responsabbilitajiet rispettivi taghhom u kif maqbul bejniethom;

“Awtorità Marittima ta’ Malta” tfisser l-Awtorità Marittima ta’ Malta mwaqqfa taht l-artikolu 3 ta’ l-Att dwar l-Awtorità Marittima ta’ Malta;

Kap. 352.

“Awtorità ta’ Malta dwar l-Ambjent u l-Ippjanar” tfisser l-Awtorità ta’ Malta dwar l-Ambjent u l-Ippjanar imwaqqfa taht l-artikolu 3 ta’ l-Att dwar l-Ippjanar ta’ l-Iżvilupp;

Kap.423.

“Awtorità ta’ Malta dwar ir-Rizorsi” tfisser l-Awtorità ta’ Malta dwar ir-Rizorsi mwaqqfa taht l-artikolu 3 ta’ l-Att dwar l-Awtorità ta’ Malta dwar ir-Rizorsi;

Kap.356.

“bastimenti rmiġġati” tfisser bastimenti li jkunu sorguti jew ankrati ġewwa port f’Malta filwaqt li jgħabbu, jhottu jew ikunu stazzjonarji, inkluż il-hin li fih ma jkunux involuti fl-operazzjonijiet ta’ tagħbija;

“bastiment tal-passiġġieri” tfisser bastiment li jgħorr aktar minn tnax-il passiġġier;

“bastiment tal-gwerra” tfisser bastiment li huwa parti mill-forzi armati ta’ xi Stat li jkollu marki esterni li jiddistingwu lil bastimenti bin-nazzjonalità tiegħu, taht il-kmand ta’ uffiċjal li jkun debitament imqabba mill-Gvern ta’ l-Istat u li ismu jkun jidher fil-lista adatta tas-servizz jew fl-ekwivalenti tagħha, u li jkun ekwipaġġat b’persunal taht id-dixxiplina tal-forzi armati regolari;

G.O. L 74,
27.3.93, p. 81.

“Direttiva 93/12/KEE” tfisser id-Direttiva tal-Kunsill 93/12/KEE tat- 23 ta’ Marzu 1993 dwar il-kontenut tal-kubrit f’xi karburanti likwidi;

G.O. L 350,
28.12.98, p. 58.

“Direttiva 98/70/KE” tfisser id-Direttiva 98/70/KE tal-Parlament Ewropew u tal-Kunsill tat-13 ta’ Ottubru 1998 dwar il-kwalità tal-kombustibbli tal-*petrol* u tad-*diesel* u li temenda d-Direttiva tal-Kunsill 93/12/KEE;

G.O. L 121,
11.5.1999, p. 13.

“Direttiva 1999/32/KE” tfisser id-Direttiva tal-Kunsill”1999/32/KE tas-26 ta’ April 1999 fir-rigward ta’ tnaqqis fil-kontenut tal-kubrit f’ċerti karburanti likwidi u li temenda d-Direttiva 93/12/KE;

“Direttiva 2001/80/KE” tfisser id-Direttiva 2001/80/KE tal-Parlament Ewropew u tal-Kunsill tat-23 ta’ Ottubru 2001 dwar il-limitazzjoni ta’ l-emissjonijiet ta’ ċertu tniġġis fl-arja minn impjanti tal-kombustjoni kbar ;

“Direttiva 2003/17/KE” tfisser id-Direttiva 2003/17/KE tal-Parlament Ewropew u tal-Kunsill tat-3 ta’ Marzu 2003 li temenda d-Direttiva 98/70/KE dwar il-kwalità tal-karburanti tal-petrol u tad-*diesel*;

G.O. L 76,
22.03.2003, p. 10.

“Direttiva 2005/33/KE” tfisser id-Direttiva 2005/33/KE tal-Parlament Ewropew u tal-Kunsill tas-6 ta’ Lulju 2005 li temenda d-Direttiva 1999/32/KE dwar il-kontenut ta’ kubrit f’karburanti għal użu marittimu;

“EN 228” tfisser il-htigijiet u l-metodi ta’ ttestjar speċifikati mill-*European Committee for Standardization* f’dak li għandu x’jaqsam mal-kwalità tal-petrol minghajr ċomb għall-użu awtomotiv;

G.O. L 191,
22.07.2005, p. 59.

“EN 590” tfisser il-htigijiet u l-metodi ta’ ttestjar speċifikati mill-*European Committee for Standardization* f’dak li għandu x’jaqsam mal-kwalità tal-karburant *diesel* għall-użu awtomotiv;

“impjant tal-kombustjoni”, “impjant ġdid” u “impjant eżistenti” għandu jkollhom l-istess tifsiriet bhal fir-Regolamenti ta’ l-2002 dwar il-Limitazzjoni ta’ Hruġ fl-Arja ta’ xi Sustanzi li Jniġġsu minn Impjanti Kbar tal-Kombustjoni;

“ISO 4259 (1992)” tfisser il-metodu speifikat mill-*International Organization for Standardisation* f’dak li għandu x’jaqsam mad-determinazzjoni u l-applikazzjoni ta’ *precision data* u f’dak li għandu x’jaqsam mal-metodi ta’ testijiet ta’ prodotti tal-*petroleum*;

A.L. 329 ta’ l-
2002.

“ISO 8754 (1992)” tfisser il-metodu speifikat mill-*International Organization for Standardisation* f’dak li għandu x’jaqsam mad-determinazzjoni tal-kontenut tal-kubrit fil-prodotti tal-*petroleum* bl-użu tal- *Energy-dispersive X-ray fluorescence method*;

“ISO 14596 (1998)” tfisser il-metodu speifikat mill-*International Organization for Standardisation* f’dak li għandu x’jaqsam mad-determinazzjoni tal-kontenut tal-kubrit fil-prodotti tal-*petroleum* bl-użu tal- *Wavelength-dispersive X-ray fluorescence spectrometry method*;

Kap. 234.

“kaptan” għanda jkollha l-istess tifsira bħal taht l-Att dwar il-Bastimenti Merkantili;

“karburant għal użu marittimu” tfisser kull karburant likwidu derivanti miż-żejt maħsub għal użu jew użat abbord xi bastiment, inklużi dawk il-karburanti definiti fl-ISO 8217;

“karburanti *diesel*” tfisser żjut tal-gass li jaqgħu taht il-kodiċi CN 2710 19 41 kif imfissra mir-Regolament (KEE) 2658/87 u li jintużaw għal vetturi li jimxu bil-qawwa tagħhom;

“Kodiċijiet CN” tfisser in-numri tal-Kodiċijiet tan-nomenklatura magħquda tat-tariffa u l-istatistika u dwar it-Tariffa Doganali stabbilita bir-Regolament 2658/87;

“il-Komunità” tfisser il-Komunità Ewropea mwaqqfa bit-Trattat li jwaqqaf il-Komunità Ekonomika Ewropea iffirmit fil-25 ta’ Marzu, 1957;

“il-Kummissjoni” tfisser il-Kummissjoni Ewropea mwaqqfa bl-artikolu 7 tat-Trattat li jwaqqaf il-Komunità Ewropea iffirmit fil-25 ta’ Marzu, 1957;

“makkinarju mobbli mhux stradali” għandu jkollha l-istess tifsira bħal fir-Regolamenti ta’ l-2001 dwar Mizuri Kontra l-Emissjoni ta’ Tniġġis ġej minn Gass u Partielli Żgħar minn Magni ta’ Kombustjoni Interna (Makkinarju Mobbli mhux Stradali);

“MARPOL” tfisser il-Konvenzjoni Internazzjonali għall-Prevenzjoni tat-Tniġġis mill-Bastimenti, 1973, kif modifikata bil-Protokoll ta’ l-1978 marbut magħha;

“metodi ASTM” tfisser dawk il-metodi msemmija fl’*American Society for testing and Materials in the 1976 edition of standard definitions and specifications for petroleum and lubricating products*;

“metodu EN 24260 (1987)” tfisser il-metodu speċifikat mill-*European Committee for Standardization* f’dak li għandu x’jaqsam mad-determinazzjoni tal-kontenut ta’ kubrit fil-prodotti tal-petroleum meta jiġi użat il-metodu ta’ kombustjoni *Wickbold*;

“OMI” tfisser l-Organizzazzjoni Marittima Internazzjonali mwaqqfa mill-Konvenzjoni dwar l-Organizzazzjoni Konsultativa Intergovernattiva, adottata mill-Konferenza

Marittima tal-Ġnus Magħquda f'Ġinevra fis-6 ta' Marzu 1948, u kif emendata;

“passiġġier” tfisser kull persuna li ma tkunx:

(a) il-kaptan u l-membri ta' l-ekwipaġġ jew xi persuna ohra impjegata jew ingaġġata f'xi xogħol abbord bastiment fix-xogħol ta' dak il-bastiment, u

(b) tarbija taht l-età ta' sena;

“port” għandu jkollu l-istess tifsira mogħtija bl-artikolu 2 ta' l-Att dwar l-Awtorità Marittima ta' Malta;

“petrol” tfisser kull żejt minerali li jisvinta intiż għat-thaddim ta' magni b'kombustjoni interna *positive-ignition* għall-propulsjoni ta' vetturi u li qiegħed fil-parametri tal-kodiċijiet 2710 11 41, 2710 11 45, 2710 11 49, 2710 11 51 u 2710 11 59 kif imfissra fir- Regolament (KEE) 2658/87;

G.O. L 324,
29.11.2002, p. 1.

“Regolament (KE) Nru. 2099/2002” tfisser ir-Regolament (KE) Nru. 2099/2002 tal-Parlament Ewropew u tal-Kunsill tal-5 ta' Novembru 2002 li jistabilixxi Kumitat fuq Ibħra Siguri u l-Prevenzjoni ta' Tniġġis mill-Vapuri (COSS) u jemenda r-Regolamenti fuq is-sigurtà marittima u l-prevenzjoni ta' tniġġis minn vapuri;

“Regolament (KEE) Nru. 2658/87” tfisser ir-Regolament tal-Kunsill (KEE) Nru. 2658/87 tat-23 ta' Lulju 1987 dwar in-nomenklatura tat-tariffi u l-istatistika u dwar it-Tariffa Doganali Komuni, kif emendat, u għandu jinkludi l-Annessi ta' ma' dan ir-regolament;

G.O. L 256,
7.9.1987, p. 1.

“servizzi regolari” tfisser sensiela ta' vjaġġi ta' bastiment tal-passiġġieri magħmula sabiex jaqdu l-bżonnijiet tat-traffiku bejn l-istess żewġ portijiet jew aktar, jew sensiela ta' vjaġġi minn u sa l-istess port mingħajr waqfien intermedji:

- (i) skond itinerarju pubblikat; jew
- (ii) bi traversati tant regolari jew frekwenti li jikkostitwixxu skeda rikonoxxibbli;

“teknoloġija li tnaqqas l-emissjonijiet” tfisser xi sistema li tnaddaf il-gass ta' l-*exhaust*, jew kull metodu teknoloġiku ieħor li huwa verifikabbli u nforzabbli;

“Stat Membru” tfisserl Stat Membru tal-Komunità;

“tqeghid fis-suq” tfisser il-forniment jew il-prokura ta’ karburanti ghal użu marittimu għall-kombustjoni abbord, lil terzi persuni, bi hlas jew b’xejn, fi kwalunkwe parti fil-ġurisdizzjonijiet ta’ l-Istati Membri. Din teskludi il-forniment jew il-prokura ta’ karburanti għal użu marittimu għall-esportazzjoni f’tankijiet tat-tagħbija tal-bastimenti;

“vettura” għandha l-istess tifsira mogħtija lilha bir-regolament 3.1.4. bir-Regolamenti ta’ l-2002 dwar Approvazzjoni tat-Tip ta’ Vetturi bil-Mutur;

A.L. 95 ta’ l-2002.

“żejt *diesel* għal użu marittimu” tfisser kull karburant għal użu marittimu li għandu viskożità jew densità li taqa’ fil-parametri tal-viskożità jew densità definiti għall-grad DM B u DMC fit-Tabella I ta’ l-ISO 8217;

“żejt tal-gass” tfisser:

(a) kull karburant likwidu derivanti miż-żejt, eskluż il-karburant għal użu marittimu, li jaqa’ taħt il-kodiċi CN 2710 19 25, 2710 19 29, 2710 19 45 jew 2710 19 49; jew

(b) kull karburant likwidu derivanti miż-żejt, eskluż il-karburant għal użu marittimu, li minnu anqas minn 65 % fil-volum (inkluż it-telf) jiddistilla mal-250 °C u li minnu ta’ lanqas 85 % fil-volum (inkluż it-telf) jiddistilla mat-350 °C bil-metodu ASTM D86:

Iżda ma tinkludix:

(i) karburanti *diesel*; jew

(ii) karburant użat f’makkinarju mobbli li ma jintużax fit-triq u tratturi agrikoli;

“żejt tal-gass għal użu marittimu” tfisser kull karburant għal użu marittimu li għandu viskożità jew densità li taqa’ fil-parametri tal-viskożità jew densità definiti għall-grad DM X u DMA fit-Tabella I ta’ l-ISO 8217;

“żejt tal-karburanti tqil” tfisser:

(a) kull karburanti likwidu miksub mill-*petroleum* li jaqa’ taħt il-Kodiċi CN 2710 19 51 sa 2710 19 69 kif imfissra fir-Regolament (KEE) 2658/87; u

(b) kull karburanti likwidu miksub mill-*petroleum*, minbarra żejt tal-gass li, minhabba fil-limiti tad-distillazzjoni tiegħu, jaqa' fil-kategorija ta' żjut tqal intenzjonati għall-użu bħala karburant u li minnhom ta' l-inqas 65% bil-volum (inkluż kull telfien) jiddistilla f'temperatura ta' 250°C bil-metodu ASTM D86:

Izda li, jekk id-distillazzjoni ma tkunx tista' tiġi determinata bil-metodu ASTM D86, il-prodott tal-*petroleum* jista' jiġi ukoll meqjus bħala żejt tal-karburanti tqil;

“żona kontigwa” tfisser dik iż-żona msemija fl-artikolu Kap.226. 4 ta' l-Att dwar l-Ibhra Territorjali u ż-Żona Kontigwa.

“żoni ta' kontroll ta' l-emissjonijiet So_x ” tfisser żoni ta' baħar definiti bħala tali mill-IMO fl- Anness VI għall-MARPOL;

3. Il-limitazzjonijiet stabbiliti b'dawn ir-regolamenti fuq il- Limitazzjonijiet. kontenut ta' kubrit f'ċerti karburanti likwidi miksubin mill-*petroleum* m'għandhomx japplikaw għal:

(a) karburanti maħsuba għal skopijiet ta' riċerka u ttestjar;

(b) karburanti maħsuba għall-ipproċessar qabel il-kombustjoni finali;

(ċ) karburanti li għandhom jiġu proċessati fl-industrija tar-raffinazzjoni;

(d) karburanti użati minn bastimenti tal-gwerra u bastimenti ohra f'servizz militari:

Izda dawn il-bastimenti għandhom, sa fejn dan ikun raġonevoli u prattiku, joperaw b'mod konsistenti, ma' dawn ir-regolamenti.

(e) kull użu ta' karburant f'bastiment meħtieġ għall-iskop speċifiku tal-protezzjoni tas-sigurtà ta' bastiment jew biex tiġi salvata l-hajja fuq il-baħar;

(f) kull użu ta' karburant f'bastiment meħtieġ minhabba f'xi danni mgarrba minnu jew mit-tagħmir tiegħu:

(i) meta s-sid jew il-kaptan ma jkunx aġixxa xjentement jew bi traskuraġni; u

(ii) jekk il-miżuri raġonevoli kollha jittiehdu wara l-okkorrenza tad-dannu sabiex jipprevjenu jew jimminimizzaw emissjonijiet eċċessivi; u

(iii) jittiehdu miżuri kemm jista' jkun malajr ghattiswija tad-dannu.

(g) karburant użat abbord bastimenti li jimpjegaw teknoloġiji approvati li jnaqqsu l-emissjonijiet skond ir-regolament 15 ta' dawn ir-regolamenti.

Petrol.

4. (1) Hadd ma jista' juża, jbiegħ, joffri għall-bejgħ jew xort'ohra jqiegħed fis-suq petrol biċ-ċomb:

Iżda li l-Awtorità ta' Malta dwar ir-Rizorsi tista' thalli li jsir il-bejgħ, l-offerta għall-bejgħ jew li xort'ohra jitqiegħdu fis-suq ta' kwantitajiet żgħar ta' petrol biċ-ċomb, sa massimu ta' 0.5% tal-bejgħ totali, biex jintuża minn vetturi antiki ta' bixra karatteristika u li jiġi distribwit minn gruppi ta' interess speċjalistiku:

Iżda wkoll li l-kontenut taċ-ċomb ta' dan il-petrol biċ-ċomb ma jistax jeċċedi l-0.15g/l u li l-kontenut tal-*benzene* għandu jikkonforma ma' l-ispeċifikazzjonijiet imsemmija fl-Ewwel Skeda li tinsab ma' dawn ir-regolamenti.

(2) Petrol mingħajr ċomb jista' jiġi użat, jinbiegħ, jiġi offrut għall-bejgħ jew xort'ohra jitqiegħed fis-suq biss jekk jikkonforma ma' l-ispeċifikazzjonijiet imsemmija fl-Ewwel Skeda li tinsab ma' dawn ir-regolamenti.

(3) Mingħajr hsara għad-disposizzjonijiet tas-subregolament (2), sa u mhux iżjed mill-31 ta' Diembru 2008, il-petrol mingħajr ċomb li jikkonforma ma' l-ispeċifikazzjonijiet imsemmija fl-Ewwel Skeda li tinsab ma' dawn ir-regolamenti iżda b'kontenut ta' kubrit ta' mhux iżjed minn 50mg/kg jista' ukoll jinbiegħ, jiġi offrut għall-bejgħ jew xort'ohra jitqiegħed fis-suq:

Iżda sal-31 ta' Diembru 2008 il-petrol mingħajr ċomb li jikkonforma għal kolli ma' l-ispeċifikazzjonijiet ta' l-Ewwel Skeda li tinsab ma' dawn ir-regolamenti għandu ukoll jinbiegħ, jiġi offrut għall-bejgħ jew xort'ohra jitqiegħed fis-suq.

(4) Kull persuna li tonqos milli tikkonforma ruhha ma' xi disposizzjoni ta' dan ir-regolament tkun hatja ta' reat u tista' tehel, meta tinsab hatja, multa ta' mhux inqas minn għaxart elef

euro (€10,000) iżda mhux iżjed minn disgha' u sittin elf u tmien mitt euro (€69,800) jew priġunerija ghal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multa u priġunerija flimkien.

5. (1) Bla ħsara għad-dispożizzjonijiet tas-subregolament (2), il-kombustibbli *diesel* jista' jintuża, jinbiegħ, jiġi offrut għall-bejgħ jew xort'ohra jitqiegħed fis-suq jekk ikun jikkonforma ma' l-ispeċifikazzjonijiet ta' l-Ewwel Skeda li tinsab ma' dawn ir-regolamenti.

Kombustibbli Diesel.

(2) Il-kombustibbli *diesel* li jikkonforma ma' l-ispeċifikazzjonijiet imsemmija fit-Tieni Skeda li tinsab ma' dawn ir-regolamenti iżda b'kontenut ta' kubrit ta' mhux iżjed minn 50mg/kg jista' jintuża, jinbiegħ, jiġi offrut għall-bejgħ jew xort'ohra jitqiegħed fis-suq sa u mhux iżjed mill-31 ta' Diembru 2008.

(3) Żjut tal-gass intizi għal makkinarju mobbli mhux stradali u tratturi agrikoli u tal-foresti jistgħu biss jintużaw, jinbiegħu, jiġi offruti għall-bejgħ jew xort'ohra jitqiegħedu fis-suq biss jekk ikollhom inqas minn 1,000 mg/kg. ta' kubrit.

(4) Kull persuna li tonqos milli tikkonforma ruhha ma' xi disposizzjoni ta' dan ir-regolament tkun hatja ta' reat u tista' tehel, meta tinsab hatja, multa ta' mhux inqas minn għaxart elef euro (€10,000) iżda mhux iżjed minn disgha u sittin elf u tmien mitt euro (€69,800) jew priġunerija għal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multa u priġunerija flimkien.

6. (1) L-Awtorità ta' Malta dwar ir-Riżorsi għanda tiżgura konformità mal-htigiet tar-regolamenti 4 u 5, għar-rigward tal-kombustibbli petrol u *diesel*, permezz tal-metodi analitiċi msemmija fl-istandards MSA EN 228:2004 u MSA EN 590:1999 rispettivament.

Konformità ma' htigiet.

(2) L-Awtorità ta' Malta dwar ir-Riżorsi għanda twaqqaf sistema ta' monitoraġġ tal-kwalità tal-kombustibbli skond il-htigiet ta' standards applikabbli, filwaqt li tista' tuża ukoll sistema alternattiva ta' monitoraġġ tal-kwalità tal-kombustibbli jekk din tagħti riżultati ta' l-istess livell.

(3) Sa l-aħhar ta' April ta' kull sena, l-Awtorità ta' Malta dwar ir-Riżorsi għandha tagħti lill-Ministru responsabbli għar-riżorsi rapport fuq:

(a) id-*data* Nazzjonali tal-kwalità tal-kombustibbli għas-sena kalendarja preċedenti, li l-*format* tiegħu jkun skond ma jkun imsemmi fl-*istandard* Ewropew applikabbli;

(b) il-volumi totali ta' petrol u kombustibbli *diesel* li tqiegħdu fis-suq f' Malta u l-volumi ta' *petrol* mingħajr ċomb u kombustibbli *diesel* li tqiegħdu fis-suq b'kontenut massimu ta' kubrit ta' 10mg/kg;

(ċ) dwar id-disponibbiltà bbażata ġeografikament u bbilanċjata kif suppost ta' *petrol* u kombustibbli *diesel* b'kontenut massimu ta' kubrit ta' 10mg/kg li jitqiegħdu fis-suq f' Malta.

Kontenut massimu ta' kubrit fiż-żjut tal-karburanti tqal.

7. (1) L-użu ta' żjut karburanti tqal ġewwa Malta li l-kontenut ta' kubrit tagħhom jeċċedi l-1 % skond il-massa huwa projbit.

(2) Bla hsara għas-sorveljanza adegwata ta' l-emissjonijiet mill-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar, is-subregolament (1) m'għandux japplika għal żjut karburanti tqal użati:

(a) f'impjanti ta' kombustjoni ġodda li jikkonformaw mal-limiti ta' emissjoni ta' diossidju tal-kubrit stabbiliti għal dawk l-impjanti stipulati fl-Anness IV tar-Regolamenti ta' l-2002 dwar il-Limitazzjoni ta' Hruġ fl-Arja ta' xi Sustanzi li Jniġġsu minn Impjanti tal-Kombustjoni Kbar, u applikati skond ir-regolament 5 ta' dawk ir-Regolamenti;

(b) f'impjanti ta' kombustjoni eżistenti fejn l-emissjonijiet tad-diossidju tal-kubrit minn dawn l-impjanti huma ugwali għal, jew anqas minn 1,700 mg/Nm³ f'kontenut ta' ossiġenu fil-*flue gas* ta' 3 % bil-volum fuq bażi xotta, u fejn l-emissjonijiet ta' diossidju tal-kubrit huma ugwali, jew anqas, minn dawk li jirriżultaw mill-osservanza tal-valuri ta' limiti ta' l-emissjonijiet imposti għal impjanti ġodda msemmija fil-Parti A ta' l-Anness IV tar-Regolamenti ta' l-2002 dwar il-Limitazzjoni ta' Hruġ fl-Arja ta' xi Sustanzi li Jniġġsu minn Impjanti tal-Kombustjoni Kbar;

(ċ) f'impjanti ta' kombustjoni ohra, li ma jaqghux fl-ambitu tal-paragrafu (a) jew il-paragrafu (b), fejn l-emissjonijiet ta' diossidu tal-kubrit minn dawk l-impjanti ma jeċċedux l-1,700 mg/Nm³ f'kontenut ta' ossiġenu fil-*flue gas* ta' 3 % bil-volum fuq bażi xotta;

(d) għall-kombustjoni f'raffineriji, fejn il-medji ta' emissjonijiet kull xahar ta' diossidu tal-kubrit meta mkejla mal-medja ta' l-impjanti kollha fir-raffinerija, irrispettivament mit-tip ta' karburant jew kombinazzjoni ta' karburanti użati ma teċċediex l-1,700 mg/Nm³:

Iżda dan ma ghandux japplika għall-impjanti ta' kombustjoni li jaqghu taht il-paragrafu (a) jew (b) ta' dan is-subregolament.

(3) Kull persuna li tonqos milli tikkonforma ruħha ma' xi disposizzjoni ta' dan ir-regolament tkun hatja ta' reat u tista' tehel, meta tinsab hatja, multa ta' mhux inqas minn ghaxart elef euro (€10,000) iżda mhux iżjed minn disgha u sittin elf u tmien mitt euro (€69,800) jew prigunerija għal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multa u prigunerija flimkien.

8. (1) L-użu ta' żjut tal-gass, inkluż żjut tal-gass għall-użu marittimu li l-kontenut tal-kubrit tagħhom ikun jaqbeż iż-0.1% bil-massa huwa projbit: Kontenut massimu ta' kubrit fiż-żjut tal-gass.

(2) Kull persuna li tonqos milli tikkonforma ruħha mas-subregolament (1) tkun hatja ta' reat u tista' tehel, meta tinsab hatja, multa ta' mhux inqas minn ghaxart elef euro (€10,000) iżda mhux iżjed minn disgha u sittin elf u tmien mitt euro (€69,800) jew prigunerija għal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multa u prigunerija flimkien.

9. (1) L-użu ta' karburanti għal użu marittimu b'kontenut ta' kubrit li jaqbeż 1-1.5 % bil-massa fiż-żoni ta' l-ibhra territorjali, ibhra interni u f'żoni ta' kontroll tat-tniġġis li jaqghu f'żoni ta' Kontroll ta' l-Emissjonijiet SO_x huwa projbit. Dan għandu japplika għall-bastimenti kollha li jtajru kull bandiera, inklużi l-bastimenti li jibdedew il-vjaġġ tagħhom minn barra l-Komunità. It-tqeghid fis-suq f'Malta ta' żjut *diesel* għal użu marittimu b'kontenut ta' kubrit li jkun jaqbeż il-1.5 % bil-massa huwa ukoll projbit. Kontenut massimu ta' kubrit fil-karburanti għal użu marittimu wżati f'żoni ta' Kontroll ta' l-Emissjonijiet SO_x u minn bastimenti tal-passiġġieri li joperaw b'servizzi regolari sa u minn portijiet fil-Komunità Ewropea.

(2) Id-data tal-bidu ta' l-applikazzjoni tas-sub-paragrafu (1) ta' dan ir-regolament għandu jkun ta' 12-il xahar wara l-indikazzjoni mill-OMI ta' Żoni ta' Kontroll ta' l-Emissjonijiet SO_x skond ir-regolament 14(3)(b) ta' l-Anness VI mal-MARPOL.

(3) Is-subregolament (1) ta' dan ir-regolament għandu jkun applikabbli għal:

(a) bastimenti li jtajru l-bandiera Maltija; u

(b) bastimenti li jtajru kull bandiera waqt li jkunu fil-portijiet Maltin, jekk dawn il-portijiet jikkonfinaw ma' xi żoni ta' Kontroll ta' l-Emissjonijiet SO_x:

Iżda li tista' tittiehed azzjoni addizzjonali ta' infurzar mill-Awtorità kompetenti fir-rigward ta' bastimenti ohra skond il-liġi marittima internazzjonali.

(4) Karburanti għal użu marittimu b'kontenut ta' kubrit li jaqbeż 1-1.5 % fil-massa ma jistghux jintużaw fl-ibhra territorjali Maltin, fl-ibhra interni u fiż-żoni ta' kontroll tat-tniġġis minn bastimenti tal-passiġġieri li joperaw b'servizzi regolari sa u minn kull port Komunitarju.

(5) Il-kaptani għandhom jagħmlu l-ikkompletar korrett tal-gurnal uffiċjali ta' abbord, inklużi d-dettalji ta' l-operazzjonijiet tal-bdil tal-karburant, bhala kundizzjoni għad-dhul tal-bastiment fil-portijiet Maltin.

Fornituri ta' karburant għal użu marittimu

10. (1) L-Awtorità kompetenti għanda żżomm regjistru ta' fornituri lokali ta' karburant għal użu marittimu.

(2) Id-dispożizzjonijiet li ġejjin għandhom japplikaw għar-rigward tal-fornituri lokali ta' karburant għal użu marittimu f'Malta:

(a) il-kontenut ta' kubrit fil-karburanti għal użu marittimu f'Malta għandu jiġi ddokumentat lill-Awtorità kompetenti mill-fornitur fuq nota ta' kunsinna tal-*bunker*, flimkien ma' kampjun issiġillat iffirmit mir-rappreżentant tal-vapur li rċieva l-kunsinna;

(b) kull furnitur ta' karburant għal użu marittimu għandu jiżgura li l-karburant li jforni jkun jikkonforma ma' l-ispeċifikazzjoni ddikjarata fin-nota ta' kunsinna tal-*bunker* imsemmija fil-paragrafu (b) ta' dan is-subregolament.

(3) Kull persuna li tonqos milli tikkonforma ruhha ma' s-subregolament (2) ta' dan ir-regolament tkun hatja ta' reat u tista' tehel, meta tinsab hatja, multa ta' mhux inqas minn għaxart elef euro (€10,000) iżda mhux iżjed minn disgħa u sittin elf u tmien mitt euro (€69,800) jew priġunerija għal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multa u priġunerija flimkien.

Tehid ta' kampjuni.

11. (1) It-tehid ta' kampjuni għandu jitwettaq mill-awtorità kompetenti b'dik il-frekwenza meħtieġa u hekk li l-kampjuni jkunu rappreżentattivi tal-karburanti li jkun qed jiġi eżaminat.

(2) Il-metodu ta' referenza adottat mill-Awtorità kompetenti sabiex jiġi determinat il-kontenut ta' kubrit ikun dak imfisser skond:

(a) il-metodu ISO 8754 (1992) u PrEN ISO 14596 għaż-żejt karburant tqil u karburanti għal użu marittimu;

(b) Il-metodu EN 24260 (1987), ISO 8754 (1992) u PrEn ISO 14596 għal żejt tal-gass.

Il-metodu arbitrarju jkun il-PrEN ISO 14596. L-interpretazzjoni statistika tal-verifika tal-kontenut tal-kubrit fiż-żjut tal-gass użati jsir skond ISO *standard* 4259 (1992).

(3) L-Awtorità kompetenti għandha tiehu l-miżuri kollha meħtieġa sabiex tiżgura li l-kontenut ta' kubrit fil-karburanti għal użu marittimu jkun jikkonforma mad-disposizzjonijiet relevanti tar-regolamenti 8 u 9.

Tehid ta' kampjuni ta' karburanti għal użu marittimu

(4) L-awtorità kompetenti għandha:

(a) skond il-linji gwida ta' l-OMI, tikseb kampjuni u tanalizza l-kontenut tal-kubrit fil-karburant għal użu marittimu għall-kombustjoni abbord meta dan ikun qiegħed jiġi kunsinnat lill-bastiment;

(b) tikseb kampjuni u tanalizza l-kontenut tal-kubrit fil-karburant għal użu marittimu għall-kombustjoni abbord li jkun qiegħed f'tankijiet, meta jkun possibbli, u f'kampjuni sigillati tal-*bunker* abbord il-bastimenti;

(c) tispezzjona l-ġurnali uffijali ta' abbord u tan-noti ta' kunsinna tal-*bunker*.

(5) It-tehid ta' kampjuni mill-Awtorità kompetenti għandu jsir bi frekwenza suffiċjenti, fi kwantitajiet suffiċjenti, u b'tali mod li l-kampjuni jkunu rappreżentattivi tal-karburant eżaminat, u tal-karburant li jkun qiegħed jintuża mill-bastimenti meta dawn ikunu fiż-żoni ta' ibhra, fil-portijiet u fil-passaġġi ta' l-ilma interni relevanti.

L-Awtorità kompetenti għandha tiehu wkoll il-miżuri raġonevoli, skond ir-rekwiżiti tal-każ, sabiex tissorvelja l-kontenut ta' kubrit fil-karburanti għal użu marittimu barra minn dawk li għalihom japplikaw ir-regolamenti 8 u 9 ta' dawn ir-regolamenti.

(6) L-Awtorità Marittima ta' Malta ghandha, waqt l-ispezzjonijiet ta' Kontroll Portwali ta' Stat li hija tagħmel skond l-Att dwar il-Bastimenti Merkantili, u kull regolamenti magħmulin tahtu, tikseb kampjuni sigillati tal-*bunker* minn fuq bastimenti sugġetti għall-Anness VI tal-MARPOL, skond ma jista' jkun miftiehem ma' l-Awtorità kompetenti u tghaddihom lill-istess Awtorità kompetenti. L-Awtorità Marittima ta' Malta ghandha wkoll tagħmel kull xogħol iehor skond ma' jista' jiġi miftiehem ma' l-awtorità kompetenti biex tassistiha fl-eżerizzju tal-funzjonijiet tagħha.

Provi u użu ta' teknoloġiji godda li jnaqqsu l-emissjonijiet.

12. (1) L-Awtorità kompetenti tista', flimkien ma' l-Awtorità Marittima ta' Malta u b'koperazzjoni ma' l-awtoritajiet kompetenti ta' Stati Membri oħra, skond kif xieraq, tapprova l-użu bi prova ta' teknoloġiji li jnaqqsu l-emissjonijiet ta' bastimenti fuq bastimenti li jtajru l-bandiera tagħhom, jew f'żoni ta' bahar taht il-ġurisdizzjoni ta' Malta.

(2) Matul dawn il-provi l-użu ta' karburanti għal użu marittimu li jikkonformaw mar-rekwiziti tar-regolamenti 8 u 9 ma għandux ikun obligatorju, bil-kundizzjoni li:

(a) il-Kummissjoni u kull Stat Portwali konċernat jiġu notifikati bil-miktub ta' l-inqas sitt xhur qabel ma jibdedw il-provi;

(b) il-permessi għall-provi ma jeċċedux 18-il xahar fit-tul;

(ċ) il-bastimenti kollha involuti jiġu mġhammra b'taġħmir protett mit-tbagħbis għas-sorveljanza kontinwa ta' emissjonijiet ta' gass miċ-ċumnija u jużawh matul il-perjodu ta' prova kollu;

(d) il-bastimenti kollha involuti jiksbu tnaqqis fl-emissjonijiet li jkun ta' l-inqas ekwivalenti għal dak li jkun jintlaħaq bl-imposizzjoni tal-limiti fuq il-kubrit fil-karburant speċifikati f'dawn ir-regolamenti;

(e) matul il-perjodu tal-prova kollu jkun hemm sistemi tajbin għall-immaniġġjar ta' l-iskart għal kull skart generat mit-teknoloġiji li jnaqqsu l-emissjonijiet;

(f) matul il-perjodu tal-prova kollu ssir stima ta' l-impatti fuq l-ambjent għal użu marittimu, b'mod partikolari fuq l-ekosistemi f'portijiet u estwarji magħluqa; u

(g) fis-sitt xhur wara t-tmiem tal-provi, ir-rizultati kompleti jinghataw lill-Kummissjoni u jinghata aċċess għalihom lill-pubbliku.

(3) It-teknoloġiji li jnaqqsu l-emissjonijiet għall-bastimenti li jtajru l-bandiera Maltija għandhom jiġu approvati skond il-proċedura msemmija fl-Artikolu 3(2) tar-Regolament (KE) Nru 2099/2002, waqt li jitqiesu:

(a) linji gwida li għandhom jiġu żviluppati mill-OMI;

(b) ir-rizultati ta' kull prova magħmula skond is-subregolament (1) ta' dan ir-regolament;

(ċ) l-effetti fuq l-ambjent, inkluż it-tnaqqis ta' l-emissjonijiet li jista' jintlahaq, u l-impatti fuq l-ekosistemi f'portijiet u estwarji magħluqa;

(d) tal-vijabbilità tas-sorveljanza u tal-verifiki.

(4) Bhala alternattiva għall-użu ta' karburanti għal użu marittimu b'kontenut ta' kubrit baxx li jikkonformaw mar-rekwiżiti tar-regolamenti 8 u 9 ta' dawn ir-regolamenti, bastimenti jistgħu jiġu permessi mill-Awtorità kompetenti, li jużaw xi teknoloġija approvata għat-tnaqqis ta' emissjonijiet, kemm-il darba dawn il-bastimenti:

(a) kontinwament jiksbu tnaqqis fl-emissjonijiet li jkun mill-inqas ekwivalenti għal dak li jkun inkiseb permezz tal-limiti fuq il-kubrit fil-karburanti speċifikati f'dawn ir-regolamenti;

(b) ikollhom apparat installat li jikkontrolla kontinwament l-emissjonijiet; u

(ċ) jiddokumentaw b'mod rigoruż li kull fluss ta' skart rilaxxjati f'portijiet u estwarji magħluqa ma jkollhom ebda impatt fuq l-ekosistemi, u dan skond kriterji komunikati mill-awtoritajiet ta' l-istati portwali lill-OMI.

13. (1) Persuna tkun hatja ta' reat kontra dawn ir-Reati Kriminali regolamenti jekk:

(a) tonqos milli thares xi disposizzjonijiet ta' dawn ir-regolamenti jew tonqos milli thares xi deizjoni jew direttiva ta'

l-Awtorità kompetenti jew ta' xi ordni legittimament moghtija skond xi disposizzjoni ta' dawn ir-regolamenti; jew

(b) tassoċja ruhha ma', jew tghin, jew thajjar, lil xi persuna oħra b'liema mezz ikun, biex tonqos milli thares xi disposizzjoni ta' dawn ir-regolamenti jew kull ordni moghti legittimament skond xi disposizzjoni ta' dawn ir-regolamenti.

Pieni.

(2) Kull min jagħmel reat kontra dawn ir-regolamenti jista', meta jinsab hati, u sakemm ma jkunx speċifikament provdut xort'oħra f'dawn ir-regolamenti, jehel multa ta' mhux inqas minn għaxart elef euro (€10,000) iżda mhux iżjed minn disgħa u sittin elf u tmien mitt euro (€69,800) jew priġunerija għal żmien ta' mhux iżjed minn tmintax-il xahar jew dik il-multu u priġunerija flimkien.

Iżda kull meta persuna tinsab hatja li tkun għamlet xi reat kontra dawn ir-regolamenti permezz ta' xi vettura, is-sid ta' dik il-vettura jkun responsabbli bl-istess mod u fl-istess grad.

Iżda wkoll il-qorti għandha tordna lil kull min ikun instab hati li għamel reat kontra dawn ir-regolamenti li jhallas dawk l-ispejjeż li l-awtorità kompetenti u, jew xi persuni oħra mqabbdha minnha biex jaġixxu f'isimha tkun għamlet, ir-revoka tal-permess mahruġ mill-awtorità kompetenti tkun liema tkun, u l-konfiska tal-*corpus delicti*.

(3) Id-disposizzjonijiet ta' l-artikoli 23 u s-subartikolu (1) ta' l-artikolu 30 tal-Kodiċi Kriminali għandhom, *mutatis mutandis*, ikunu japplikaw għal proċedimenti dwar reati kontra dawn ir-regolamenti, b'dan illi l-iskwalifika milli persuna jkollha jew tikseb liċenzja, permess jew awtorità m'għandha f'ebda każ tkun għal anqas minn sena.

(4) 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-kaz, u għandhom ikunu skond id-disposizzjonijiet tal-Kodiċi Kriminali li jirregolaw il-proċedura quddiem dawk il-qorti ta' ġudikatura kriminali.

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

14. L-Awtorità ta' Malta dwar ir-Riżorsi tista' timponi multa amministrattiva lil kull persuna li tikser xi disposizzjoni ta' dawn ir-regolamenti jew li tonqos milli tikkonforma ma' xi direttiva jew deċiżjoni mogħtija mill-Awtorità biex tiżgura konformità ma' dawn ir-regolamenti.

Multi
amministrattivi.

L-EWWEL SKEDA

**SPEĊIFIKAZZJONIJIET GHAL ŻJUT FIS-SUQ LI GHANDHOM JINTUŻAW
GHAL VETTURI EKWIPAĠĠATI MINN *POSITIVE-IGNITION ENGINES***

(Regolament 4 (2))

Parametru ¹	Limiti ²
Numru ta' riċerka ottan	>95 ³
Numru ta' mutur ottan	>85
Pressjoni tal- <i>vapour</i> , fil-perjodu tas-sajf ⁴	<60.0 kPa
Distillazzjoni	
– perċentaġġ evaporat mal-100°C	>46.0% v/v
– perċentaġġ evaporat mal-150°C	>75.0% v/v
Analizi ta' l-idrokarburi	
– <i>olefins</i>	<18.0% v/v
– <i>aromatici</i>	<35.0% v/v
– <i>benzene</i>	<1.0% v/v
Kontenut ta' l-ossigenu	<2.7% m/m
<i>gum content</i> eżistenti (<i>maħsul b'solvent</i>)	<5mg/100ml
Ossigenati	

¹ Il-metodi ta' l-ittestjar għandhom ikunu daww speċifikati f' MSA EN 228:2004. L-Awtorità ta' Malta dwar ir-Riżorsi tista' tadotta il-metodu analitiku speċifikat fl-*istandard* MSA EN 228:2004 jekk ikun jista' jiġi muri li jagħti għall-inqas l-istess akkuratizza u għall-inqas l-istess livell ta' preċiżjoni ta' l-istess metodu analitiku li jkun qed jiehu postu.

² Il-valuri msemija fl-ispeċifikazzjoni huma "true values". Fid-determinazzjoni tal-valuri limiti ta' għom, it-termini ta' ISO 4259 "Petroleum products – Determination and application of precision data in relation to methods of test" ġew applikati u meta ġie għall-iffissar ta' valur minimu, differenza minima ta' 2R iktar miż-żero ġie tenut kont ta' għom (R = riprodubbiltà). Ir-riżultati ta' kejl individwali għandhom jiġu interpretati skond il-kriterji msemija f' ISO 4259 (pubblikat fl-1995).

³ L-Awtorità ta' Malta dwar ir-Riżorsi tista' tiddeċiedi li jithalla li jitqiegħed fis-suq petrol ta' mingħajr *comb* ta' grad regolari b'numru ta' mutur minimu ottan (MON) ta' 81 u numru ta' riċerka minimu ottan (RON) ta' 91.

⁴ Il-perjodu tas-sajf għandu jiġi meqjus li jibda fl-1 Mejju u jispiċċa fi 30 ta' Settembru.

Parametru¹	Limiti²
<ul style="list-style-type: none"> – Metanol (Aġenti stabbilizzanti għandhom jiġu miżjuda) – Etanol (Aġenti stabbilizzanti għandhom jiġu miżjuda) – Iso-propyl alkohol 	<p style="text-align: center;"><3% v/v</p> <p style="text-align: center;"><5% v/v</p> <p style="text-align: center;"><10% v/v</p>
<ul style="list-style-type: none"> – Tert-butyl alkohol – Iso-butyl alkohol <ul style="list-style-type: none"> – Etere li jkollhom hamsa jew iktar atomi tal-karbonju għal kull Molekula – Ossiġenati ohra⁵ 	<p style="text-align: center;"><7% v/v</p> <p style="text-align: center;"><10% v/v</p> <p style="text-align: center;"><15% v/v</p> <p style="text-align: center;"><10% v/v</p>
Kontenut tal-kubrit	<10 mg/kg
Kontenut taċ-ċomb	<0.005 g/l

⁵ Mono-alkoholiċi u etere ohra meta jiflah jagħli l-iktar ta' mhux iżjed minn dak imsemmi f'MSA EN 228:2004.

IT-TIENI SKEDA

**SPEĊIFIKAZZJONIJIET GĦAL ŻJUT FIS-SUQ BIEX JINTUŻAW MINN
VETTURI EKWIPPAĠĠATI B'COMPRESSION-IGNITION ENGINES**

(Regolament 5 (1))

Parametru⁶	Limiti⁷
Numru ċetan	>51.0
Densità mal-15°C	<845 Kg/m³
Distillazzjoni – 95% (v/v) irkuprati mal-	<360°C
Idrokarburi aromatiċi poliċikliċi	<11% m/m
Kontenut tal-kubrit	<10 mg/kg
Kontenut ta' l-ilma	<200mg/kg
Kontaminazzjoni totali	<24mg/kg
Kontenut ta' Fatty Acid Methyl ester (FAME)⁸	<5% (V/V)

⁶ Il-metodi ta' l-ittestjar għandhom ikunu daww speċifikati f'MSA EN 590:2004. L-Awtorità ta' Malta dwar ir-Rizorsi tista' tadotta il-metodu analitiku speċifikat flok l-*standard* MSA EN 590:2004 jekk ikun jista' jiġi muri li jagħti għall-inqas l-istess akkuratizza u għall-inqas l-istess livell ta' preċiżjoni ta' l-istess metodu analitiku li jkun qed jiehu postu.

⁷ Il-valuri msemmija fl-ispeċifikazzjoni huma "true values". Fid-determinazzjoni tal-valuri limiti tagħhom, it-termini ta' ISO 4259 "Petroleum products – Determination and application of precision data in relation to methods of test" ġew applikati u meta ġie għall-iffissar ta' valur minimu,, differenza minima ta' 2R iktar miż-zero ġie tenut kont tagħha (R = riproducibilità). Ir-riżultati ta' kejl individwali għandhom jiġu interpretati skond il-kriterji msemmija f'ISO 4259 (pubblikat fl-1995).

⁸ FAME għandu jikkonforma mal-htigijiet ta' MSA EN 14214

L.N. 44 of 2008

**MALTA RESOURCES AUTHORITY ACT
(CAP. 423)
MALTA MARITIME AUTHORITY ACT
(CAP. 352)
MERCHANT SHIPPING ACT
(CAP. 234)
QUALITY OF FUELS REGULATIONS, 2008**

IN exercise of the powers conferred by sub-article (1) of article 28 of the Malta Resources Authority Act and in exercise of the powers conferred by sub-article (1) of article 28 of the Malta Maritime Authority Act and by sub-article (1) of article 374 of the Merchant Shipping Act, the Minister for Resources and Infrastructure and the Minister for Competitiveness and Communications, after consultation with the Malta Resources Authority and the Malta Maritime Authority have made the following regulations:

1. (1) The title of these regulations is the Quality of Fuels Regulations, 2008. Citation, scope and entry into force.

(2) The scope of these regulations is to regulate the quality of fuels available in Malta and to transpose Directive 93/12/EEC, Directive 1999/32/EC, Directive 2005/33/EC, Directive 98/70/EC and Directive 2003/17/EC.

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

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

“ASTM method” means the methods laid down by the American Society for Testing and Materials in the 1976 edition of standard definitions and specifications for petroleum and lubricating products;

“CN codes” means the code numbers of the combined nomenclature established by Regulation 2658/87 on the tariff and statistical nomenclature and on the customs tariff;

“combustion plant”, “new plant” and “existing plant” shall have the same meaning as defined in the Limitations of Emissions of Certain Pollutants into the Air from Large Combustion Plants Regulations, 2002;

“the Commission” means the European Commission established by article 7 of the Treaty establishing the European Community signed on March 25th, 1957 ;

“the Community” means the European Community established by the Treaty establishing the European Economic Community signed on March 25th, 1957;

“competent authority” means the Malta Resources Authority;

“contiguous zone” means the zone referred to in article 4 of the Territorial Waters and Contiguous Zones Act;

“diesel fuels” means gas oils falling within CN code 2710 19 41 as defined in Regulation (EEC) 2658/87 and used for self-propelling vehicles;

“Directive 93/12/EEC” means Council Directive 93/12/EEC of 23 March 1993 relating to the sulphur content of certain liquid fuels;

“Directive 98/70/EC” means Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC, as amended by Directive 2003/17/EC;

“Directive 1999/32/EC” means Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC;

“Directive 2001/80/EC” means Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants;

“Directive 2003/17/EC” means Directive 2003/17/EC of the European Parliament and of the Council of 3 March 2003 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels; O.J. L 76, 22.03.2003, p. 10.

“Directive 2005/33/EC” means to Directive 2005/33/EC of the European Parliament and of the Council of 6 July 2005 amending Directive 1999/32/EC as regards the sulphur content of marine fuels; O.J. L 191, 22.07.2005, p. 59

“emission abatement technology” means an exhaust gas cleaning system, or any other technological method that is verifiable and enforceable;

“EN 228” means the requirements and test methods specified by the European Committee for Standardization in relation to the quality of unleaded petrol fuel for automotive use;

“EN 590” means the requirements and test methods specified by the European Committee for Standardization in relation to the quality of diesel fuel for automotive use;

“EN Method 24260 (1987)” means the method specified by the European Committee for Standardization in relation to the determination of sulphur content in Petroleum products using the Wickbold combustion method;

“gas oils” means:

(a) any petroleum-derived liquid fuel, excluding marine fuel, falling within CN codes CN 2710 19 25, 2710 19 29, 2710 19 45 or 2710 19 49; and

(b) any petroleum-derived liquid fuel, excluding marine fuel, of which less than 65% by volume (including losses) distils at 250°C and of which at least 85% by volume (including losses) distils at 350°C by the ASTM D86 method:

Provided that it shall not include:

(i) diesel fuels; or

(ii) fuels used in non-road mobile machinery and agricultural and forestry tractors;

“heavy fuel oil” means:

(a) any petroleum-derived liquid fuel, excluding marine fuel, falling within CN code 2710 19 51 to 2710 19 69 as defined in Regulation (EEC) 2658/87; and

(b) any petroleum-derived liquid fuel, other than gas oil, which by reason of its distillation limits, falls within the category of heavy oils intended for use as fuel and of which less than 65% by volume (including losses) distils at 250°C by the ASTM D86 method:

Provided that, if the distillation cannot be determined by the ASTM D86 method, the petroleum product is likewise categorised as a heavy fuel oil:

“International Maritime Organisation” means the organisation established by the Convention on the Inter-Governmental Consultative Organisation, adopted by the United Nations Maritime Conference in Geneva on 6 March 1948, as amended;

“ISO 4259 (1992)” means the method specified by the International Organization for Standardisation in relation to the determination and application of precision data in relation to methods of tests of petroleum products;

“ISO 8754 (1992)” means the method specified by the International Organization for Standardisation in relation to the determination of sulphur content in Petroleum products using the Energy-dispersive X-ray fluorescence method;

“ISO 14596 (1998)” means the method specified by the International Organization for Standardisation in relation to the determination of sulphur content in Petroleum products using the Wavelength-dispersive X-ray fluorescence spectrometry method;

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“Malta Environment and Planning Authority” means the Malta Environment and Planning Authority established by article 3 of the Development Planning Act;

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“Malta Maritime Authority” means the Malta Maritime Authority established by article 3 of the Malta Maritime Authority Act;

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“Malta Resources Authority” means the Malta Resources Authority established by article 3 of the Malta Resources Authority Act;

“marine diesel oil” means any marine fuel which has a viscosity or density falling within the ranges of viscosity or density defined for DMB and DMC grades I in Table I of ISO 8217;

“marine fuel” means any petroleum-derived liquid fuel intended for use or in use on board a vessel, including those fuels defined in ISO 8217;

“marine gas oil” means any marine fuel which has a viscosity or density falling within the ranges of viscosity or density defined for DMX and DMA grades in Table I of ISO 8217;

“MARPOL” means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto;

“MARPOL Annex VI” means the annex, entitled “Regulations for the Prevention of Air Pollution from Ships”, that the Protocol of 1997 adds to MARPOL;

“master” shall have the same meaning as is assigned to it under the Merchant Shipping Act;

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“Member State” means a member state of the Community;

“non-road mobile machinery” shall have the same meaning as defined in the Measures against the Emission of Gaseous and Particulate Pollutants from Internal Combustion Engines (Non-road Mobile Machinery) Regulations, 2001;

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“passenger” means every person other than:

(a) the master and the members of the crew or other person employed or engaged in any capacity on board a ship on the business of that ship; and

(b) a child under one year of age;

“passenger ship” means any ship which carries more than twelve passengers;

“petrol” means any volatile mineral oil intended for the operation of internal combustion positive-ignition engines for the propulsion of vehicles and falling within CN codes 2710 1 41, 2710 1 45, 2710 11 49, 2710 11 51 and 2710 11 59 as defined in Regulation (EEC) 2658/87;

“placing on the market” means supplying or making available to third persons, against payment or free of charge, anywhere within Malta’s jurisdiction, marine fuels for on-board combustion excluding supply or making available marine fuels for export in ships’ cargo tanks;

“port” shall have the same meaning assigned to it by article 2 of the Malta Maritime Authority Act;

“regular services” means a series of passenger ship crossings operated so as to serve traffic between the same two or more ports, or a series of voyages from and to the same port without intermediate calls, either:

(a) according to a published timetable; or

(b) with crossings so regular or frequent that they constitute a recognisable schedule;

OJ L 324,
29.11.2002, p. 1

“Regulation (EC) No 2099/2002” means Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships;

OJ L 256,
7.9.1987, p. 1

“Regulation (EEC) 2658/87” means Council Regulation (EEC) 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended, and shall also include the Annexes to the said Regulation;

“ships at berth” means ships which are securely moored or anchored in a Maltese port while they are loading, unloading or hotelling, including the time spent when not engaged in cargo operations;

“SO_x Emission Control Areas” shall mean sea areas defined”as such by the IMO under MARPOL Annex VI;

L.N. 95 of 2002

“vehicle” shall have the same meaning assigned to it by regulation 3.1.4. of the Motor Vehicles (EC Type Approval) Regulations, 2002;

“warship” means a ship belonging to the armed forces of a State bearing the external marks distinguishing such ships of its nationality, under the command of an officer duly commissioned

by the government of the State and whose name appears in the appropriate service list or its equivalent, and manned by a crew which is under regular armed forces discipline.

3. The limitations provided for by these regulations on the sulphur content of petroleum-derived liquid fuels shall not apply to:– Non-applicability.

- (a) fuels intended for the purposes of research and testing;
- (b) fuels intended for processing prior to final combustion;
- (c) fuels to be processed in the refining industry;
- (d) fuels used by warships and other vessels on military service:

Provided that these vessels shall, so far as is reasonable and practical, act in a manner consistent with these regulations.

(e) any use of fuels in a vessel necessary for the specific purpose of securing the safety of a ship or saving life at sea;

(f) any use of fuels in a ship necessitated by damage sustained to it or its equipment:

(i) where the owner or master has not acted with intent or recklessly; and

(ii) all reasonable measures are taken after the occurrence of the damage to prevent or minimise excess emissions; and

(iii) measures are taken as soon as possible to repair the damage;

(g) fuels used on board vessels employing approved emission abatement technologies in accordance with regulation 15 of these regulations.

4. (1) Leaded petrol may not be sold, offered for sale, or otherwise marketed: Petrol.

Provided that the Malta Resources Authority may permit the sale, offering for sale or marketing of small quantities of leaded petrol, to a maximum of 0.5% of total sales, to be used by old vehicles of a characteristic nature and to be distributed through special interest groups:

Provided further that the lead content of this leaded petrol is not to exceed 0.15 g/l and its benzene content shall comply with the specifications set out in the First Schedule to these regulations.

(2) Unleaded petrol may be sold, offered for sale, or otherwise marketed, only if it complies with the specifications set out in the First Schedule to these regulations.

(3) Notwithstanding the provisions of sub-regulation (2), up to and until the 31st December 2008, unleaded petrol complying with the environmental specifications set out in the First Schedule to these regulations but with a sulphur content of up to 50 mg/kg may also be sold, offered for sale, or otherwise marketed:

Provided that up to and until 31st December 2008 unleaded petrol which is fully compliant with the specifications of the First Schedule to these regulations is also sold, offered for sale, or otherwise marketed.

(4) Any person who fails to comply with any of the provisions of this regulation shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

Diesel fuel.

5. (1) Subject to the provisions of sub-regulation (2), diesel fuel may be used, sold, offered for sale, or otherwise marketed only if it complies with the specifications set out in the Second Schedule to these regulations.

(2) Diesel fuel complying with the specifications set out in the Second Schedule to these regulations but with a sulphur content of up to 50 mg/kg may be used, sold, offered for sale, or otherwise marketed only up to and until 31 December 2008.

(3) Gas oils intended for use by non-road mobile machinery and agricultural and forestry tractors may only be sold, offered for sale, or otherwise marketed if they contain less than 1,000 mg/kg of sulphur

(4) Any person who fails to comply with any of the provisions of this regulation shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

6. (1) The Malta Resources Authority shall monitor compliance with the requirements of regulations 4 and 5, in respect of petrol and diesel fuels, on the basis of the analytical methods referred to in standards MSA EN 228:2004 and MSA EN 590:2004 respectively.

Compliance with requirements

(2) The Malta Resources Authority shall establish a fuel quality monitoring system in accordance with the requirements of the relevant standards.

(3) By the end of April of each year, the Malta Resources Authority shall submit to the Minister responsible for resources a report on:

(a) national fuel quality data for the preceding calendar year the format of which shall be consistent with that described in the relevant European standard;

(b) the total volumes of petrol and diesel fuels marketed in Malta and the volumes of unleaded petrol and diesel fuels marketed with a maximum sulphur content of 10 mg/kg;

(c) the availability on an appropriately balanced geographical basis of petrol and diesel fuels with a maximum sulphur content of 10 mg/kg that are marketed in Malta.

7. (1) The use of heavy fuel oils, the sulphur content of which exceeds one per cent by mass is prohibited.

Maximum sulphur content of heavy fuel oil.

(2) Subject to appropriate monitoring of emissions by the Malta Environment and Planning Authority, sub-regulation (1) shall not apply to heavy fuel oils used:

(a) in new plants which comply with the sulphur dioxide emission limits for such plants set out in Annex IV of the Limitations of Emissions of Certain Pollutants into the Air from Large Combustion Plants Regulations, 2002, and applied in accordance with regulation 5 thereof;

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(b) in existing plants where the sulphur dioxide emissions from these plants are equal to or less than 1,700 mg/Nm³ at an oxygen content in the flue gas of 3% by volume on a dry basis, and where the emissions of sulphur dioxide are equal to or less than those resulting from compliance with the emission limit values for new plants contained in Part A of Annex IV to the Limitations of Emissions of Certain Pollutants into the Air from Large Combustion Plants Regulations, 2002;

(c) in other combustion plants which do not fall under paragraph (a) or paragraph (b) of this sub-regulation, where the sulphur dioxide emissions from those combustion plants do not exceed 1,700 mg/Nm³ at an oxygen content in the flue gas of 3% by volume on a dry basis;

(d) for combustion in refineries where the monthly average of emissions of sulphur dioxide averaged over all plants in the refinery, irrespective of the type of fuel or fuel combination used does not exceed 1,700 mg/Nm³:

Provided that this shall not apply to combustion plants which fall under paragraph (a) or (b) of this sub-regulation.

(3) Any person who fails to comply with any of the provisions of this regulation shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

Maximum sulphur content in gas oil.

8. (1) The use of gas oils, including marine gas oils, with a sulphur content exceeding 0.1 per cent by mass is prohibited.

(2) Any person who fails to comply with sub-regulation (1) shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

Maximum sulphur content of marine fuels used in SO_x Emission Control Areas and by passenger ships operating on regular services to or from Community ports

9. (1) The use of marine fuels with a sulphur content exceeding 1.5 per cent by mass within Malta's territorial waters, internal waters and pollution control zones falling within SO_x Emission Control Areas, is prohibited. This shall apply to all vessels of all flags, including vessels whose journey began outside the Community. The placing on the market in Malta of marine diesel oils with a sulphur content which exceeds 1.5% by mass is also prohibited.

(2) The application date for sub-regulation (1) of this regulation shall be 12 months following the designation by the IMO of SO_x Emission Control Areas in accordance with regulation 14(3) (b) of MARPOL Annex VI.

(3) Sub-regulation (1) shall be applicable to:

- (a) vessels flying the Maltese flag; and
- (b) vessels of all flags while in Maltese ports, if such ports border SO_x Emission Control Areas:

Provided that additional enforcement action may be taken by the competent authority in respect of other vessels in accordance with international maritime law.

(4) Marine fuels of a sulphur content exceeding 1.5% by mass are not to be used in Maltese territorial seas, internal waters and pollution control zones, when applicable, by passenger ships operating on regular services to or from any Community port.

(5) The Master shall correctly complete the ship's logbook, including fuel changeover operations, as a condition of the ship's entry into Maltese ports.

10. (1) The competent authority shall maintain a register of local suppliers of marine fuel. Suppliers of marine fuel.

(2) The following provisions shall apply with respect to local suppliers of marine fuel in Malta:

(a) the sulphur content of all marine fuels sold in Malta shall be documented by the supplier on a bunker delivery note, accompanied by a sealed sample signed by the representative of the receiving ship;

(b) any marine fuel supplier shall ensure that fuel delivered by him shall comply with the specification stated on the bunker delivery note referred to in paragraph (b) of this sub-regulation.

(3) Any person who fails to comply with sub-regulation (2) of this regulation shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

11. (1) Sampling shall be carried out by the competent authority with sufficient frequency and in such a way that the samples are representative of the fuel examined. Sampling.

(2) The reference method adopted by the competent authority for determining the sulphur content shall be that defined by:

(a) ISO method 8754 (1992) and PrEN ISO 14596 for heavy fuel oil and marine fuels;

(b) EN method 24260 (1987), ISO 8754 (1992) and PrEN ISO 14596 for gas oil.

The arbitration method will be PrEN ISO 14596. The statistical interpretation of the verification of the sulphur content of the gas oils used shall be carried out in accordance with ISO standard 4259 (1992).

Sampling of marine fuels.

(3) The competent authority shall take the necessary measures to ensure that the sulphur content of marine fuels complies with the relevant provisions of regulations 8 and 9.

(4) The competent authority shall:

(a) in accordance with IMO guidelines, obtain samples and analyse the sulphur content of the marine fuel for on-board combustion while being delivered to ships;

(b) obtain samples and analyse the sulphur content of marine fuel for on-board combustion contained in tanks, where feasible, and in sealed bunker samples on board ships;

(c) inspect ships' log books and bunker delivery notes.

(5) Sampling by the competent authority in the case of marine fuels shall be carried out with sufficient frequency, in sufficient quantities, and in such a way that the samples are representative of the fuel examined, and of the fuel being used by ships while in relevant sea areas and ports and inland waterway vessels.

The competent authority shall also take reasonable measures, as appropriate, to monitor the sulphur content of marine fuels other than those to which regulations 8 and 9 of these regulations apply.

(6) The Malta Maritime Authority shall, in the course of its Port State Control inspections carried out in terms of the Merchant Shipping Act and any regulations made thereunder, obtain sealed bunker samples from on board vessels subject to MARPOL Annex VI as may be agreed with the competent authority and forward them to the said competent authority. The Malta Maritime Authority shall also carry out any other task as may be agreed with the competent authority in order to assist it in the exercise of its functions.

12. (1) The competent authority, jointly with the Malta Maritime Authority and in cooperation with the competent authorities of other Member States, may, as appropriate, approve trials of ship emission abatement technologies on vessels flying the Maltese flag, or in sea areas within Malta's jurisdiction.

Trials and use of new emission abatement technologies.

(2) During these trials the use of marine fuels meeting the requirements of regulations 8 and 9 shall not be mandatory, provided that:

(a) the Commission and any port State concerned are notified in writing at least six months before trials begin;

(b) permits for trials do not exceed 18 months in duration;

(c) all ships involved install tamper-proof equipment for the continuous monitoring of funnel gas emissions and use it throughout the trial period;

(d) all ships involved achieve emission reductions which are at least equivalent to those which would be achieved through the limits on sulphur in fuel specified in these regulations;

(e) there are proper waste management systems in place for any waste generated by the emission abatement technologies throughout the trial period;

(f) there is an assessment of impacts on the marine environment, particularly ecosystems in enclosed ports, harbours and estuaries throughout the trial period; and

(g) full results are provided to the Commission, and made publicly available, within six months of the end of the trials.

(3) Emission abatement technologies for ships flying the Maltese flag shall be approved in accordance with the procedure referred to in article 3(2) of Regulation (EC) No 2099/2002. taking into account:

(a) guidelines to be developed by the IMO;

(b) results of any trials conducted under sub-regulation 1 of this regulation;

(c) effects on the environment, including achievable emission reductions, and impacts on ecosystems in enclosed ports, harbours and estuaries;

(d) feasibility of monitoring and verification.

(4) As an alternative to using low sulphur marine fuels meeting the requirements of regulations 8 and 9 ships may be allowed by the competent authority, to use an approved emission abatement technology, provided that these ships:

(a) continuously achieve emission reductions which are at least equivalent to those which would be achieved through the limits on sulphur in fuel specified in these regulations;

(b) are fitted with continuous emission monitoring equipment; and

(c) document thoroughly that any waste streams discharged into enclosed ports, harbours and estuaries have no impact on ecosystems, based on criteria communicated by the authorities of port States to the IMO.

Criminal offences.

13. (1) Any person shall be guilty of an offence under these regulations if:

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

(b) he conspires with or aids, or abets, any other person by whatever means, not to comply with any any provision of these regulations or with any order lawfully given in terms of any provision of these regulations .

Penalties.

(2) Any person who commits an offence against these regulations shall, on conviction and unless otherwise specifically provided elsewhere in these regulations, be liable to a fine (*multa*) of not less than ten thousand euros (€10,000) but not exceeding sixty-nine thousand eight hundred euros (€69,800) or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment:

Provided that whenever any person is found guilty of committing an offence under these regulations by means of a vehicle, the owner of the said vehicle is held liable in the same manner and degree:

Provided further that the court shall order any person who has been found guilty of committing an offence against these regulations to pay for the expenses incurred by the public entities and, or other

persons acting on their behalf, the revocation of the permit issued by the public entity whichever it may be, and the confiscation of the *corpus delicti*.

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(3) The provisions of article 23 and sub-article (1) of article 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.

(4) Notwithstanding the provisions of article 370 of the Criminal Code, proceedings for an offence against these regulations shall be taken 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 of criminal judicature.

(5) 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.

14. The Malta Resources Authority may impose an administrative fine upon any person who infringes any provision of these regulations or who fails to comply with any directive or decision given by the Authority in ensuring compliance with these regulations.

Administrative
fines.

FIRST SCHEDULE

SPECIFICATIONS FOR MARKET FUELS TO BE USED FOR VEHICLES
EQUIPPED WITH POSITIVE-IGNITION ENGINES

(Regulation 4 (2))

Parameter ¹	Limits ^{2 (2)}
Research octane number	>95 ³
Motor octane number	>85
Vapour pressure, summer period ⁴	<60.0 kPa
Distillation	
– percentage evaporated at 100°C	>46.0% v/v
– percentage evaporated at 150°C	>75.0% v/v
Hydrocarbon analysis	
– olefins	<18.0% v/v
– aromatics	<35.0% v/v
– benzene	<1.0% v/v
Oxygen content	<2.7% m/m
Existent gum content (solvent washed)	<5mg/100ml
Oxygenates	
– Methanol (stabilising agents must be added)	<3% v/v
– Ethanol (stabilising agents must be added)	<5% v/v
– Iso-propyl alcohol	<10% v/v

¹ Test methods shall be those specified in MSA EN 228:2004. The Malta Resources Authority may adopt the analytical method specified in replacement of MSAEN 228:2004 standard if it can be shown to give at least the same accuracy and at least the same level of precision as the analytical method it replaces.

² The values quoted in the specification are “true values”. In the establishment of their limit values, the terms of ISO 4259 “Petroleum products – Determination and application of precision data in relation to methods of test” have been applied and in fixing a minimum value, a minimum difference of 2R above zero has been taken into account (R = reproducibility). The results of individual measurements shall be interpreted on the basis of the criteria described in ISO 4259 (published in 1995).

³ The Malta Resources Authority may decide to continue to permit the marketing of unleaded regular grade petrol with a minimum motor octane number (MON) of 81 and a minimum research octane number (RON) of 91.

⁴ The summer period shall be taken to start on 1 May and end on 30 September.

<ul style="list-style-type: none">- Tert-butyl alcohol- Iso-butyl alcohol- Ethers containing five or more carbon atoms per Molecule- Other oxygenates⁵	<ul style="list-style-type: none"><7% v/v<10% v/v<15% v/v<10% v/v
Sulphur content	<10 mg/kg
Lead content	<0.005 g/l

⁵ Other mono-alcohols and ethers with a final boiling point no higher than that stated in MSA EN 228:2004.

SECOND SCHEDULE

**SPECIFICATIONS FOR MARKET FUELS TO BE USED FOR VEHICLES
EQUIPPED WITH COMPRESSION-IGNITION ENGINES**

(Regulation 5 (1))

Parameter⁶	Limits⁷
Cetane number	>51.0
Density at 15°C	<845 Kg/m³
Distillation – 95% (v/v) recovered at	<360°C
Polycyclic aromatic hydrocarbons	<11% m/m
Sulphur content	<10 mg/kg
Water Content	<200mg/kg
Total contamination	< 24mg/kg
Fatty Acid Methyl ester (FAME) content⁸	<5% (V/V)

⁶ Test methods shall be those specified in MSA EN 590:2004. The Malta Resources Authority may adopt the analytical method specified in replacement of MSAEN 590:2004 standard if it can be shown to give at least the same accuracy and at least the same level of precision as the analytical method it replaces.

⁷ The values quoted in the specification are “true values”. In the establishment of their limit values, the terms of ISO 4259 “Petroleum products – Determination and application of precision data in relation to methods of test” have been applied and in fixing a minimum value, a minimum difference of 2R above zero has been taken into account (R = reproducibility). The results of individual measurements shall be interpreted on the basis of the criteria described in ISO 4259 (published in 1995).

⁸ FAME shall meet the requirements of MSA EN 14214