

Malta

3-5 minute presentations on implementation of
Article 14, (1) and (2)

Who implements Article 14(1) and (2)*

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

Please select the appropriate box. If further clarification is necessary, please feel free to explain your selection in words .

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)			Operator and COMAH Competent Authority CA)	Annex V Part 1, item 6 by CA. CA publishes list of Seveso sites with name of operator, classification, products, activity and last inspection date. Other items in Annex V by operator
Article 14 (1) (Annex V, Part 2)		Operator shall ensure that information is made available		
Article 14 (2) Determining “persons likely to be affected”			Both, but information available to all on operators’ website. CA monitors compliance	
Article 14 (2) (Information for Upper tier sites)		Operator shall ensure that information is made available		No SR or inventory has been requested by the public so far

How are Article 14(1) and (2) implemented?

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

Please select the appropriate box. If further clarification is necessary, please feel free to explain your selection in words .

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)		information posted on operators' websites. Revised every five years	CA checks that operators abide by the requirements of the regulations and checks websites regularly.	Initially, operators used to print and laminate the information and distribute to the public door to door. But this proved ineffective as the leaflets were disposed of after some time
Article 14 (1) (Annex V, Part 2)		information posted on operators' websites. Revised every five years	CA checks that operators abide by the requirements of the regulations and checks websites regularly.	same as above
Article 14 (2) Determining "persons likely to be affected"				Planning authority maintains consultation zones for all Seveso sites which determine areas that may be affected by a major accident, these are published on their website. Also addressed in External emergency plan by Civil Protection Department. Onsite testing of emergency plans with involvement of the public.
Article 14 (2) (Information for Upper tier sites)		information posted on operators' websites. Revised every five years	CA checks that operators abide by the requirements of the regulations and checks websites regularly.	

Evaluating implementation –

Authority - Please briefly describe any rules or guidance followed **by authorities** in implementing their duties

No specific guidance except what is required by Annex V

Operator - How does the authority evaluate that the implementation **by the operator** is effective the requirement, (e.g., criteria, minimum information, frequency, methods)?

Criteria and frequency as required by the Directive. CA monitors published information to ensure compliance with the regulations

Confidentiality - How do we deal with the requests for confidentiality? What information do we consider as confidential? Are there any criteria developed for declaring information as confidential?

In the COMAH notification form the operator can opt to have certain information listed as confidential. Also, the Operator can submit a non-confidential version of the SR which would be made available to the public if requested. So far no requests have been made by the public.

If you have any specific examples of a good practice, please explain it briefly here.

Guidance and tools

If you have any guidance online, please provide the links here.

(Alternatively, documents (e.g., .pdfs) can be shared via the MAHB Minerva Website)