

No. 681

MINISTRY FOR HEALTH AND ACTIVE AGEING

Explanatory Notes¹**1. Introduction**

Title of Regulations	Restriction of the Recreational Use of Dinitrogen Oxide Regulations, 2026 (hereinafter referred to as the “regulations”)
Activities to be regulated	Restriction on the recreational use of dinitrogen oxide
Responsible entity	Superintendence of Public Health

2. Summary and background

The misuse of dinitrogen oxide (commonly known as ‘nitrous oxide’ or ‘laughing gas’) for recreational inhalation has emerged as a growing public health concern both internationally and locally. Recreational use is associated with acute and chronic health risks, including neurological damage, hypoxia, accidents and fatalities. The products are often marketed in ways that disguise their intended recreational use, particularly through the sale of canisters and associated paraphernalia.

The regulations aim to protect public health by restricting access to dinitrogen oxide for non-legitimate purposes, while safeguarding its continued availability for legitimate industrial, medical, pharmaceutical, catering and other lawful uses.

In preparing the regulations, consideration was given to enforcement practicability, proportionality, consumer protection, and the avoidance of unnecessary regulatory burdens on compliant businesses, particularly SMEs operating lawfully.

3. Overview of the Structure of the Instrument

The regulations consist of five (5) regulations as follows:

Regulation 1: Citation and scope

Regulation 2: Interpretation

Regulation 3: Restriction on the import, distribution, sale and consumption

Regulation 4: Prohibition of recreational use

Regulation 5: Enforcement

4. Commentary

Regulation 2: includes definitions of terms used in the regulations, namely it defines what constitutes ‘legitimate use’ and ‘recreational use’. SMEs involved in catering, food preparation, medical supply, industrial gases, or related services rely on this distinction to ensure their activities fall within lawful parameters.

Regulation 3: Provides that businesses engaged in importing, wholesaling, retailing or advertising products containing dinitrogen oxide must ensure that such products are supplied exclusively for legitimate use. Advertising practices must be carefully reviewed to ensure they do not directly or indirectly encourage recreational use.

¹These Explanatory Notes are in accordance with and for the purpose of article 3(2)(c) and Schedule III of the Small Business Act (Chapter 512 of the Laws of Malta).

Regulation 4: provides that the recreational use of dinitrogen oxide by any person shall be prohibited.

Regulation 5: stipulates that the enforcement powers of the superintendent of Public Health are delegated to the Executive Police, and non-compliance may result in criminal proceedings under the Public Health Act (Cap. 465).

5. Concluding sections

The regulations shall come into force upon their publication in the Government Gazette.

For more information kindly contact sph.health@gov.mt

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

29th April, 2026

AVVIŻ TAL-PULIZIJA

POLICE NOTICE

Nru. 103

No. 103

Il-Kummissarju tal-Pulizija jgħarraf li skont il-Legizlazzjoni Sussidjarja 65.05 u l-Legizlazzjoni Sussidjarja 65.13, it-toroq hawn taht imsemmija se jiġu kklasifikati bħala Żoni ta' Rmonk kif indikat hawn taht fid-dati u hinijiet indikati.

The Commissioner of Police hereby notifies that in terms of Subsidiary Legislation 65.05 and Subsidiary Legislation 65.13, the streets listed hereunder are to be classified as Tow Zones.

Bis-saħħa tal-Artikolu 52(1) tal-Ordinanza dwar ir-Regolamenti tat-Traffiku (Kap. 65), il-Kummissarju tal-Pulizija jgħarraf illi l-vetturi tas-sewqan jista' jagħti l-każ li ma jkunux jistgħu jgħaddu jew jiddawru mit-toroq imsemmija hawn taht fid-dati u l-hinijiet indikati.

In virtue of Section 52 (1) of the Traffic Regulations (Chapter 65). The Commissioner of Police hereby notifies that the transit and stopping of vehicles through the streets mentioned hereunder may be prohibited on the dates and times indicated.

Hal Lija

Hal Lija

Mit-8.00 a.m. tal-Hamis, 30 ta' April, 2026, sal-11.59 p.m. tal-Ġimgħa, 1 ta' Mejju, 2026, minn Triq Giovanni Barbara u Vjal it-Trasfigurazzjoni.

From 8.00 a.m. of Thursday, 30th April, 2026, to 11.59 p.m. of Friday, 1st May, 2026, through Triq Giovanni Barbara and Vjal it-Trasfigurazzjoni.

It-trasport pubbliku se jkun affettwat.

Public transport will be affected.

Bormla

Cospicua

Mis-6.00 a.m. tal-Hamis, 30 ta' April, 2026, sal-11.59 p.m. tal-Hadd, 3 ta' Mejju, 2026, minn Xatt ir-Riżq.

From 6.00 a.m. of Thursday, 30th April, 2026, to 11.59 p.m. of Sunday, 3rd May, 2026, through Xatt ir-Riżq.

It-trasport pubbliku se jkun affettwat.

Public transport will be affected.

Vetturi li jiksru l-ordni ta' dan l-avviż ikunu suġġetti li jiġu rmunkati.

Any vehicles found parked in contravention to the order of this notice are liable to be towed away.

Id-29 ta' April, 2026

29th April, 2026