

L.N. 283 of 2023

**PUBLIC ADMINISTRATION ACT
(CAP. 595)**

**Aquatic Resources Malta (Establishment as an Agency)
Order, 2023**

IN EXERCISE of the powers conferred by article 26 of the Public Administration Act, the Prime Minister has made the following order:-

Citation. **1.** The title of this order is the Aquatic Resources Malta (Establishment as an Agency) Order, 2023.

Interpretation. **2.** In this order, unless the context otherwise requires:

Cap. 595. "Act" means the Public Administration Act;

"Agency" means Aquatic Resources Malta established by article 3;

"agreement" means the Agency performance agreement as provided in article 6;

"Minister" means the Minister responsible for fisheries and aquaculture;

"Permanent Secretary" means the Permanent Secretary within the Ministry responsible for fisheries and aquaculture.

Establishment
of the Agency. **3.** (1) There shall be an Agency, to be known as Aquatic Resources Malta, which shall coordinate and implement applied research and development projects related to the aquaculture and fisheries industries.

(2) The Agency shall be a body corporate having separate and distinct legal personality and shall be capable of entering into contracts, of employing personnel, of acquiring, holding and disposing of any kind of property for the purposes of its operations, and of suing and being sued, of doing all such things and entering into all such transactions as are incidental or conducive to the exercise or performance of its functions under this order. and any other function or operation of Government which may be assigned to it under this law or any other law.

(3) The legal and judicial representation of the Agency shall be

vested with the Chief Executive Officer thereof or such other officer of the Agency as the Minister responsible for it may from time to time appoint by notice in the Gazette.

4. (1) In the execution of its functions, the Agency shall have the following responsibilities:

Responsibilities
and powers of
the Agency.

(a) establish the priority and direction of research areas in line with the fisheries and aquaculture multi-annual strategic plans adopted by the Ministry responsible for fisheries and aquaculture and to align, where possible, research priorities with European Union and United Nations strategies and related funding mechanisms;

(b) implement projects that shall contribute towards the fulfilment of the fisheries and aquaculture multi-annual strategic plans;

(c) establish the best methods of sustainable development of the industry in line with the multi-annual strategic plans and other European Union and global initiatives, to achieve growth in the sustainable maritime sector and in circular economy;

(d) support student projects within the framework of the research projects and to distribute information and educate students and the general public on the importance of aquaculture and fisheries, and their contribution to the Maltese economy;

(e) act as a consulting body and advise the Government on policy for the aquaculture and fisheries industries;

(f) act as the knowledge and technology transfer Agency for Government in the aquaculture and fisheries industries;

(g) encourage and attract investment into aquaculture and fisheries;

(h) exercise any function that may be assigned by the responsible Minister.

(2) The Agency shall have the power to:

(a) collaborate with other agencies, corporations, authorities, government and non-government entities and other persons for the carrying out of its functions;

(b) enter into arrangements with public bodies, public

authorities, government departments and public corporations in fulfilling its functions;

(c) manage its own finances;

(d) establish fees for the services it provides;

(e) create revenue streams from the services provided;

and

(f) with the consent of the Minister, enter into joint ventures or partnerships or other arrangements to fulfil any one of its functions.

Minister
responsible for
the Agency.

5. (1) The Minister responsible for the Agency shall be the Minister responsible for fisheries and aquaculture or such other Minister as may be designated for such purpose by the Prime Minister.

(2) The Permanent Secretary shall supervise the Agency in accordance with article 29 of the Act:

Provided that the Prime Minister may assign the responsibility of the Agency to another Minister, and its supervision to the Permanent Secretary of that Ministry.

Agency
performance
agreement.

6. The operations of the Agency shall follow an agreement which is to be entered into between the Permanent Secretary and the Agency.

Financial
arrangement.
Cap 601.

7. The Agency shall be regulated by the provisions of the Public Finance Management Act unless otherwise stipulated in the agreement between the Permanent Secretary and the Agency, in which case, the provisions of the agreement shall prevail.

Amends the
Fourth Schedule
to the Act.

8. In the Fourth Schedule to the Act, immediately after the item "Project Green" there shall be added the following new item:

"Aquatic Resources Malta To coordinate and implement applied research and development projects related to the aquaculture and fisheries industries".