
A.L. 233 tal-2011

**ATT DWAR L-GĦAQDIET TAL-PRODUTTURI
(KAP. 447)**

**Regolamenti ta' l-2011 dwar Bord dwar l-Għaqdiet tal-
Produtturi**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 19 ta' l-Att
dwar l-Għaqdiet tal-Produtturi, il-Ministru għar-Riżorsi u Affarijiet
Rurali għamel dawn r-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu **Regolamenti ta' l-2011** Titolu.
dwar Bord dwar l-Għaqdiet tal-Produtturi.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem Tifsir.
ma tkunx teħtiegħ xort' oħra:-

“l-Aġenzija ta' Pagamenti” tfisser dik l-entità stabbilita A.L. 126 ta' l-2004.
skond ir-Regolamenti ta' l-2004 dwar l-Aġenzija ta'
Pagamenti;

“l-Att” tfisser l-Att dwar l-Għaqdiet tal-Produtturi;

“il-Bord” tfisser il-Bord dwar l-Għaqdiet tal-Produtturi
stabbilit skond ir-regolament 3 ta' dawn ir-regolamenti;

“id-Direttur” għandu jkollha l-istess tifsira bħal dik
mogħtija lilha fl-Att;

“id-Direttorat” tfisser id-Direttorat ta' l-Agrikoltura;

“għaqda tal-produtturi” għandu jkollha l-istess tifsira
bħal dik mogħtija lilha fl-Att;

“il-Ministru” tfisser il-Ministru responsabbli għall-
agrikoltura.

Twaqqif tal-Bord
dwar l-Għaqdiet tal-
Produtturi.

3. (1) Għandu jkun hemm Bord dwar l-Għaqdiet tal-Produtturi li jkun responsabbli biex:

(a) jagħti parir lid-Direttur dwar kull haġa li jkollha x'taqsam ma' l-għotja tar-rikonoxximent lill-għaqdiet tal-produtturi jew gruppi tal-produtturi;

(b) jagħti parir lid-Direttur dwar deċiżjonijiet li għandhom jittieħdu dwar kull haġa li jkollha x'taqsam ma' applikazzjonijiet preżentati skond xi waħda mir-regolamenti maħruġin taħt l-Att;

(c) jagħti parir lid-Direttur dwar kull miżura li għandha tittieħed dwar kull haġa li jkollha x'taqsam mal-monitoraġġ ta' l-għaqdiet tal-produtturi u l-gruppi tal-produtturi, li jkun jinkludi li jirrakommanda r-reviżjoni tal-operat ta' xi għaqda tal-produtturi u li jirrakommanda li jsiru spezzjonijiet għall-għarrieda jew investigazzjonijiet bir-reqqa;

(d) jagħti parir lid-Direttur dwar xi miżuri li għandhom jittieħdu dwar każijiet ta' nuqqas ta' konformità li jkun jinkludi l-possibilità li jiġi rtirat ir-rikonoxximent;

(e) jagħmel proposti lid-Direttur dwar l-inizjazzjoni ta' reviżjonijiet u verifiki;

(f) jagħmel proposti lid-Direttur dwar l-adozzjoni u l-implimentazzjoni ta' Manwali ta' Proċedura li jirregolaw il-proċeduri li għandhom jiġu osservati mid-Direttorat fir-rigward tar-rikonoxximent ta' l-għaqdiet tal-produtturi u l-monitoraġġ u r-reviżjoni ta' l-operat tagħhom;

(g) jagħmel proposti lid-Direttur dwar il-pubblikazzjoni ta' linji gwida dwar it-twaqqif u l-operat ta' l-għaqdiet tal-produtturi u l-gruppi tal-produtturi;

(h) jagħti parir lid-Direttur dwar kull haġa oħra dwar l-għaqdiet tal-produtturi skond kif jiġi mitlub mid-Direttur.

(2) Il-Bord dwar l-Għaqdiet tal-Produtturi għandu jkun magħmul minn ħames membri li jiġu maħtura mill-Ministru u li għandhom jibqgħu fil-kariga skond il-kondizzjonijiet stabbiliti fl-ittra tal-ħatra tagħhom.

(3) Il-Bord għandu jirregola l-proċedura tiegħu stess.

(4) Iċ-Chairperson tal-Bord għandu jiġi maħtur mill-membri tal-Bord waqt l-ewwel seduta tiegħu.

(5) Is-Segretarju tal-Bord għandu jiġi maħtur mid-Direttur.

(6) Kull membru tal-Bord għandu jkollu jgħid li jgħid kull dokument u informazzjoni dwar hwejjeg maħsubin fi jew li jsiru taħt id-dispożizzjonijiet ta' dawn ir-regolamenti bħala li huma sigrieti u konfidenzjali u għandu jagħmel u jissottoskrivi dikjarazzjoni bil-ġurament fuq il-formola ordnata għaldaqstant quddiem Kummissjunarju għall-Ġuramenti li għandha tiġi depożitata għand l-Avukat Ġenerali.

4. (1) Id-Direttur għandu jikkonsulta mal-Bord fl-eżerċizzju tad-dmirijiet tiegħu previsti skond l-artikoli 7(1)(a) u (b), 8(2) u (3), 11(2)(a), (b) u (ċ), u 14(2) ta' l-Att u kull regolament magħmul taħtu, u qabel ma jieħu deċiżjoni kif meħtieġ mill-istess artikoli jew regolamenti.

Dmir tad-Direttur li jikkonsulta mal-Bord.

(2) Id-Direttur jista' wkoll jikkonsulta mal-Bord fl-eżerċizzju tad-dmirijiet oħra tiegħu previsti taħt l-Att u kull regolament magħmul taħtu, u u b'mod parikolari fir-rigward ta' l-artikoli 6(2)(d), 12(1) u 13(1) ta' l-Att.

5. Il-Bord għandu jiżgura li jipprovdi l-pariri lid-Direttur kif meħtieġ skond ir-regolament 3 skond id-dispożizzjonijiet kollha applikabbli tal-leġislazzjoni nazzjonali u ta' l-Unjoni Ewropea fis-seħh f'dak iż-żmien.

Parir tal-bord għandu jkun skond il-ligijiet nazzjonali u ta' l-Unjoni Ewropea.

6. Il-Bord għandu jippreżenta lil-Ministru, sal-31 ta' Marzu, rapport annwali fir-rigward tal-ħidma mwettqa matul is-sena preċedenti.

Rapport annwali.

L.N. 233 of 2011

**PRODUCER ORGANISATION ACT
(CAP. 447)**

Producer Organisations Board Regulations, 2011

IN exercise of the powers conferred by article 19 of the Producer Organisations Act, the Minister for Resources and Rural Affairs has made the following regulations:-

Title. **1.** The title of these regulations is the Producer Organisations Board Regulations, 2011.

Interpretation. **2.** In these regulations, unless the context otherwise requires:-

“the Act” means the Producer Organisations Act;

“the Board” means the Producer Organisations Board established in terms of regulation 3 of these regulations;

“the Director” shall have the same meaning as that assigned to it in the Act;

“the Directorate” means the Directorate of Agriculture;

“the Minister” means the Minister responsible for agriculture;

L.N. 126 of 2004. “the Paying Agency” means the entity established in terms of the Paying Agency Regulations;

“producer organisation” shall have the same meaning as that assigned to it in the Act.

Establishment of Producer Organisations Board. **3.** (1) There shall be established a Producer Organisations Board which shall be responsible for:

(a) advising the Director on any matter relating to granting of recognition to producer organisations or producer groups;

(b) advising the Director on decisions to be taken on any matter arising from any application submitted in terms of any regulations made under the Act;

(c) advising the Director on any measures to be taken on any matter in connection with the monitoring of producer organisations and producer groups, including recommending the review of a particular producer organisation's operation and recommending spot-checks or thorough investigations;

(d) advising the Director on any measures to be taken in connection with cases of non-compliance including the possible withdrawal of recognition.

(e) making proposals to the Director regarding the initiation of reviews and audits;

(f) making proposals to the Director regarding the adoption and implementation of Manuals of Procedure to regulate the procedures to be undertaken by the Directorate with respect to the recognition of producer organisations and the monitoring and review of their operations;

(g) making proposals to the Director for the publication of guidelines on the setting up and operation of producer groups and producer organisations;

(h) advising the Director on any other matter in connection with producer organisations as may be requested by the Director.

(2) The Producer Organisations Board shall consist of five members to be appointed by the Minister and shall hold office in accordance with such terms as established in their letter of appointment.

(3) The Board shall regulate its own procedure.

(4) The Chairperson of the Board shall be appointed by the members of the Board during its first sitting.

(5) The Secretary to the Board shall be appointed by the Director.

(6) Every member of the Board shall regard and

deal with all documents and information relating to matters contemplated by or pursuant to the provisions of these regulations as secret and confidential and shall make and subscribe before a Commissioner for Oaths a declaration on oath to this effect in the form prescribed which shall be deposited with the Attorney General.

Duty of Director to consult the Board.

4. (1) The Director shall consult the Board in the exercise of his duties provided for in articles 7 (1) (a) and (b), 8(2) and (3), 11(2)(a),(b) and(c), and 14(2) of the Act and any regulations made thereunder, and prior to taking any decision as required by the same articles or regulations.

(2) The Director may also consult the Board in the exercise of other duties provided for in the Act and any regulations made thereunder, and particularly with respect to articles 6(2)(d), 12(1) and 13(1) of the Act.

Advice to be in line with national and European Union legislation.

5. The Board shall ensure that it provides the advice to the Director as required in terms of regulation 3 in accordance with the provisions of all applicable national and European Union legislation in force at the time.

Annual report.

6. The Board shall, by the 31st March, submit an annual report to the Minister in respect of the work undertaken during the previous calendar year.