

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE ABELA
President

10 ta' Lulju, 2012

ATT Nru. X tal-2012

ATT biex jintegra l-iżvilupp sostenibbli fil-ħidma tal-Gvern, biex titqajjem kuxjenza dwar kwistjonijiet u prattiċi ta' żvilupp sostenibbli fis-soċjetà kif ukoll sabiex jippromwovi l-adozzjoni tal-istess.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħareġ b'ligi dan li ġej:-

TAQSIMA I Preliminari

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2012 dwar l-Iżvilupp Sostenibbli. Titolu fil-qosor.

2. (1) L-għan ta dan l-Att huwa li jinholoq qafas li permezz tiegħu l-Gvern jintegra żvilupp sostenibbli fl-operat tiegħu. Għan.

(2) Fil-kuntest tas-settur privat u s-soċjetà ċivili, dan l-Att huwa intiż sabiex iqanqal kuxjenza fil-principji ta' żvilupp sostenibbli, b'mod li dawn jistgħu jiġu adottati fuq bażi volontarja.

3. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'ohra : Tifsir.

"aġenzija tal-Gvern" jew "aġenzija" għandu jkollhom l-istess tifsir kif mogħti lilhom fl-Att dwar l-Amministrazzjoni Pubblika; Kap. 497.

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Kap. 497. "amministrazzjoni pubblika" għandu jkollha l-istess tifsir kif mogħti lilha fl-Att dwar l-Amministrazzjoni Pubblika;

Kap. 497. "dipartiment tal-gvern" jew "dipartiment" għandu jkollhom l-istess tifsir kif mogħti lilhom fl-Att dwar l-Amministrazzjoni Pubblika;

Kap. 497. "entità tal-gvern" jew "entità " għandu jkollhom l-istess tifsir kif mogħti lilhom fl-Att dwar l-Amministrazzjoni Pubblika;

Kap. 497. "Ministeru" għandu jkollha l-istess tifsir kif mogħti lilha fl-Att dwar l-Amministrazzjoni Pubblika;

"Ministru" tfisser il-Ministru responsabbli għall-iżvilupp sostenibbli;

"strategija" tfisser l-istrategija nazzjonali ta' Malta għall-iżvilupp sostenibbli (Malta's National Sustainable Development Strategy) kif din tista' tiġi emendata u, jew aġġornata minn żmien għal żmien;

"żvilupp sostenibbli" tfisser żvilupp li jissodisfa l-htigiet tal-preżent mingħajr ma jikkomprometti l-kapaċità ta' generazzjonijiet futuri li jissodisfaw il-bżonnijiet tagħhom.

TAQSIMA II

L-Awtorità Kompetenti

Twaqqif ta' awtorità kompetenti.

4. (1) L-uffiċċju tal-Prim Ministru għandu jkun nominat bħala l-awtorità kompetenti għall-finijiet ta' dan l-Att:

Iżda l-Prim Ministru jista' b'avviż fil-Gazzetta jinnomina entità oħra bħala l-awtorità kompetenti għall-finijiet ta' dan l-Att.

Funzjonijiet tal-awtorità kompetenti.

5. L-awtorità kompetenti għandu jkollha l-funzjonijiet li ġejjin:

(a) li tassigura l-iżvilupp u l-implimentazzjoni ta' strategija għall-Malta fl-iżvilupp sostenibbli;

(b) li tirrevedi l-imsemmija strategija sabiex tkun konformi mal-iżviluppi nazzjonali, dawk tal-Unjoni Ewropea, kif ukoll dawk internazzjonali u biex tagħti direzzjoni li l-istrategija riveduta għandha taddotta;

(c) li tiżgura li d-dispożizzjonijiet tal-istrategija jiġu implimentati f'waqthom minn min hu responsabbli;

(d) li tiżviluppa sett ta' indikaturi biex jitkejjel il-

progress miksub fil-qasam tal-iżvilupp sostenibbli, u r-revizjoni tagħhom;

(e) li tagħmel każ għal żvilupp sostenibbli fl-amministrazzjoni pubblika, is-settur privat u s-soċjetà b'mod generali;

(f) li tirrevedi pjanijiet ta' azzjoni speċifiċi tal-Ministeri, pjanijiet, programmi u proġetti tal-Gvern, biex tiżgura li dawn huma konformi mal-istrateġija u sabiex jiġi assigurat li l-Ministeri u entitajiet pubbliċi fi hdan l-amministrazzjoni pubblika jkunu konformi mal-istrateġija tal-iżvilupp sostenibbli fl-hidmiet tagħhom;

(g) li tidentifika kwalunkwe proċess jew pjan ta' azzjoni rilevanti li jistgħu jkunu ta' xkiel lejn l-iżvilupp sostenibbli u li tipproponi proċessi jew pjanijiet ta' azzjoni alternattivi sabiex jiġu adottati mill-Gvern;

(h) li twettaq verifiki sabiex tevalwa kif l-amministrazzjoni pubblika tkun integrat il-prinċipji ta' żvilupp sostenibbli fil-pjanijiet ta' azzjoni, pjanijiet, programmi u proġetti tagħha;

(i) li tidentifika xejriet li jistgħu b'mod sinifikattiv jagħtu lok għal riżultati ta' żvilupp mhux sostenibbli u li ma humiex reversibbli fuq bażi ta' azzjonijiet kurrenti jew ippjanati, u tirrakkomanda azzjoni biex jinbidlu xejriet bħal dawn;

(j) li tinkoraġġixxi u tistimola prattiċi tajbin fl-użu u l-immaniġġar b'mod sostenibbli tar-riżorsi naturali, partikolarment l-użu minimu tagħhom kif ukoll l-użu tagħhom mill-ġdid b'mod sostenibbli lejn l-ambjent;

(k) li timpenja ruhha li taħdem fil-qrib mal-Kunsilli Lokali u ma' kull min għandu interess għall-promozzjoni tal-iżvilupp sostenibbli f'kuntast lokali;

(l) li tinvolvi ruhha f'konsultazzjoni attiva mal-partijiet kollha interessati;

(m) li twettaq kull xogħol ieħor li jista', minn żmien għal ieħor, ikun meħtieġ mill-Ministru fir-rigward tal-iżvilupp sostenibbli.

6. (1) Fit-twettiq tal-funzjonijiet tagħha skond l-artikolu 5 tal-Att, l-awtorità kompetenti għandha, fir-rigward tal-iżvilupp sostenibbli, tingħata s-setgħa li:

Setgħat tal-awtorità kompetenti.

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(a) tistabbilixxi rakkomandazzjonijiet biex jigu miksuba f'livell nazzjonali, lokali, settorjali, jew kull livell ieħor meqjus xieraq;

(b) tibda, tippromwovi, tisponsorja u tinkoragġixxi proġetti, studji, riċerka, taħriġ, inizjattivi li permezz tagħhom toħloq kuxjenza u attivitajiet oħra li jagħtu eżempji prattiċi tal-iżvilupp sostenibbli;

(c) tagħmel rakommandazzjonijiet lill-Ministru fuq hwejjeġ relatati mal-iżvilupp sostenibbli għall-adozzjoni mill-Gvern;

(d) titlob informazzjoni mill-amministrazzjoni pubblika;

(e) tistabbilixxi u tmexxi sottokomitati biex iwettqu hidmiet varji;

(f) toħloq ir-regoli ta' proċedura tagħha inkluzi dawk tas-sottokomitati;

Kap. 497.

(g) tippromovi direttivi lis-Segretarju Permanenti Ewlieni fit-termini tal-Att dwar l-Amministrazzjoni Pubblika u, jew miżuri relatati, fost oħrajn, iżda mhux esklussivament, għall-akkwist pubbliku u l-mudelli ta' produzzjoni sostenibbli u konsum lis-Segretarju Permanenti fil-Ministeru responsabbli mill-finanzi għall-finijiet tal-Att dwar l-Amministrazzjoni Finanzjarja u l-Verifika;

Kap. 174

(2) Mingħajr preġudizzju għar-responsabilitajiet tagħha, l-awtorità kompetenti għandu jkollha s-setgħa li tiddelega lil xi dipartiment, aġenzija jew entità xi funzjoni jew funzjonijiet tagħha msemmija fl-artikolu 5 jew xi setgħa msemmija fis-subartikolu (1). Kull delega li ssir bis-saħħa ta' dan is-subartikolu għandha ssir bil-kitba u għandha tkun pubblikata fil-Gazzetta.

TAQSIMA III

Dmirijiet tal-Amministrazzjoni Pubblika

Dmirijiet.

7. (1) L-amministrazzjoni pubblika għandha twieġeb għal kull talba mill-awtorità kompetenti għal:

(a) informazzjoni, kemm ta' natura kwalitattiva kif ukoll kwantitattiva;

(b) sehem fit-tfassil, reviżjoni jew monitoraġġ ta' kull strategija jew strategiji, pjan jew pjanijiet ta' azzjoni jew kull

inizjattiva oħra relatata mal-iżvilupp sostenibbli;

(ċ) kull forma oħra ta' sehem li tista' tagħti minn żmien għal żmien li tkun meħtieġa fir-rigward tal-iżvilupp sostenibbli.

(2) (a) Kull Ministeru għandu jkollu fi hdanu Kordinatur responsabbli għall-Iżvilupp Sostenibbli.

(b) Il-Kordinatur responsabbli għall-Iżvilupp Sostenibbli għandu jipprovi lill-awtorità kompetenti kull tip ta' sehem li jkun hemm bżonn fit-tweġiq tal-funzjonijiet tagħha elenkati fl-artikolu 5, is-setgħat elenkati fl-artikolu 6 u d-dmirijiet elenkati fis-subartikolu (1) rispettivament. Dak is-sehem għandu jkun f'forma konsolidata li tirrifletti l-pożizzjoni approvata tal-Ministeru.

(ċ) Is-Segretarju Permanenti fi hdan kull Ministeru għandu jkun il-Kordinatur responsabbli għall-Iżvilupp Sostenibbli ta' dak il-Ministeru li hu jaqa tahtu.

(3) (a) Kull dipartiment, aġenzija jew entità tal-Gvern għandu jkollhom Persuna ta' Referenza fl-Iżvilupp Sostenibbli.

(b) Il-Persuna ta' Referenza fl-Iżvilupp Sostenibbli għandha tassisti lill-Kordinatur responsabbli għall-Iżvilupp Sostenibbli fl-iżvilupp tal-pożizzjoni Ministerjali fir-rigward ta' kull talba mill-awtorità kompetenti.

(ċ) Id-Direttur responsabbli mill-iżvilupp tal-pjanijiet ta' azzjoni fi hdan kull Ministeru u l-Kap ta' kull aġenzija u entità tal-Gvern għandhom ikunu l-Persuna ta' Referenza fl-Iżvilupp Sostenibbli.

(4) L-awtorità kompetenti għandha l-jedd li titlob kull informazzjoni direttament mill-Persuna ta' Referenza fl-Iżvilupp Sostenibbli.

(5) Kull dipartiment, aġenzija jew entità tal-Gvern għandhom f'sezzjoni specifika fir-rapport annwali tagħhom jirreferu:

(a) għall-mod kif kull dipartiment, aġenzija jew entità jkunu wieġbu għad-direttivi mogħtija mill-awtorità kompetenti;

(b) għall-għanijiet speċifiċi li jkunu ġew stabbiliti biex inkisbu l-allinjamenti tal-istrateġiji, sabiex jikkontribwixxu għall-għan tal-iżvilupp sostenibbli u l-kontribuzzjonijiet tagħhom lejn l-implimentazzjoni tal-istrateġija;

(ċ) għall-attivitajiet speċifiċi jew interventi li jkunu

għamli biex jilhqqu l-objettivi indikati fl-artikolu 5(b) u jikkwantifikaw il-benefiċċji akkumulati minnhom.

(6) Fil-kuntest tas-subartikolu (5) is-Segretarju Permanenti Prinċipali għandu d-dritt jitlob lill-awtorità kompetenti biex tirrevedi minn żmien għal żmien kull rapport, safejn dawn ir-rapporti jkunu relatati mad-dispożizzjonijiet ta' dan l-Att.

TAQSIMA IV

Gwardjan ta' Ġenerazzjonijiet Futuri

Gwardjan ta'
Ġenerazzjonijiet
Futuri.

8. (1) Għandu jkun hemm Gwardjan ta' Ġenerazzjonijiet Futuri, hawn iżjed 'l quddiem imsejjaħ "il-Gwardjan" li jkollu l-għan li jissalvagwardja l-iżvilupp sostenibbli interġenerazzjonali u intraġenerazzjonali.

(2) Il-Gwardjan għandu jkun Kummissjoni li tkun magħmula mill-persuni li ġejjin:

(a) president li jkun maħtur mill-Prim Ministru;

(b) persuna li jkollha għarfien ta', u esperjenza fis-settur ta' Organizzazzjonijiet Voluntarju dwar l-Ambjent u materji li għandhom x'jaqsmu mal-ambjent, maħtura mill-Ministru;

(ċ) persuna li jkollha għarfien ta', u esperjenza fil-kummerċ, l-ekonomija u l-industrija li tkun maħtura mill-Ministru wara konsultazzjonijiet mal-Kunissll Malti għall-Iżvilupp Ekonomiku u Soċjali;

(d) persuna li jkollha għarfien ta', u esperjenza fil-qasam soċjali u dak tal-komunità li tkun maħtura mill-Ministru wara konsultazzjonijiet mal-Kunissll Malti għall-Iżvilupp Ekonomiku u Soċjali.

(3) (a) Il-Gwardjan għandu jiltaqa' għallinqas darba kull tliet xhur.

(b) Is-Segretarju Permanenti responsabbli għall-Iżvilupp Sostenibbli u l-Kap tas-Segretarjat tal-Politika ta' Strategija jistgħu jattendu laqgħat tal-Gwardjan, fuq status ta' osservatur, mingħajr vot.

(4) Il-Gwardjan ikollu responsabbiltà li:

(a) jippromwovi t-tixrid ta' għarfien dwar l-iżvilupp sostenibbli fuq il-firxa tat-twettiq tal-politika, il-legiżlazzjoni u l-prassi nazzjonali;

(b) jiżviluppa rettikolat ta' riċerka xjentifika li jista' jikkontribwixxi b'mod pożittiv lejn is-sostenibbiltà tas-soċjetà;

(c) jiżviluppa verifiki f'oqsma u setturi varji li jitqiesu li jikkontribwixxu lejn l-iżvilupp sostenibbli;

(d) jipproponi miri u azzjonijiet lill-entitajiet governattivi sabiex dawn iwettquhom biex jikkontribwixxu lejn il-mira ta' żvilupp sostenibbli;

(e) jgħaddi kunċetti ta' żvilupp sostenibbli fi hdan is-settur privat;

(f) jinkoraġġixxi l-parteċipazzjoni ta' organizzazzjonijiet mhux governattivi fit-tixrid ta' għarfien dwar l-iżvilupp sostenibbli;

(g) jikkonsidra talbiet mill-pubbliku, dwar materji li jirrigwardaw il-politika dwar l-iżvilupp sostenibbli, liema talbiet jistgħu jikkontribwixxu għall-iżvilupp sostenibbli;

(h) jitlob lil kull entità tal-gvern biex tipprovdi *data* jew informazzjoni jew biex jiġbor *data* jew informazzjoni dwar kull suġġett li jista' jkollu impatt fuq l-iżvilupp sostenibbli;

(i) irawwem prinċipji u azzjonijiet li jirrigwardaw l-iżvilupp sostenibbli mal-firxa tas-soċjetà Maltija; u

(j) jagħti direzzjoni sabiex l-awtorità kompetenti tkun tista' tiffoka biex tissalvagwardja generazzjonijiet futuri.

TAQSIMA V

Integrazzjoni tal-Iżvilupp Sostenibbli

9. (1) Għandu jkun hemm rettikolat għall-iżvilupp sostenibbli, hawn aktar 'il quddiem imsejjaħ "ir-Retikolat" bil-għan li jippromwovi l-iżvilupp sostenibbli f'Malta.

Retikolat għall-iżvilupp sostenibbli.

(2) Ir-Retikolat għandu jkun magħmul mill-persuni li ġejjin:

(a) president nominat mill-Prim Ministru;

(b) il-Kap tas-Segretarjat tal-Politika Strategika jew rappreżentant tiegħu, li wkoll jaġixxi bħala Vici President;

(c) il-Kordinaturi tal-Iżvilupp Sostenibbli responsabbli għall-qasam tal-ekonomija, il-qasam soċjali u dak tal-ambjent;

(d) persuna nominata mill-Ministru li tkun ġejja mis-

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settur tal-organizzazzjonijiet mhux governattivi li għandha għarfien u esperjenza f'affarijiet ambjentali;

(e) persuna li għandha għarfien u esperjenza fil-kummerç, ekonomija u l-industrija, nominata mill-Ministru wara konsultazzjoni mal-Kunsill Malti għall-Ekonomija u l-Iżvilupp Soċjali;

(f) persuna li għandha għarfien u esperjenza fil-qasam soċjali u tal-komunità, nominata mill-Ministru wara konsultazzjoni mal-Kunsill Malti għall-Ekonomija u l-Iżvilupp Soċjali.

(3) Dan ir-Retikolat għandu jiltaqa' hekk kif ikun mehtieg mill-awtorità kompetenti iżda għall-inqas darba kull tliet xhur.

Edukazzjoni,
taħriġ u
inizjattivi.

10. (1) L-awtorità kompetenti għandha tara li trawwem livell ogħla ta' għarfien u edukazzjoni fl-iżvilupp sostenibbli madwar l-istrati kollha tas-soċjetà.

(2) Il-Kunsill Malti għall-Iżvilupp Ekonomiku u Soċjali u l-Kunsill Malti għax-Xjenza u Teknoloġija għandhom jipproponu lill-Gwardjan serje ta' inizjattivi settorali li għalihom l-awtorità kompetenti għandha tagħti prijorità.

(3) L-Università ta' Malta u l-Kulleġġ Malti għall-Arti, Xjenza u Teknoloġija għandhom jippromwovu l-iżvilupp sostenibbli madwar il-korsijiet kollha.

(4) Is-Segretarju Permanenti Prinċipali għandu jippromwovi l-iżvilupp sostenibbli permezz ta' korsijiet ta' taħriġ għall-impjegati tal-amministrazzjoni pubblika kif ukoll permezz ta' inizjattivi oħra.

(5) L-awtorità kompetenti għandha wkoll timpenja ruħha f'inizjattivi oħra informali mmirati biex irawmu l-iżvilupp sostenibbli madwar l-ispektrum sħiħ tas-soċjetà.

Relazzjoni mal-
partijiet
interessati
kollha.

11. (1) L-awtorità kompetenti għandha taħdem biex tiżviluppa relazzjoni ta' ħidma mal-Kunsill Malti għall-Iżvilupp Ekonomiku u Soċjali bil-għan li tintegra l-prinċipji tal-iżvilupp sostenibbli fil-deliberazzjonijiet tiegħu u fis-setturi rappreżentati fuq dan il-Kunsill.

(2) Il-Kunsill Malti għall-Iżvilupp Ekonomiku u s-settur tal-Iżvilupp Soċjali għandhom jipproponu lir-Retikolat tal-Iżvilupp Sostenibbli serje ta' inizjattivi settorjali li lilhom l-awtorità kompetenti għandha tagħti prijorità.

(3) L-awtorità kompetenti għandha taħdem biex tiżviluppa relazzjoni ta' ħidma ma' kull parti interessata oħra bil-ħsieb li tintegra l-prinċipji ta' żvilupp sostenibbli fl-udjenza li jista' jkollhom.

TAQSIMA VI Dispożizzjonijiet Ġenerali

12. L-awtorità kompetenti għandha taġixxi fuq id-direzzjoni politika li tista', minn żmien għal żmien, tingħata mill-Prim Ministru. Direzzjoni.

13. Il-Ministru jista' jagħmel regolamenti biex jimplementa d-dispożizzjonijiet ta' dan l-Att u b'mod partikolari, iżda mingħajr ħsara għall-ġeneralità ta' dak li ntqal qabel, biex jipromwovi aktar il-firxa ta' prattiċi dwar l-iżvilupp sostenibbli madwar l-amministrazzjoni pubblika, is-settur privat u s-soċjetà ċivili b'mod ġenerali, liema regolamenti jistgħu wkoll jipprovdu għal hwejjeġ li huma konsegwenzjali jew inċidentali għad-dispożizzjonijiet ta' dan l-Att. Setgħa biex isiru regolamenti.

14. L-awtorità kompetenti għandha, mhux aktar tard minn tliet xhur wara l-għeluq ta' kull sena finanzjarja, tfejji u tibgħat lill-Ministru rapport li jittratta b'mod ġenerali l-attivitajiet tal-awtorità kompetenti matul dik is-sena finanzjarja, u li jkun fih dik l-informazzjoni relatata mal-proċedura u l-politika tal-awtorità kompetenti hekk kif il-Ministru jkun jeħtieġ minn żmien għal żmien. Il-Ministru għandu jara li kopja ta' kull rapport bħal dan tiġi mqiegħda fuq il-Mejda tal-Kamra u jsir dibattitu dwaru mill-aktar fis possibbli. Rapport Annwali.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 498 tal-4 ta' Lulju, 2012.

MICHAEL FRENDO
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

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I assent.

(L.S.)

GEORGE ABELA
President

10th July, 2012

ACT No. X of 2012

AN ACT to mainstream sustainable development across the workings of government, to raise awareness of sustainable development issues and practices across society and to promote the adoption thereof.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

PART I

Preliminary

Short title. **1.** The short title of this Act is the Sustainable Development Act, 2012.

Objectives. **2.** **(1)** The purpose of this Act is to create a framework through which sustainable development is to be mainstreamed across Government.

(2) Within the context of the private sector and civil society, this Act seeks to enable the raising of awareness of the principles of sustainable development, such that these may be adopted on a voluntary basis.

3. (1) In this Act, unless the context otherwise requires - Interpretation.
- "department of government" or "department" shall have the same meaning as that assigned to it in the Public Administration Act; Cap. 497.
- "government agency" or "agency" shall have the same meaning as that assigned to it by the Public Administration Act; Cap. 497.
- "government entity" or "entity" shall have the same meaning as that assigned to it by the Public Administration Act; Cap. 497.
- "Minister" means the Minister responsible for sustainable development;
- "Ministry" shall have the same meaning as that assigned to it by the Public Administration Act; Cap. 497.
- "public administration" shall have the same meaning as that assigned to it by the Public Administration Act; Cap. 497.
- "strategy" means Malta's National Sustainable Development Strategy, as this may be amended and, or updated from time to time;
- "sustainable development" means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

PART II

Competent Authority

4. The Office of the Prime Minister shall be designated as the competent authority for the purposes of this Act: Establishment of a competent authority.
- Provided that the Prime Minister may by notice in the Gazette designate another entity as the competent authority for the purposes of this Act.
5. The competent authority shall have the following functions: Functions of the competent authority.
- (a) to ensure the development and implementation of Malta's sustainable development strategy;
- (b) to revise the said strategy in line with national, European Union and international developments and to establish the direction the revised strategy is to adopt;
- (c) to ensure that the provisions of the strategy are implemented in a timely manner by the responsible actors;

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(d) to develop a set of indicators for measuring the progress achieved in the area of sustainable development, and their progressive revision;

(e) to advocate sustainable development across the public administration, the private sector and society in general;

(f) to review Government and specific Ministry policies, plans, programmes and projects to ensure that they are in line with the strategy and to ensure that all Ministries and line entities within the public administration factor sustainable development in their workings;

(g) to identify any relevant process or policy which may be undermining sustainable development and propose alternative processes or policies to the Government for adoption;

(h) to perform audits to evaluate how the public administration has integrated the principles of sustainable development in its policies, plans, programmes and projects;

(i) to identify trends which may significantly give rise to unsustainable development outcomes and which will not be reversed on the basis of current or planned action, and recommend action to reverse such trends;

(j) to encourage and stimulate good practices in the use and sustainable management of natural resources, in particular their minimal use and maximum re-use in an environmentally sustainable manner;

(k) to commit itself to work closely with Local Councils and other stakeholders for the promotion of sustainable development at a local level;

(l) to engage in active consultation with all stakeholders; and

(m) to carry out any other task that may, from time to time, be requested by the Minister in respect of sustainable development.

Powers of the competent authority.

6. (1) In carrying out its functions under article 5, the competent authority shall, in respect of sustainable development, be empowered to:

(a) set recommendations to be achieved at a national,

local, sectoral, entity or any other level deemed appropriate;

(b) initiate, promote, sponsor and encourage projects, studies, research, training, awareness initiatives and any other activities which exemplify sustainable development practices;

(c) make recommendations to the Minister on matters related to sustainable development for adoption by Government;

(d) request information from the public administration;

(e) establish and direct subcommittees to undertake various tasks;

(f) make its own rules of procedure, including procedures of subcommittees; and

(g) propose directives to the Principal Permanent Secretary in terms of the Public Administration Act and, or measures related, amongst others, but not solely, to public procurement and sustainable production and consumption patterns to the Permanent Secretary in the Ministry responsible for Finance in terms of the Financial Administration and Audit Act. Cap. 497.
Cap. 174.

(2) Without prejudice to any of its responsibilities, the competent authority shall have the power to delegate to any department, agency or entity any one or more functions listed in article 5 or any of the powers listed in subarticle (1). Any delegation made in pursuance of this subarticle shall be in writing and shall be published in the Gazette.

PART III

Duties of the Public Administration

7. (1) The public administration shall respond to any request from the competent authority for: Duties.

(a) information, both of a qualitative and quantitative nature;

(b) inputs into the formulation, revision or monitoring of any strategy or strategies, policy or policies or any other initiative related to sustainable development;

(c) any other form of input that may, from time to time, be required in respect of sustainable development.

(2) (a) Every Ministry shall have a Sustainable Development Coordinator.

(b) The Sustainable Development Coordinator shall provide the competent authority with any input it may require in fulfilment of its functions listed in article 5, the powers listed in article 6 and duties listed in subarticle (1) respectively. Such input shall be in a consolidated format reflecting the approved position of the Ministry.

(c) The Permanent Secretary within each Ministry shall be the Sustainable Development Coordinator in respect of such Ministry.

(3) (a) Every department of government, agency or entity shall have a Sustainable Development Focal Point.

(b) The Sustainable Development Focal Point shall assist the Sustainable Development Coordinator in developing the Ministry's position in respect of any request by the competent authority.

(c) The Director responsible for policy development within each Ministry and the Head of each government agency and entity shall be the Sustainable Development Focal Point.

(4) The competent authority shall be entitled to request any information directly from the Sustainable Development Focal Point.

(5) Each department of government, agency or entity shall state in a special section of its annual report:

(a) the manner in which it has responded to directives received from the competent authority;

(b) the specific objectives it has set to achieve alignment with the strategy in order to contribute to the goal of sustainable development and its contributions towards the implementation of the strategy;

(c) the specific activities or interventions it has undertaken to achieve the objectives referred to in article 5(b) and to quantify the benefits accrued thereof.

(6) Within the context of subarticle (5), the Principal Permanent Secretary shall be entitled to request the competent authority to review, from time to time, any such reports in so far as related to the provisions of this Act.

PART IV
Guardian of Future Generations

8. (1) There shall be a Guardian of Future Generations, hereinafter referred to as "the Guardian" with the aim of safeguarding inter-generational and intra-generational sustainable development in Malta.

Guardian of
Future
Generations.

(2) The Guardian shall be a Commission composed of the following persons:

(a) a chairperson appointed by the Prime Minister;

(b) a person having knowledge of and experience in the Environmental Voluntary Organisations sector and environmental matters appointed by the Minister;

(c) a person with knowledge of, and experience in, commerce, economy and industry appointed by the Minister following consultations with the Malta Council for Economic and Social Development;

(d) a person with knowledge of, and experience in, social and community affairs appointed by the Minister following consultations with the Malta Council for Economic and Social Development.

(3) (a) The Guardian shall convene at least every quarter.

(b) The Permanent Secretary responsible for Sustainable Development and the Head of the Strategic Policy Secretariat may attend meetings of the Guardian, on an observer status, without a vote.

(4) The Guardian shall have the mandate to:

(a) promote sustainable development advocacy across national policy making, legislation and practices;

(b) develop a scientific research network that could positively contribute towards the sustainability of society;

(c) develop audits of various areas or sectors which are deemed to contribute towards sustainable development;

(d) propose goals and actions to government entities for them to take up in order to contribute towards the goal of sustainable development;

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- (e) permeate concepts of sustainable development within the private sector;
- (f) encourage the participation of non-governmental organizations in sustainable development advocacy;
- (g) consider requests from the public as to policy matters which can positively contribute to sustainable development;
- (h) to request any government entity to provide data or information or to collect data or information about any topic that could have a bearing on sustainable development;
- (i) foster sustainable development principles and actions across Maltese society; and
- (j) direct the focus of the competent authority to safeguard future generations.

PART V

Mainstreaming Sustainable Development

Sustainable
Development
Network.

9. (1) There shall be a Sustainable Development Network, hereinafter referred to as "the Network" with the aim of promoting sustainable development in Malta.

- (2) The Network shall be made up of the following persons:
 - (a) a chairperson appointed by the Prime Minister;
 - (b) the head of the Strategic Policy Secretariat or his representative, who shall also act as the Deputy Chairperson;
 - (c) the Sustainable Development Coordinators responsible for economic, social and environmental issues;
 - (d) a person from the Non-Governmental Organisations sector having knowledge of and experience in environmental matters appointed by the Minister;
 - (e) a person with knowledge of, and experience in, commerce, economy and industry appointed by the Minister following consultations with the Malta Council for Economic and Social Development;
 - (f) a person with knowledge of, and experience in, social and community affairs appointed by the Minister

following consultations with the Malta Council for Economic and Social Development.

(3) The Network shall convene as required by the competent authority at least every quarter.

10. (1) The competent authority shall endeavour to foster a higher level of knowledge and education in sustainable development across all strata of society. Education, training and other initiatives.

(2) The Malta Council for Economic and Social Development and the Malta Council for Science and Technology shall propose to the Guardian a series of sectoral initiatives which the competent authority should give priority to.

(3) The University of Malta and the Malta College of Arts, Sciences and Technology shall promote sustainable development across all courses.

(4) The Principal Permanent Secretary shall promote sustainable development through training courses for public administration employees as well as through other initiatives.

(5) The competent authority shall also engage in other initiatives aimed at fostering sustainable development across the whole spectrum of society.

11. (1) The competent authority shall endeavour to develop a working relationship with the Malta Council for Economic and Social Development with a view to mainstream the principles of sustainable development within its deliberations and within the sectors represented on this Council. Relationship with stakeholders.

(2) The Malta Council for Economic and Social Development shall propose to the Network a series of sectoral initiatives which the competent authority should give priority to.

(3) The competent authority shall endeavour to develop a working relationship with any other stakeholders with a view to mainstream the principles of sustainable development within their captive audience.

PART VI

General Provisions

12. The competent authority shall act on the policy direction that may, from time to time, be provided by the Prime Minister. Policy direction.

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Power to make regulations.

13. The Minister may make regulations for the purpose of implementing the provisions of this Act and in particular, but without prejudice to the generality of the foregoing, to further promote the entrenchment of sustainable development practices across the public administration, the private sector and civil society in general, which regulations may also make provision in respect of matters that are consequential or incidental to the provisions of this Act.

Annual report.

14. The competent authority shall, not later than three months after the end of each financial year, make and transmit to the Minister a report dealing generally with the activities of the competent authority during that financial year and containing such information relating to the proceedings and policy of the competent authority as the Minister may from time to time require. The Minister shall cause a copy of any such report to be laid on the Table of the House and a debate held thereon as soon as practicable.

Passed by the House of Representatives at Sitting No. 498 of the 4th July, 2012.

MICHAEL FRENDU

Speaker

RAYMOND SCICLUNA

Clerk to the House of Representatives