

L.N. 41 of 2016

**PUBLIC ADMINISTRATION ACT
(CAP. 497)**

Malta Marittima (Establishment as an Agency) Order, 2016

IN exercise of the powers conferred by article 36(1) of the Public Administration Act, the Prime Minister has made the following Order:-

1. The title of this Order is the Malta Marittima Citation.
(Establishment as an Agency) Order, 2016.

2. In this Order, unless the context otherwise requires - Interpretation.

"the Act" means the Public Administration Act; Cap. 497.

"Agency" means the Malta Marittima Agency established by means of this Order;

"Agency Agreement" means the Agreement as provided for in article 7;

"Minister" means the Minister responsible for the Economy, Investment and Small Business;

"Permanent Secretary" means the Permanent Secretary of the Ministry for the Economy, Investment and Small Business.

3. (1) There shall be an Agency, to be known as Malta Establishment
Marittima Agency, which shall carry out functions related to the of the Malta
promotion, development and growth of the maritime sector. Marittima
Agency.

(2) All employees and any other public officers currently deployed within the Office of the Permanent Secretary performing duties related with the maritime sector shall be regarded as employees of the Agency as established by virtue of this Order under the same terms and conditions prevailing at the date of coming into force of this Order.

(3) The employment contracts entered into between, on the one hand, the employees of the Office of the Permanent Secretary, within the Ministry for the Economy, Investment and Small Business and the Ministry for the Economy, Investment and Small Business, on the other part, shall continue in force as if they were entered into by the Agency are established by this Order and any collective

agreement in force prior to the coming into force of this Order which affects the rights and status of the same employees shall continue in force as if it was entered into by the Agency.

(4) The Agency shall, as from the coming into force of this Order, assume responsibility for all assets, liabilities and obligations regarding the maritime sector previously entered into by the Maltese Government, and all such all assets, liabilities and obligations shall devolve upon and be assumed by the Agency as established by this Order.

Functions and duties of the Agency.

4. The Agency shall have the following functions and duties:

- (a) to create and promote maritime sectoral clusters;
- (b) to maintain open dialogue between private and public stakeholders;
- (c) to strengthen the competitiveness and support of the clusters;
- (d) to lead the sectors towards innovation based economies;
- (e) to promote environmentally sustainable projects;
- (f) to propose to Government maritime policy and infrastructural improvements;
- (g) to lead towards the creation of increased added value and future proof jobs;
- (h) to encourage transfer of knowledge between academy and business;
- (i) to promote maritime cultural awareness and education opportunities locally;
- (j) to maintain inventory, statistics and progress of sectoral clusters; and
- (k) to promote and participate at EU fora and internationally.

Minister responsible for Agency.

5. (1) The Minister responsible for the Agency shall be the Minister responsible for the development and growth of the maritime sector.

(2) The Permanent Secretary in the Ministry responsible for

matters relating to the development and growth of the maritime sector, in this Order referred to as "the Permanent Secretary", shall supervise the Agency in terms of article 39 of the Act.

(3) The Permanent Secretary may be assisted in such supervision by another Permanent Secretary from another Ministry in accordance with the proviso to article 13(5) of the Act.

(4) If another Minister, other than the Prime Minister, assumes responsibility for the Agency, its supervision shall fall under the Permanent Secretary of that Ministry.

6. The Agency shall be governed by the provisions of the Financial Administration and Audit Act unless otherwise stated in the Agency Agreement between the Permanent Secretary and the Agency, in which case the provisions of the Agency Agreement shall prevail.

Financial arrangements.
Cap. 174.

7. The operations of the Agency shall follow an Agency Agreement which is to be agreed between the Permanent Secretary and the Agency.

Other special arrangements applying to the Agency.

8. The Agency shall be headed by the Chairperson of the Agency nominated by the Minister who shall perform all the functions and duties as stipulated in the Act.

Head of the Agency.

9. (1) The Minister responsible for the Agency may establish a Steering Committee to assist the Chairperson in the discharge of his duties.

Steering Committee.

(2) The Steering Committee established under this article shall consist of five directors nominated from:

- (a) Transport Malta;
- (b) Malta Enterprise;
- (c) the Malta Freeport Corporation;
- (d) the Department of Fisheries and Aquaculture; and
- (e) the Regulator of Energy and Water Services.

(3) The Agency shall also have a further five directors nominated by the Minister, after consultation with industry representatives, or directly from private industry clusters, that shall be formed under the Agency structure.

(4) The Chairperson and directors together with the Steering

Committee shall constitute the board of Agency.

(5) The remuneration paid to members of the Agency's board members shall be in accordance with any directives and guidelines which may be issued by the Agency from time to time.

Amends Fourth
Schedule to the
Act.

10. In the Fourth Schedule to the Public Administration Act, immediately before the item "Management Efficiency Unit" there shall be added the following item:

Agency	Agency Function
"Malta Marittima Agency	To carry out functions related to the promotion, development and growth of the maritime sector."

