

**L.N. 248 of 2022**

**SUPPLIES AND SERVICES ACT  
(CAP. 117)**

**Agriculture Consultative Council Regulations, 2022**

IN EXERCISE of the powers conferred by article 3 of the Supplies and Services Act, the Minister responsible for trade with the concurrence of the Minister responsible for agriculture have made the following regulations:-

Citation. **1.** The title of these regulations is the Agriculture Consultative Council Regulations, 2022.

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

Cap. 117. "Act" means the Supplies and Services Act;

"Chairperson" means the Chairperson of the Agriculture Consultative Council and includes, in the circumstances listed in regulation 4, the Deputy Chairperson or any other person appointed to act as Chairperson;

"Council" means the Agriculture Consultative Council as established by virtue of regulation 3;

"holding" means all the units used for agricultural activities and managed by a farmer;

"Minister" means the Minister responsible for agriculture;

"sectorial leading representative" means the member appointed in accordance with regulation 4 to represent the individual agricultural sector on the Council who shall lead the *ad hoc* committee and, or the sector most closely related to the matter or issue being discussed by the committee; and

"young farmer" means a natural person under the age of forty (40) years having the appropriate training or skills required who is recognized as being the head of the holding.

Establishment  
of the Council.

**3.** There shall be established a Council to be known as the Agriculture Consultative Council, which shall be an advisory body providing a forum for consultation and dialogue between the representatives of the various sectors of agriculture and the Government, and advising the Government through the Minister on

issues relating to:

- (a) agriculture, horticulture, floriculture and viticulture;
- (b) breeding and rearing of livestock;
- (c) keeping of bees;
- (d) processing of agricultural products; and
- (e) formulation and implementation of sustainable agricultural policies.

4. (1) The Council shall be composed of the following members: Composition of the Council.

(a) a Chairperson with proficient knowledge, competence and experience in the agricultural sector, appointed by the Minister;

(b) the Director of Agriculture, *ex officio*;

(c) one (1) person representing the Permanent Secretary in the Ministry responsible for agriculture, *ex officio*;

(d) ten (10) persons, who shall be sectorial leading representatives, each with professional qualifications or technical expertise, knowledge and, or experience in different individual agricultural sectors, appointed by the Minister as follows:

(i) one (1) representative of the dairy livestock sector;

(ii) one (1) representative of the swine sector;

(iii) one (1) representative of the sheep or goat sector;

(iv) one (1) representative of the poultry sector;

(v) one (1) representative of the rabbit sector;

(vi) one (1) representative of the apiculture sector;

(vii) one (1) representative of the vine sector;

(viii) one (1) representative of the tomato processing

sector;

(ix) one (1) representative of the fruit and vegetable sector; and

(x) one (1) representative of the intensive cultivation sector:

Provided that at least two (2) of the members appointed in accordance with this sub-paragraph shall be young farmers:

Provided further that another two (2) of the members appointed in accordance with this sub-paragraph shall be of the female gender.

(2) The members referred to in sub-regulations 1(a) and (d) shall hold office for a period of three (3) years, renewable every year upon their satisfactory contribution. The members so appointed shall be eligible for reappointment for a further term or terms on the expiration of their term of office:

Provided that the members, excluding those appointed *ex officio*, shall not be reappointed for more than three (3) consecutive terms.

(3) The Chairperson appointed in accordance with sub-regulation 1(a) shall also lodge his nomination to be elected as a member of the Civil Society Committee representing the agriculture, rural and fisheries sector as provided for under regulation 3(2)(g) of the Malta Council for Economic and Social Development Act (Civil Society Committee) Regulations.

S.L. 431.01.

(4) The Minister may designate one (1) of the members as Deputy Chairperson, and the member so designated shall have all the powers and perform all the functions of the Chairperson during his absence, inability to act as Chairperson, or while the Chairperson is on vacation or during any vacancy in the office of the Chairperson:

Provided that, where the Chairperson's absence is permanent or is such so that the functioning of the Council is affected, the Minister may appoint any other person as Chairperson and in such case the foregoing provisions shall apply in respect of such person.

(5) Subject to the provisions of this regulation, the office of a member of the Council shall become vacant:

(a) on the expiration of the member's term of office; or

(b) on the resignation of the member; or

(c) where, for any other reason, the member ceases to hold office, or if being a chosen member due to his representative state, the member stops holding that representative state; or

(d) due to the unjustified absence to three (3) consecutive meetings without giving notice in writing of the reasons for such absence to the Chairperson before, or as soon as reasonably possible after the meeting. Unjustified absences for three (3) consecutive meetings shall be communicated to the Minister by the Chairperson.

(6) The Minister may, after consultation with the Chairperson, as the case may be, remove any member from office on grounds of misconduct, proved infirmity of mind or of body, or inability to perform the functions of a member of the Council.

(7) In the event that a member is removed from office, or where the office of a member is otherwise vacant, or where the member is for any reason unable to perform the functions of his office, the Minister may appoint a person with professional qualifications or technical expertise, knowledge and, or experience in the field of different individual agricultural sectors as a temporary member of the Council:

Provided that a temporary member shall cease to hold such office when a person has been appointed to fill the vacancy or where the member who was unable to perform the functions of his office resumes those functions.

(8) The Director of Agriculture shall appoint an officer in the public service to serve as Secretary to the Council.

5. (1) The functions of the Council shall be:

Functions of the Council.

(a) to promote participation and dialogue amongst all the stakeholders on issues relating to or in connection with sustainable development of the agricultural and the livestock sector;

(b) to improve and enhance the communication between the stakeholders of the agricultural and the livestock breeding sectors and the Government;

(c) to identify issues that affect stakeholders of the agricultural sector and proposes to the Government strategies

that address such;

(d) to propose sustainable and feasible projects to implement the objectives of governmental policies in the agricultural and livestock breeding sectors and recommend measures to facilitate and further the achievement of any targets set;

(e) upon the request by the Government, to draw up, examine and make recommendations on legislative proposals relating to the objectives of the Council;

(f) upon the request of the Minister, to make recommendations and submit opinions on any other matter arising in relation to the functions of the Ministry responsible for agriculture;

(g) to make recommendations to the Government regarding policies relating to the agricultural sector and rural development; and

(h) to perform any other functions as may be assigned to it by the Minister under the provisions of these regulations or any other law.

(2) Without prejudice to the provisions of sub-regulation (1), in the discharge of its objectives and functions, the Council shall adopt national perspectives and strategies.

Proceedings of  
the Council.

6. (1) The Council may act and perform its functions notwithstanding any absence or vacancy amongst its members, provided that there is a quorum of at least six (6) members of the Council:

Provided that a quorum shall not be present in the absence of the Chairperson or designated Deputy Chairperson.

(2) In the exercise of its functions and, or its deliberations on specific issues or cases, the Council may request the input of persons engaged in the public sector and, or public entities. The Council may also request appropriate expertise from, or collaboration with, third parties, as it may deem appropriate.

*Ad hoc*  
committees.

7. (1) The Council shall appoint *ad hoc* committees to serve as platforms for various sectors in agriculture whereby they may raise any issues, concerns or suggestions which may be discussed by the Council during its meetings.

(2) The Council shall inform the Minister of the appointment of each *ad hoc* committee.

(3) The Council may, when it deems it necessary, inform the Minister of the issues raised by the appointed committees.

(4) The chairperson of each committee shall be the sectorial leading representative most relevant or the most closely related to the matter or issue to be discussed by the committee. Where the matter or issue to be discussed affects more than one (1) agricultural sector, the Council shall determine which sectorial leading representative is to chair the particular committee.

(5) The chairperson of each committee shall convene the first meeting by not later than one (1) calendar month following the date of appointment of the committee in accordance with sub-regulation (1).

(6) Subject to the provisions of these regulations, the committees shall regulate their own proceedings:

Provided that the committees may act notwithstanding any vacancy amongst its members.

**8.** (1) The Secretary to the Council appointed in accordance with regulation 4(8) shall hold office for a period of three (3) years, under such terms and conditions as the Council, with the approval of the Minister, may establish. Secretary to the Council.

(2) The Secretary shall, *inter alia*, be responsible for:

(a) the convening of meetings of the Council and the keeping of minutes of the meetings thereof;

(b) the keeping of records of the members present during the meeting, the absent members and the excused members ;

(c) the provision of administrative and secretarial services required by the Council and any *ad hoc* committees;

(d) ensuring that all information that may be required by the Council and any *ad hoc* committees to effectively carry out their functions is made available to them;

(e) the provision of information and carrying out preparatory work for the reports of the Council and any *ad hoc* committees;

(f) ensuring that office services are provided for the

running of the Council and any *ad hoc* committees; and

(g) exercising any other responsibility as may be delegated by the respective Chairpersons on behalf of the Council and any *ad hoc* committees.

Meetings.

**9.** (1) The Council shall meet on a regular basis as the Chairperson may deem necessary, provided that the Council shall hold not less than one (1) meeting every quarter in every calendar year.

(2) The Council shall hold a meeting with the Minister not less than once (1) every quarter in every calendar year.

Annual report.

**10.** By not later than six (6) weeks after the end of each calendar year or following instructions issued by the Minister, the Council shall deliver to the Minister an annual report detailing all the activities undertaken by the Council and any *ad hoc* committees appointed in accordance with regulation 7 during the said calendar year. Such report shall include, *inter alia*, a general report on the proceedings of and developments made by the Council and any *ad hoc* committees during the period to which it relates in respect of matters falling within the scope of the Council.

Relations  
between the  
Minister and the  
Council.

**11.** The Minister may, from time to time, issue directives in writing to the Council as he may deem appropriate, being directives consistent with the provisions of these regulations and any other regulations made under the Act so as to give effect to the provisions of these regulations and, or for the better carrying out of any of the provisions of these regulations. The Council shall, as soon as practicable, give effect to all such directives and conduct its affairs accordingly.

Repeal and  
saving.  
S.L.117.35.

**12.** The Agriculture Consultative Council Regulations are hereby repealed without prejudice to anything done or omitted to be done thereunder.