

Naghti l-kunsens tiegħi.

(L.S.)

GUIDO DE MARCO
President

28 ta' Ġunju, 2002

ATT Nru. IX ta' l-2002

ATT biex jipprovdi għall-holqien ta' għaqdiet tal-produtturi fis-setturi ta' l-agrikoltura u tas-sajd.

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

TAQSIMA I

Preliminari

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att ta' l-2002 dwar l-Għaqdiet tal-Produtturi.

Titolu u bidu
fis-schh.

(2) Dan l-Att għandu jibda' jsehh f'dik id-data li l-Ministru responsabbli għall-Agricoltura jista' b'avviż fil-Gazzetta jstabbilixxi, u dati differenti jistghu jiġu hekk stabbiliti għal disposizzjonijiet differenti u għal għanijiet differenti ta' dan l-Att.

2. F'dan l-Att, sakemm ir-rabta tal-kliem ma tehtiegħ xort'ohra -

Tifsir.

"assoċjazzjoni bejn il-fergħat interessati" tfisser assoċjazzjoni magħmula minn rappreżentanti ta' l-attivitajiet ekonomiċi li huma konnessi mal-produzzjoni, in-negozju u l-ipproċessar tal-prodott, u tista' tinkludi rappreżentanti ta' xi wahda jew iżjed minn dawn l-

attivitajiet ekonomiċi;

"Direttur" tfisser id-Direttur ta' l-Agrikoltura jew id-Direttur tas-Sajd, kif ikun il-każ, u sal-limitu ta' l-awtorità mogħtija, tinkludi kull uffiċjal pubbliku awtorizzat mid-Direttur għal hekk bil-miktub għal xi wieħed mill-ghanijiet ta' dan l-Att;

"fond ta' l-operat" tfisser il-kont ta' l-organizzazzjoni tal-produtturi bbażat fuq il-kontribuzzjonijiet tal-produtturi u l-finanzjament mill-Gvern, liema fond ikun użat biss biex jiffinanzja programmi ta' l-operat, pjani ta' azzjoni u irtirar mis-suq;

"irtirar mis-suq" tfisser it-tnehhija mis-suq ta' prodotti li jkunu koperti minn programm ta' l-operat; u "irtirati mis-suq" għandha tinftehem skond hekk;

"membru" tfisser persuna li, flimkien ma' persuni oħra, tiffirma, tohloq jew tingħaqad ma' xi organizzazzjoni tal-produtturi;

"Ministru" tfisser il-Ministru responsabbli għall-Agrikoltura u s-Sajd;

"miżura" tfisser l-ghadd ta' azzjonijiet relatati ma' xulxin li, flimkien, jilhqax xi wahda jew aktar mill-oġettivi skond il-programm ta' l-operat;

"organizzazzjoni tal-produtturi" tfisser organizzazzjoni, rikonossuta mid-Direttur, li tkun korp volontarju, kostitwit legalment, ta' produtturi ta' prodotti partikolari jew ta' persuni li jahdmu fl-industrija ta' l-agrikoltura u, jew tas-sajd, li jaġixxu flimkien biex jipproduċu, jaħsdu, jaħżnu, jippakkjaw u, jew iressqu l-prodotti tagħhom lejn is-swieq;

"persuna mhux imsieħba f'xi organizzazzjoni tal-produtturi" tfisser produtturi li jipproduċu xi prodotti koperti minn regolamenti magħmulin taħt l-artikolu 19, iżda li ma jkunux imsieħba fl-ebda organizzazzjoni ta' produtturi;

"pjan ta' azzjoni" tfisser pjan approvat minn organizzazzjoni ta' produtturi sabiex jintlaħqu l-kriterji għar-rikonoxximent skond regolamenti magħmulin taħt l-artikolu 19;

"prodott" tfisser it-tip ta' prodotti agrikoli u, jew prodotti tas-sajd koperti b'regolamenti magħmulin taħt l-artikolu 19; u "produzzjoni" għandha tinftehem skond hekk;

"prodotti imwasslin is-suq" tfisser il-prodotti tal-membri ta' l-organizzazzjoni ta' produtturi li jkunu twasslu fis-suq permezz ta' l-

organizzazzjoni;

"produttur" tfisser persuna li tkun involuta fix-xogħol ta' tkabbir ta' l-uċuh tar-raba jew ta' trobbija ta' l-annimali, jew fix-xogħol ta' l-industrija tas-sajd;

"programm ta' l-operat" tfisser pjan approvat minn organizzazzjoni ta' produtturi sabiex jitjeb l-andament ta' l-organizzazzjoni fuq medda ta' żmien b'mod partikulari f'termini ta' twassil fis-suq, kwalità tal-prodott u kondizzjonijiet ambjentali.

TAQSIMA II

Kostituzzjoni ta' l-Organizzazzjonijiet tal-Produtturi

3. (1) Organizzazzjonijiet tal-produtturi li jkunu rikonossuti mid-Direttur skond id-disposizzjonijiet ta' regolamenti magħmulin skond l-artikolu 19 ikollhom personalità legali distinta minn dik tal-membri tagħhom.

Holqien ta' organizzazzjonijiet tal-produtturi.

(2) Produtturi, li l-prodotti tagħhom jaqghu taht xi wahda mill-kategoriji li, minn żmien għal żmien, jistghu jiġu preskritti mill-Ministru f'regolamenti magħmulin taht l-artikolu 19, jistghu jiffurmaw organizzazzjoni tal-produtturi.

4. Il-funzjonijiet u l-ghanijiet ta' organizzazzjoni tal-produtturi huma:

Funzjonijiet u ghanijiet ta' organizzazzjonijiet tal-produtturi.

(a) li tiegħu dawk il-miżuri biex jiġi żgurat li l-produzzjoni tal-membri tagħha tkun kemm jista' jkun orjentata lejn is-swieq;

(b) li tippromwovi t-tqeghid fis-suq tal-prodotti ta' l-imschbin tagħha; u

(ċ) li tippromwovi teknika ta' produzzjoni li tkun fuq bazi ambjentali soda u skond linji razjonali.

5. Organizzazzjoni tal-produtturi tiġi rikonossuta biss għall-ghanijiet ta' dan l-Att jekk, wara li tapplika għar-rikonossiment mid-Direttur skond id-disposizzjonijiet ta' dan l-Att, tissodisfa l-htigiet inniżżlin f'regolamenti magħmulin taht l-artikolu 19.

Rikonossiment ta' organizzazzjonijiet tal-produtturi.

6. (1) Il-membri ta' organizzazzjonijiet tal-produtturi għandhom joqogħdu għar-regoli ta' l-organizzazzjoni li tagħha jkunu membri, u għandhom -

Shubja f'organizzazzjonijiet tal-produtturi.

(a) japplikaw ir-regoli adottati mill-organizzazzjoni tal-produtturi f'dak li għandu x'jaqsam ma' rappurtaġġ dwar il-

produzzjoni, il-produzzjoni infisha, is-swicq u l-harsien ta' l-ambjent;

(b) ikunu mschbin ma' wahda biss mill-organizzazzjonijiet tal-produtturi rigward kull prodott, iżda jistghu jkunu mschbin ma' organizzazzjonijiet oħrajn sakemm dawk l-organizzazzjonijiet ma jtellghux fis-suq prodotti simili;

(c) bla-hsara għad-disposizzjonijiet tas-subartikolu (2), itellghu is-suq il-produzzjoni kollha tal-prodott ikkonċernat, permezz ta' l-organizzazzjoni tal-produtturi;

(d) ihallsu dawk il-kontribuzzjonijiet finanzjarji li hemm provvediment għalihom fir-regoli ta' l-organizzazzjoni tal-produtturi sabiex jiġi stabbilit u jitkattar il-fond ta' l-operat imsemmi fl-artikolu 9.

(2) Fejn l-organizzazzjoni tal-produtturi tawtorizza hekk, u skond it-termini u l-kondizzjonijiet li jkunu mfassla minnha, il-membri jistghu -

(a) jbiegħu parti mill-produzzjoni tagħhom direttament lill-konsumatur;

(b) itellghu is-suq, permezz ta' xi organizzazzjoni tal-produtturi oħra jew permezz ta' xi mezz iħor ta' tqegħid ta' prodotti fis-suq, indikat għal dan il-ghan mill-organizzazzjoni tal-produtturi tagħhom, kwantitajiet ta' prodotti li jkunu żgħar hafna meta jkunu relatati mal-volumi li l-organizzazzjoni tagħhom ittella' lejn is-swicq;

(c) itellghu fis-suq, permezz ta' xi organizzazzjoni tal-produtturi oħra jew permezz ta' xi mezz iħor ta' tqegħid ta' prodotti fis-suq, indikat għal dan il-ghan mill-organizzazzjoni tal-produtturi tagħhom, prodotti li, minhabba l-karatteristiċi tagħhom, normalment ma jkunux koperti mill-attivitajiet kummerċjali ta' l-organizzazzjoni ikkonċernata; u

(d) skond il-proċeduri magħmula mid-Direttur permezz ta' deroga, jkunu awtorizzati għal perijodi limitati biss u b' mod li jonqos bil-mod il-mod, u għal ċerti prodotti partikolari, li jikkonkludu kuntratti diretti ma' stabbilimenti li jipproċessaw il-prodotti.

7. (1) Ikun dmir tad-Direttur li -

(a) jiddeċiedi jekk għandux jingħata rikonoxximent lil organizzazzjoni tal-produtturi fi żmien tliet xhur wara li tkun

giet sottomessa l-applikazzjoni flimkien mad-dokumenti li jsostnuha li jistghu jkunu mehtieġa;

(b) jagħmel xogħol ta' kontroll f'intervalli regolari sabiex jaċċerta ruħu li l-organizzazzjonijiet tal-produtturi jissodisfaw il-htigiet għar-rikonoxximent tagħhom, u jkunu qegħdin joperaw skond il-programm ta' l-operat approvat, iwettaq verifika xierqa tal-fondi ta' l-operat, u, fil-każ li ma jiġux sodisfatti dawn il-htigiet, li jimponi il-penalitajiet preskritti u, jew, li jirtira r-rikonoxximent;

(ċ) jinnotifika lill-Ministru fi żmien xahrejn, dwar kull deċiżjoni b'xi jagħti, jirrifjuta jew jirtira r-rikonoxximent.

(2) Mingħajr preġudizzju għal kull azzjoni oħra li d-Direttur għandu taht din il-liġi jew xi liġi oħra, in-nuqqas min-naħa ta' organizzazzjoni li tiffunzjona skond programm ta' l-operat approvat jew li tissottometti l-kotba tagħha għal spezzjon u verifika, jew li tippermetti li ssir il-verifika tagħhom kif provdut f'dan l-artikolu, jkun ifisser li l-uffiċjali ta' dik l-organizzazzjoni jistghu jinkorru l-penalitajiet u l-multi amministrattivi li jistghu jiġu preskritti.

TAQSIMA III

Thaddim ta' Organizzazzjonijiet tal-Produtturi

8. (1) L-organizzazzjonijiet tal-produtturi jkunu regolati minn dawk ir-regolamenti li jistghu jiġu preskritti skond l-artikolu 19, u għandhom jiġu mħaddma skond il-programm ta' l-operat imsemmi fis-subartikolu (2).

Thaddim ta' organizzazzjonijiet tal-produtturi.

(2) L-organizzazzjonijiet tal-produtturi għandhom jissottomettu, għall-approvazzjoni tad-Direttur, programmi ta' l-operat kull meta jkunu hekk mehtieġa mid-Direttur, u l-ebda tibdil għal dawk il-programmi ta' l-operat ma jiġi fis-seħh mingħajr l-approvazzjoni minn qabel, bil-miktub, tad-Direttur.

(3) Id-Direttur għandu jagħti l-kunsens tiegħu jew mod iċhor għal tibdil fi programm ta' l-operat fi żmien tliet xhur mis-sottomissjoni, mill-organizzazzjoni konċernata, tat-talba għal dak it-tibdil.

9. (1) L-organizzazzjonijiet tal-produtturi li jwaqqfu fond ta' l-operat, jistghu japplikaw lid-Direttur, skond id-disposizzjonijiet ta' dan l-Att, għal assistenza finanzjarja.

Fond ta' l-operat.

(2) Il-fond ta' l-operat imsemmi fis-subartikolu (1) jista' jiġi uttilizzat, mill-organizzazzjonijiet tal-produtturi, b'xi jiġi ffinanzjat l-

irtirar mis-suq ta' prodotti fil-każijiet biss fejn l-programm ta' l-operat ikun ġie approvat mid-Direttur skond l-artikolu 8(2).

(3) Il-Ministru jista' jagħmel regolamenti biex jiġu stabbiliti l-kondizzjonijiet li tahtom prodotti li jkunu koperti minn programm ta' l-operat jistgħu jiġu rtirati mis-suq, u l-mod kif għandu jsir disponiment minn dawk il-prodotti.

Promozzjoni u kompetittività tal-prodotti.

10. Id-Direttur għandu jichu dawk il-miżuri li jidhirlu xierqa biex jipromwovi u jtejjeb il-kompetittività ta' prodotti clenkati f'regolamenti magħmulin taht dan l-Att u mahsuba biex jitqiegħdu fis-suq mill-organizzazzjonijiet tal-produtturi.

TAQSIMA IV

Assoċjazzjonijiet bejn il-fergħat interessati

Għarfien ta' assoċjazzjonijiet bejn il-fergħat interessati.

11. (1) Assoċjazzjonijiet bejn il-fergħat interessati li jkunu rikonoxxuti mid-Direttur skond id-disposizzjonijiet ta' regolamenti magħmulin skond l-artikolu 19 ikollhom personalità legali distinta minn dik tal-membri tagħhom.

(2) Id-Direttur għandu, skond ir-regolamenti magħmula taht l-artikolu 19 -

(a) jiddeċiedi jekk jagħtix rikonoxximent lil assoċjazzjoni bejn il-fergħat interessati, fi żmien tliet xhur wara li tkun saret l-applikazzjoni flimkien mad-dokumenti rilevanti li jsostnuha kif speċifikat fir-regolamenti msemmija;

(b) jagħmel verifiki f'intervalli regolari biex jaċċerta ruhu li l-assoċjazzjonijiet bejn il-fergħat interessati jilhqgħu t-termini u l-kondizzjonijiet għal rikonoxximent;

(ċ) jirtira r-rikonoxximent jekk -

(i) it-termini u l-kondizzjonijiet għar-rikonoxximent speċifikati f'regolamenti msemmijin f'dan l-artikolu ma jibqgħux jintlaħqu; jew

(ii) l-assoċjazzjoni bejn il-fergħat interessati tagħmel xi kontravenzjoni jew tonqos li timxi ma' xi regolament preskritt skond dan l-Att;

(d) jinnotifika fi żmien xahrejn lill-Ministru dwar kull deċiżjoni li jichu biex jagħti, jirrifjuta jew jirtira r-rikonoxximent.

(3) Minghajr preġudizzju għal kull azzjoni oħra li d-Direttur għandu taht din il-liġi jew xi liġi oħra, in-nuqqas min-naha ta' assoċjazzjoni bejn il-fergħat interessati li tiffunzjona skond id-disposizzjonijiet ta' dan l-Att jew ta' regolamenti magħmulin tahtu, jkun ifisser li l-uffiċjali ta' dik l-assoċjazzjoni bejn il-fergħat interessati jistgħu jinkorru fil-penalitajiet u multi amministrattivi li jistgħu jiġu preskritti.

TAQSIMA V

Ġenerali

12. (1) Id-Direttur għandu, kull sena, jibgħat rapport annwali lill-Ministru dwar l-attivitajiet ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati.

Rapport
annwali.

(2) Id-Direttur għandu, darba fis-sena, jippubblika fil-Gazzetta clenku ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati reġistrati; id-Direttur għandu wkoll jippubblika fil-Gazzetta kull irtirar ta' rikonoxximent ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati, kif ukoll clenku tal-prodotti, jekk ikun hemm, li jkunu ġew irtirati mis-suq f'xi żmien jew żminijiet partikolari matul it-tliet xhur immedjatement qabel dik il-pubblikazzjoni.

13. (1) L-organizzazzjonijiet tal-produtturi jistgħu jippermettu li produtturi, li ma jkunux imschbin f'xi organizzazzjoni tal-produtturi, jekk dawn il-produtturi ta' l-aħhar hekk jitolbu, jirtiraw prodotti mis-suq taht dawk il-kondizzjonijiet li jistgħu jiġu preskritti:

Estensjoni tal-
benefiċċji.

Iżda l-kumpens għall-irtirar tal-prodotti, jekk ikun hemm, li jista' jithallas f'forma ta' għajjuna finanzjarja mid-Direttur lil dawk il-produtturi għandu jiġi mnaqqas b'massimu ta' għaxra fil-mija tal-kumpens imhallas lill-membri ta' l-organizzazzjoni tal-produtturi, u sakemm f'dak l-ammont li jithallas jitqiesu l-ispejjez ta' l-irtirar kollha merfugha minn dawk il-produtturi:

Iżda wkoll il-kumpens ma għandux jingħata meta l-ammont ta' prodott irtirat mis-suq ikun oghla minn perċentagġ, kif iffissat minn żmien għal żmien mid-Direttur, ta' l-ammont totali ta' prodott li kien ikun mod ieħor imtella' fis-suq mill-produttur.

(2) L-organizzazzjonijiet tal-produtturi għandhom jinnotifikaw lid-Direttur dwar kull miżura mchuda skond id-disposizzjonijiet tas-subartikolu (1).

14. (1) Id-Direttur għandu jawtorizza l-hlas, mill-fond ta' l-operat, tal-kumpens għall-irtirar mis-suq, liema kumpens ikun iffissat

Kumpens għall-
irtirar mis-suq.

skond regolamenti li jistgħu jiġu preskritti taht l-artikolu 19, lill-organizzazzjonijiet tal-produtturi jew l-assoċjazzjonijiet bejn il-fergħat interessati li jkunu rtiraw xi prodotti mis-suq skond it-termini tad-disposizzjonijiet ta' dan l-Att jew ta' xi regolamenti magħmulin tahtu.

(2) Id-Direttur jista', f'dawk iċ-ċirkostanzi li jidhirlu xierqa, jawtorizza l-hlas tal-kumpens għall-irtirar tal-prodotti mis-suq ukoll meta l-ammont tal-prodotti rtirati mis-suq ikun oghla mil-limitu, li jkun ġie stabbilit mid-Direttur fil-bidu tas-sena biex jiġi evitat żbilanċ fl-irtirar ta' prodotti mis-suq, għall-hlas ta' kumpens għall-irtirar ta' prodotti mis-suq.

(3) Fejn l-organizzazzjonijiet tal-produtturi jew l-assoċjazzjonijiet bejn il-fergħat interessati ma jkunux kapaċi jmxxu prodotti irtirati mis-suq lejn xi waħda mid-destinazzjonijiet imsemmija fl-artikolu 15, il-kumpens għall-irtirar għandu jiġi mogħti biss jekk isir disponiment mill-prodotti skond dawk l-istruzzjonijiet li jagħti d-Direttur.

Disponiment
tal-prodotti.

15. Għandu jsir disponiment mill-prodotti li jkunu ġew irtirati mis-suq skond id-disposizzjonijiet ta' dan l-Att jew ta' regolamenti magħmulin tahtu kif ġej, kif jiġi stabbilit mid-Direttur:

- (a) tqassim b'xejn lil organizzazzjonijiet tal-karità;
- (b) tqassim b'xejn lil istituzzjonijiet penali, sptarijiet u djar għall-anzjani;
- (ċ) użu għal skopijiet oħra barra ta' l-ikel; jew
- (d) użu bħala għalf għall-bhejjem, kemm bħala prodotti friski kif wkoll wara li jiġu pproċessati mill-fabbriki tal-ġwież.

Spezzjonijiet
għall-gharrieda.

16. Mingħajr preġudizzju għal kull azzjoni oħra li d-Direttur jista' jiehu taht xi waħda mid-disposizzjonijiet ta' dan l-Att, id-Direttur jista' jagħmel spezzjonijiet għall-gharrieda sabiex jiġi aċċertat li d-disposizzjonijiet ta' dan l-Att u ta' kull regolament magħmul tahtu jiġu applikati u implimentati b'mod xieraq mill-membri ta' l-organizzazzjonijiet tal-produtturi u ta' l-assoċjazzjonijiet bejn il-fergħat interessati.

Spetturi.

17. (1) Id-Direttur għandu jinnomina dak in-numru mill-uffiċjali tiegħu bħala spetturi għal kull settur, kif jidhirlu xieraq, li jkunu persuni li jkollhom il-kwalifiki, it-tagħrif tekniku u l-esperjenza xierqa biex jiehu schem f'dawk l-ispezzjonijiet, kif jista' jkun meħtieġ biex jaċċertaw li l-organizzazzjonijiet tal-produtturi u l-assoċjazzjonijiet bejn il-fergħat interessati jkunu qed joperaw skond

id-disposizzjonijiet ta' l-Att jew ta' xi regolamenti maghmulin tahtu.

(2) L-ispetturi ghandhom, fil-kors ta' dawk l-ispezzjonijiet, isegwu l-istruzzjonijiet li jistghu jinghataw mid-Direttur taht dan l-Att, rigward il-mod, it-tul ta' zmien u l-metodu ta' kif isiru l-ispezzjonijiet, u ghandhom josservaw ir-regoli tas-segretezza professjonali.

18. (1) Ghandu jkun hemm bord, li jkun maghmul minn dak l-ghadd ta' diviżjonijiet li l-Ministru jista' b'ordni fil-Gazzetta jippreskrivi, li jkun maghruf bhala l-Bord ta' Appelli dwar Organizzazzjonijiet tal-Produtturi, hawnhekk iżjed 'il quddiem imsejjah "il-Bord", li jkun maghmul mill-Awditur Ġenerali jew ir-rappreżentant tieghu, li ghandu jippresjedi, żewġ persuni nominati mill-Uffiċċju Nazzjonali tal-Verifika, u żewġ persuni oħra li huma intiżi f'materji li ghandhom x'jaqsmu ma' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati, li kull waħda minnhom tiġi nominata mill-President li jaġixxi fuq il-parir tal-Ministru. Bla hsara għad-disposizzjonijiet tas-subartikolu (2), il-Ministru jista' jagħmel regolamenti biex jirregola d-distribuzzjoni ta' l-appelli skond it-tip ta' appell bejn id-diviżjonijiet tal-Bord, iżda din id-distribuzzjoni ma għandhiex tkun speċifika għal xi area ġeografika u l-ebda żewġ diviżjonijiet tal-Bord ma ghandhom jittrattaw l-istess tip ta' appelli.

Bord ta' Appelli
dwar
Organizzazzjonijiet tal-Produtturi.

(2) Membru tal-Bord ikun skwalifikat milli jisma' appell f'dawk iċ-ċirkostanzi li jiskwalifikaw imħallef f'kawża ċivili skond id-disposizzjonijiet tas-Sub-Titolu II tat-Titolu II tat-Tielet Ktieb tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili; u f'kull każ bhal dak il-membru jiġi sostitwit minn persuna oħra jew mahtura għal hekk mill-President li jaġixxi bil-parir tal-Ministru; jew l-appell, meta jkun hemm iktar minn diviżjoni waħda tal-Bord mahtura, jista' jiġi riferit, b'ordni tal-Bord, minn diviżjoni għal oħra tal-Bord.

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(3) Il-membri tal-Bord ghandhom jibqgħu fil-kariga għal zmien tliet snin, u jistghu jergħu jiġu nominati mill-ġdid.

(4) Membru tal-Bord jista' jitneħħa mill-kariga mill-President li jaġixxi bil-parir tal-Ministru, minhabba f'negligenza maġġuri, konflitt ta' interess, inkompetenza, jew atti jew ommissjonijiet li ma jixirqux li jitwettqu minn membru tal-Bord.

(5) Il-Bord ikollu ġurisdizzjoni li jisma' u jiddeċiedi appelli maghmula minn min ihossu aggravat b'deċiżjoni tad-Direttur, dwar l-ghoti, r-rifjut jew l-irtirar tar-rikonossiment ta' organizzazzjoni tal-produtturi jew ta' assoċjazzjoni bejn il-fergħat interessati, jew ir-rifjut tad-Direttur għall-hlas ta' kumpens għall-irtirar ta' prodotti mis-suq.

(6) Id-deċiżjonijiet tal-Bord ikunu finali hlief dwar punti ta' liġi deċiżi mill-Bord li minnhom ikun hemm appell lill-Qorti ta' l-Appell (Kompetenza Inferjuri).

(7) Il-Bord jista' jchtiġ li dipartiment jew aġenzija tal-Gvern jaghti lill-Bord dik l-informazzjoni jew dak il-parir li l-Bord iqis li hu meħtiġ għall-qadi xieraq tal-funzjonijiet tiegħu.

(8) Appelli lill-Qorti ta' l-Appell (Kompetenza Inferjuri) minn deċiżjonijiet tal-Bord kif provdut fis-subartikolu (6) għandhom isiru mhux aktar tard minn għaxart ijiem minn dak inhar tad-deċiżjoni; u dawn l-appelli għandhom jiġu regolati minn regoli tal-qradi magħmula bis-sabha ta' l-artikolu 29 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili.

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Regolamenti.

19. (1) Il-Ministru jista' jagħmel regolamenti għall-ahjar twettiq tad-disposizzjonijiet ta' dan l-Att.

(2) Minghajr preġudizzju għall-ġeneralità tas-subartikolu (1), ir-regolamenti jistgħu jipprovdu għal:

(a) il-kriterji li għandhom jintużaw għar-rikonoxximent ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati, inklużi n-numru minimu ta' membri u l-volum minimu ta' prodotti li jitqiegħdu fis-suq li huma meħtiġa għar-rikonoxximent;

(b) il-kategoriji ta' prodotti li jikkwalifikaw għall-formazzjoni u rikonoxximent ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati; u l-kategoriji ta' mistier relatati li jikkwalifikaw għall-formazzjoni ta' assoċjazzjonijiet bejn il-fergħat interessati;

(ċ) il-kondizzjonijiet li taħthom organizzazzjoni tal-produtturi jew assoċjazzjoni bejn il-fergħat interessati titqies li tirrappreżenta settur jew area speċifika;

(d) ir-regoli li jirregolaw it-tmexxija u l-operat ta' organizzazzjonijiet tal-produtturi u assoċjazzjonijiet bejn il-fergħat interessati;

(e) l-informazzjoni li organizzazzjonijiet tal-produtturi huma mistennija li jiġbru u jibagħtu meta hekk mitluba, u l-pieni u l-multi amministrattivi li ma għandhomx ikunu iżjed minn elf lira, li jiġu stabbiliti f'każijiet ta' dewmien mhux ġustifikat jew negligenza sistematika fit-twettiq xieraq ta' dawn ix-xoghlijiet;

(f) il-kontenut ta' programmi ta' l-operat, u r-regoli li jirregolaw l-allokazzjoni ta' ghajjnuna finanzjarja lil fondi ta' l-operat;

(g) il-proporzjon mill-fond ta' l-operat li tista' tintuża biex jiġi ffinanzjat l-irtirar ta' prodotti mis-suq;

(h) il-proċedura ghat-twaqqif, għall-amministrazzjoni u għall-ispezzjonijiet ta' organizzazzjonijiet tal-produtturi;

(i) il-miżuri li jistgħu jittiehdu mid-Direttur biex jtejjeb il-kompetittività tal-prodotti u l-promozzjoni tagħhom;

(j) id-deċiżjoni dwar l-ammont li għandu jithallas bhala kumpens għall-irtirar ta' prodott partikolari; u

(k) il-pieni u l-multi amministrattivi, li ma għandhomx jkunu iżjed minn elf lira, li jistgħu jiġu imposti fuq organizzazzjonijiet tal-produtturi u, jew assoċjazzjonijiet bejn il-fergħat interessati li ma jissodisfawx id-dmirijiet tagħhom jew jiksru id-disposizzjonijiet ta' dan l-Att.

20. L-Att dwar l-Ghajjnuna Finanzjarja lill-Industriji tal-Biedja u tas-Sajd għandu jiġi emendat billi jiżdiedu, minnufih wara l-artikolu 5 tiegħu, iż-żewġ artikoli godda li ġejjin:

Emenda għall-Kap. 146.

*Ghajjnuna oħra.

6. Il-Ministru responsabbli għall-Agrikultura u l-Ministru responsabbli għas-Sajd jistgħu, bi qbil mal-Ministru responsabbli għall-Finanzi, jistabbilixxu skemi u fondi ta' garanzija biex jipprovdu ghajjnuna finanzjarja u forom oħra ta' gwida ta' kull xorta lill-industrija tal-biedja u lill-industrija tas-sajd.

Setgħa ta' għemil ta' regolamenti.

7. Il-Ministru responsabbli għall-Agrikultura u l-Ministru responsabbli għas-Sajd jistgħu, bi qbil mal-Ministru responsabbli għall-Finanzi, jagħmlu regolamenti biex jiġu implimentati d-disposizzjonijiet ta' dan l-Att u, mingħajr preġudizzju għall-ġeneralità ta' dak li ntqal qabel, jistgħu jipprovdu:

(a) biex tiġi stabbilita aġenzija li thallas bil-funzjoni li tamministra kull skema jew miżura oħra li għandha x'taqsam ma' kull ghajjnuna finanzjarja jew gwida oħra li tiġi provduta taht dan l-Att;

(b) biex jiġu stabbiliti u operati skemi u fondi ta' garanzija biex jipprovdu għajjnuna finanzjarja u forom oħra ta' gwida u għajjnuna ta' kull għamla lill-industrija tal-biedja u lill-industrija tas-sajd taħt dan l-Att;

(c) dwar l-istandards li għandhom jiġu osservati minn persuni li japplikaw għal xi għajjnuna finanzjarja jew gwida oħra taħt dan l-Att;

(d) dwar il-miżuri li għandhom jittieħdu biex jiġi żgurat li jitharsu standards internazzjonali u oħra, li għandhom x'jaqsmu mal-prodotti jew it-tagħmir użat fl-industrija tal-biedja jew fl-industrija tas-sajd minn persuni li japplikaw għal xi għajjnuna finanzjarja jew gwida oħra taħt dan l-Att;

(e) dwar kull haġa li tkun meħtieġa biex tiġi mharsa kull obbligazzjoni internazzjonali ta' Malta li għandha x'taqsam ma' l-industrija tal-biedja jew ma' l-industrija tas-sajd u li tinvolvi skemi ta' għajjnuna finanzjarja, garanziji jew gwida lil xi industrija msemmija;

(f) dwar kull haġa li għandha x'taqsam mar-risoluzzjoni ta' tilwim li jista' jinqala' mit-thaddim ta' dan l-Att inkluż il-waqfien ta' korp ta' appell u r-regolamentazzjoni ta' appelli minn deċiżjonijiet mehuda taħt dan l-Att;

(g) biex jagħtu s-setgħa lid-Direttur tal-Biedja jew lid-Direttur tas-Sajd, kif ikun il-każ, li jimponu pieni amministrattivi jew sanzjonijiet fuq kull persuna li tkun xi disposizzjoni ta' dan l-Att jew ta' xi regolamenti magħmulin taħtu;

Izda kull piena amministrattiva stabbilita f'xi regolament maghmul taht dan l-Att ma ghandhiex tkun iżjed minn elf lira (Lm1,000) ghal kull reat u mitt lira (Lm100) ghal kull ġurnata li jippersisti n-nuqqas li jiġu mharsa d-disposizzjonijiet ta' dan l-Att jew ta' xi regolamenti maghmulin tahtu;

(h) biex jipprovdu li kull persuna li tikser xi disposizzjoni ta' xi regolament maghmul taht dan l-Att tkun hatja ta' reat kriminali:

Izda r-reati kriminali li jkun hemm produt ghalihom fir-regolamenti maghmulin taht dan l-Att ma ghandhomx, minghajr preġudizzju ghal kull piena oghla li min jagħmel ir-reat jista' jehel taht xi liġi oħra, jipprovdu li, meta jinstab hati, min jkun ikkommetta r-reat jehel multa ta' aktar minn tliet elef lira (Lm3,000) jew, f'każ ta' reat kontinwat, multa oħra ta' tliet mitt lira (Lm300) ghal kull ġurnata li jkompli r-reat."

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 758 tad-19 ta' Ġunju, 2002.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

A 978

I assent.

(L.S.)

GUIDO DE MARCO
President

28th June, 2002

ACT No. IX of 2002

An Act to provide for the creation of Producer Organisations in the Agricultural and Fisheries sectors.

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 and commencement.

1. (1) The short title of this Act is the Producer Organisations Act, 2002.

(2) This Act shall come into force on such date as the Minister responsible for Agriculture may by notice in the Gazette appoint, and different dates may be so appointed for different purposes and for different provisions of this Act.

Interpretation.

2. In this Act, unless the context otherwise requires -

"action plan" means an approved plan by a producer organisation to meet the criteria for recognition in accordance with regulations made under article 19;

"Director" means the Director of Agriculture or the Director of Fisheries, as the case may require, and includes, to the extent of the authority given, any officer authorised by the Director, in writing, to act in that behalf for any of the purposes of this Act;

"interbranch association" means an association made up of representatives of economic activities linked to the production, the trading in and the processing of the product, and may include representatives of any one or more of such economic activities;

"marketed production" means the products of members of the producer organisation marketed through the organisation;

"market withdrawal" means the withdrawal from the market of products covered by an operational programme; and "withdrawal from the market" shall be construed accordingly;

"measure" means a group of related actions which together meet one or more of the objectives under the operational programme;

"member" means a person who, together with other persons, forms, creates or joins a producer organisation;

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

"operational fund" means the producer organisation account, based on producer contributions and Government funding, which is used solely to finance operational programmes, action plans and market withdrawals;

"operational programme" means an approved plan by a producer organisation to improve performance of the organisation over time particularly in terms of marketing, product quality and environmental conditions;

"producer" means any person who is involved in the trade of tilling land or tending live stock, or engaged in the fishing industry;

"producer organisation" means an organisation, recognised by the Director, being a voluntary legally constituted body of producers of particular products or of persons engaged in the agricultural and, or fishing industries, acting together to produce, harvest, store, package and, or market their products;

"producer organisation non-member" means producers who produce products covered by regulations made under article 19, but who are not members of any producer organisation;

"product" means the type of agricultural produce and, or fishery products, covered by regulations made under article 19; and "production" shall be construed accordingly.

PART II

Constitution of Producer Organisations

Establishment of producer organisations.

3. (1) Producer organisations which are recognized by the Director in accordance with the provisions of regulations made under article 19 shall have a distinct legal personality from that of their members.

(2) Producers, whose products fall under any of the categories as may, from time to time, be prescribed by the Minister in regulations made under article 19, may form a producer organisation.

Functions and aims of producer organisations.

4. The functions and aims of a producer organisation shall be:

(a) to take such measures as will ensure that its members' production will be as market-orientated as possible;

(b) to promote the placing on the market of the products produced by its members; and

(c) to promote production techniques which are environmentally sound and along rational lines.

Recognition of producer organisations.

5. A producer organisation shall only be recognised for the purposes of this Act if, after it applies for recognition to the Director in accordance with the provisions of this Act, it satisfies the requirements laid down in regulations made under article 19.

Membership of producer organisations.

6. (1) Members of producer organisations shall abide by the rules of the organisation of which they are members, and shall -

(a) apply the rules adopted by the producer organisation relating to production reporting, the production itself, marketing and protection of the environment;

(b) belong to only one of the producer organisations in respect of each product, but may belong to various organisations as long as the relative organisations do not market similar products;

(c) subject to the provisions of subarticle (2), market the entire production of their produce through the producer organisation; and

(d) pay such financial contributions provided for in the

rules of the producer organisation for the establishment and replenishment of the operational fund provided for in article 9.

(2) Where the producer organisation so authorizes, and in compliance with the terms and conditions it lays down, the members may -

(a) sell part of their production directly to consumers;

(b) market, through any other producer organisation or any other marketing channel, designated by their producer organisation, quantities of products which are marginal in relation to the volumes marketed by their organisation;

(c) market, through another producer organisation or any other marketing channel, designated by their producer organisation, products which, because of their characteristics, are not normally covered by the commercial activities of the organisation concerned; and

(d) in accordance with the procedure laid down by the Director by way of derogation, be authorised only for limited periods and on a gradually reducing scale, and with respect to particular products, to conclude direct contracts with processing undertakings.

7. (1) It shall be the duty of the Director to -

Duties of
Director.

(a) decide whether to grant recognition to a producer organisation within three months of the lodging of an application together with all supporting documents that may be required;

(b) regularly carry out checks to ascertain that producer organisations comply with the requirements for recognition, and are functioning in accordance with the approved operational programme, carry out a proper audit of operational funds, and, in the event of non-compliance, to impose the prescribed penalties and, or, to withdraw recognition;

(c) notify the Minister, within two months of every decision to grant, refuse or withdraw recognition.

(2) Without prejudice to any other action competent to the Director under this or any other law, failure by an organisation to function in accordance with an approved operational programme or to submit its books for inspection and verification and to allow an audit thereof provided for in this article, shall render the officers of the

organisation liable to such administrative penalties and fines as may be prescribed.

PART III

Operation of Producer Organisations

Operation of
producer
organisations.

8. (1) Producer organisations shall be governed by such regulations as may be prescribed under article 19 and shall be run in accordance with the operational programme referred to in subarticle (2).

(2) Producer organisations shall submit, for approval by the Director, operational programmes whenever required to do so by the Director, and no changes to such operational programmes shall become effective without the prior approval, in writing, of the Director.

(3) The Director shall signify his consent or otherwise to a change in an operational programme within three months of the submission, by the producer organisation concerned, of the request for such change.

Operational
fund.

9. (1) Producer organisations setting up an operational fund may apply to the Director, in accordance with the provisions of this Act, for financial assistance.

(2) The operational fund referred to in subarticle (1) may be applied, by producer organisations, for the financing of market withdrawals only where the operational programme has been approved by the Director in accordance with article 8(2).

(3) The Minister may make regulations establishing the conditions under which products covered by an operational programme may be withdrawn from the market, and the manner in which products so withdrawn may be disposed of.

Promotion and
competitiveness
of products.

10. The Director shall take such measures as he may deem appropriate to promote and improve the competitiveness of products listed in regulations made under this Act and intended to be placed on the market by producer organisations.

PART IV

Interbranch Associations

Recognition of
interbranch
associations.

11. (1) Interbranch associations which are recognised by the Director in accordance with the provisions of regulations made under article 19 shall have a distinct legal personality from that of their members.

(2) The Director shall, in accordance with regulations made under article 19 -

(a) decide whether to grant recognition to an interbranch association, within three months of the lodging of an application together with all relevant supporting documents, as specified in the said regulations;

(b) carry out checks at regular intervals to ensure that interbranch associations meet the terms and conditions for recognition;

(c) withdraw recognition if -

(i) the terms and conditions for recognition specified in regulations referred to in this article are no longer met; or

(ii) the interbranch association contravenes or fails to comply with any other regulation prescribed under this Act;

(d) notify the Minister, within two months, of any decision to grant, refuse or withdraw recognition.

(3) Without prejudice to any other action competent to the Director under this or any other law, failure by an interbranch association to function in accordance with the provisions of this Act or of any regulations made thereunder, shall render the officers of the interbranch association liable to such administrative penalties and fines as may be prescribed.

PART V

General

12. (1) The Director shall, every year, forward to the Minister an annual report on the activities of producer organisations and interbranch associations. Annual report.

(2) The Director shall, once a year, publish in the Gazette a list of registered producer organisations and interbranch associations; the Director shall also publish in the Gazette any withdrawals of recognition of producer organisations and interbranch associations, as well as lists of products, if any, withdrawn from the market at any particular time or times during the three month period immediately preceding such publication.

13. (1) Producer organisations may allow producers, who Extension of benefits.

are not members of producer organisations, if the latter so request, to withdraw products from the market under such conditions as may be prescribed:

Provided that the withdrawal compensation, if any, which may be payable to such producers, in the form of financial assistance payable by the Director, shall be reduced by a maximum of ten *per centum* of the compensation payable to members of the producer organisation, and provided also that the amount paid shall take account of the overall withdrawal costs borne by such producers:

Provided further that compensation shall not be granted where the amount of products withdrawn from the market is higher than the percentage, as the Director may from time to time establish, of the total amount of the product which would have otherwise been marketed by the producer.

(2) Producer organisations shall keep the Director informed of any measures taken in accordance with the provisions of subarticle (1).

Payment of compensation.

14. (1) The Director shall authorise the payment, out of the operational fund, of the withdrawal compensation, which shall be fixed in accordance with such regulations as may be prescribed under article 19, to producer organisations or interbranch associations which have withdrawn products from the market in accordance with the provisions of this Act or any regulations made thereunder.

(2) The Director may, in such circumstances as he may deem appropriate, authorise the payment of the withdrawal compensation even where the amount of products withdrawn from the market exceeds the limit, which may have been set by the Director at the beginning of the year, to prevent imbalances in withdrawals of products from the market for the payment of withdrawal compensation.

(3) Where producer organisations and interbranch associations are unable to direct withdrawn products to one of the destinations referred to in article 15, the withdrawal compensation shall be granted only if the products are disposed of in accordance with such instructions as the Director may give.

Disposal of products.

15. Products which are withdrawn from the market in accordance with the provisions of this Act or of regulations made thereunder shall be disposed of in any of the following methods, as shall be determined by the Director:

- (a) free distribution to charitable organisations;

- (b) free distribution to penal institutions, hospitals and old people's homes;
- (c) use for non-food purposes; or
- (d) use in animal feeds, either in their fresh state or after processing by the feeding stuffs industry.

16. Without prejudice to any other action which the Director may take under any of the provisions of this Act, the Director may carry out spot checks to ensure the proper application and implementation of the provisions of this Act, or of any regulations made thereunder, by the members of the producer organisations and of the interbranch associations. Spot checks.

17. (1) The Director shall designate such number of his officers as inspectors for each sector, as he may deem fit, who shall be persons with suitable qualifications, technical knowledge and experience to take part in such inspections, as may be required in order to ensure that producer organisations and interbranch associations are acting in conformity with the provisions of this Act, or any regulations made thereunder. Inspectors.

(2) The inspectors shall, in the course of such inspections, follow such instructions as may be given by the Director under this Act, as regards the manner, duration and method of the inspections carried out, and shall be bound by the rules of professional secrecy.

18. (1) There shall be a Board, which shall have such number of divisions as the Minister may by order in the Gazette prescribe, to be known as the Producer Organisations Appeals Board, hereinafter referred to as "the Board", consisting of the Auditor General or his representative, who shall preside, two persons nominated by National Audit Office, and two other persons who are conversant with matters relating to producer organisations and interbranch associations, each of whom shall be appointed by the President acting on the advice of the Minister. Saving the provisions of subarticle (2), the Minister may make regulations to regulate the distribution by types of appeals amongst the divisions of the Board, provided that such distribution shall not be specific to a geographical area and that no two divisions of the Board shall deal with the same type of appeals. Producer Organisations Appeals Board.

(2) A member of the Board shall be disqualified from hearing an appeal in such circumstances as would disqualify a judge in terms of Sub-Title II of Title II of Book Third of the Code of Organization and Civil Procedure; and in any such case the member shall be substituted by another person either appointed for the purpose by the Cap. 12.

President acting on the advice of the Minister; or the appeal, when there is more than one division of the Board in office, may be referred by order of the Board from one division of the Board to another.

(3) The members of the Board shall hold office for a period of three years, and shall be eligible for re-appointment.

(4) A member of the Board may be removed from office by the President acting on the advice of the Minister, on grounds of gross negligence, conflict of interest, incompetence, or acts or omissions unbecoming a member of the Board.

(5) The Board shall have jurisdiction to hear and determine all appeals made by a person aggrieved by any decision of the Director, relating to the grant, refusal or withdrawal of recognition of a producer organisation or of an interbranch association, or the refusal by the Director of the payment of compensation withdrawal.

(6) The decisions of the Board shall be final except with respect to points of law decided by the Board from which an appeal shall lie to the Court of Appeal (Inferior Jurisdiction).

(7) The Board may require any department or agency of the Government to provide the Board with such information or advice as the Board may deem necessary for the proper execution of its functions.

(8) Appeals to the Court of Appeal (Inferior Jurisdiction) from decisions of the Board as provided in subarticle (6) shall be made within ten days from the day of the decision; and such appeals shall be regulated by rules of court made under article 29 of the Code of Organisation and Civil Procedure.

Cap. 12.

Regulations.

19. (1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subarticle (1), the regulations may make provision for:

(a) the criteria to be used for the recognition of producer organisations and interbranch associations, including the minimum number of members and the minimum volume of marketable production required for recognition;

(b) the categories of products which qualify for the formation and the recognition of producer organisations and interbranch associations; and the categories of related trades which qualify for the formation and the recognition of

interbranch associations;

(c) the conditions under which a producer organisation or an interbranch association shall be deemed to be representative of a sector or of a specific area;

(d) the rules governing the running and operation of producer organisations and interbranch associations;

(e) the information which producer organisations are expected to collect and forward upon demand and the provision for administrative penalties and fines, not exceeding one thousand liri, in cases of unjustified delays or systematic negligence in the proper performance of these tasks;

(f) the contents of operational programmes, and the rules which govern the allocation of financial aid to operational funds;

(g) the proportion of the operational fund which may be used to finance market withdrawals;

(h) the procedure for the establishment, administration and inspections of producer organisations;

(i) the measures which may be taken by the Director to improve the competitiveness of products and their promotion;

(j) the determination of the withdrawal compensation payable for a particular product; and

(k) the administrative penalties and fines, not exceeding one thousand liri, which may be imposed on producer organisations and, or interbranch associations which do not fulfil their undertakings or act in contravention of the provisions of this Act.

20. The Agricultural and Fishing Industries (Financial Assistance) Act shall be amended by the addition, immediately after

Amendment of
Cap. 146.

article 5 thereof, of the following two new articles:

"Other assistance.

6. The Minister responsible for Agriculture and the Minister responsible for Fisheries may, with the concurrence of the Minister responsible for Finance, establish schemes and guarantee funds for the purpose of providing financial and other forms of guidance or assistance of any nature to the agricultural industry and to the fishing industry.

Power to make regulations.

7. The Minister responsible for Agriculture and the Minister responsible for Fisheries may, with the concurrence of the Minister responsible for Finance, make regulations for the purpose of implementing the provisions of this Act and, without prejudice to the generality of the foregoing, to provide:

(a) for the establishment of any paying agency with the function of administering any scheme or other measure relating to any financial or other guidance or assistance to be provided under this Act;

(b) for the establishment and management of any schemes and guarantee funds for the purpose of providing financial and other forms of guidance or assistance of any nature to the agricultural industry and to the fishing industry under this Act;

(c) for the standards to be observed by persons applying for any financial or other guidance or assistance under this Act;

(d) for the measures to be taken to ensure compliance with international and other standards relating to products or equipment used in the agricultural industry or in the fishing industry by persons applying for any financial or other guidance or assistance under this Act;

(e) for any matters that may be required for the purpose of complying with any international obligation of Malta relating to the agricultural industry or to the fishing industry and involving schemes of financial assistance, guarantees or guidance to any said industry;

(f) for any matter related to the resolution of disputes arising in connection with the operation of this Act including the establishment of an appellate body and the regulation of appeals from decisions taken under this Act;

(g) for enabling the Director of Agriculture or the Director of Fisheries, as the case may be, to impose administrative penalties or sanctions upon any person acting in contravention of any of the provisions of this Act or of any regulations made thereunder:

Provided that any administrative penalty provided for by regulations made under this article shall not exceed the sum of one thousand liri (Lm1,000) for each offence and one hundred liri (Lm100) for each day during which failure to observe the provisions of this Act or of any regulations made thereunder persists;

(h) for providing that any person who contravenes any provision of any regulations made under this Act shall be guilty of a criminal offence:

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Provided that any criminal offences provided for in regulations made under this article shall not, without prejudice to any higher punishment to which the offender may be liable under any other law, provide that upon conviction the offender shall be liable to a fine (*multa*) of more than three thousand liri (Lm3,000) or, in the case of a continuing offence, to a further fine (*multa*) of three hundred liri (Lm300) for each day during which the offence continues."

Passed by the House of Representatives at Sitting No. 758 of the 19th June, 2002.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives