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NOTIFIKAZZJONIJIET TAL-GVERN

Nru. 1105

ATT DWAR L-EKO-KONTRIBUZZJONI (KAP. 473)

DAN l-abbozz ta' leġislazzjoni qed jiġi ippublikat għall konsulatzzjoni pubblika għal perijodu ta' erba' ġimgħat mid-data tal-pubblikazzjoni. Kull min jixtieq jissottometti l-kummenti tiegħu għandu jibgħathom lis-Segretarju Permanenti, Konsultazzjoni dwar l-Iskema għall-Irkupru ta' l-Iskart, Ministeru għall-Affarijiet Rurali u l-Ambjent, Xatt il-Barriera, Valletta.

It-18 ta' Diċembru, 2007

GOVERNMENT NOTICES

No. 1105

ECO-CONTRIBUTION ACT (CAP. 473)

THE following draft legislation is being issued for public consultation for a period of four weeks from the date of publication. Whoever wants to submit any comments may send them to the Permanent Secretary, Consultation on the Waste Recovery Scheme, Ministry for Rural Affairs and the Environment, Barriera Wharf, Valletta.

18th December, 2007

A.L. ta' l-2007

ATT DWAR L-EKO-KONTRIBUZZJONI (KAP. 473)

Regolamenti ta' l-2007 dwar Skema għall-Irkupru ta' l-Iskart

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 12 u 13 ta' l-Att dwar l-Eko-Kontribuzzjoni (Kap. 473), hawnhekk iżjed 'il quddiem imsejjaħ "l-Att", il-Ministru għall-Affarijiet Rurali u l-Ambjent, bi qbil mal-Prim Ministru u Ministru tal-Finanzi, għamel ir-regolamenti li ġejjin:-

Titolu, bidu fis-seħħ u skop.

1. (1) It-titolu ta' dawn ir-regolamenti huwa ir-Regolamenti ta' l-2007 dwar Skema għall-Irkupru ta' l-Iskart.

(2) Dawn ir-regolamenti jidħlu fis-seħħ fi ……

(3) Dawn ir-regolamenti jipprovdu miżuri, proċeduri u gwida addizzjonali għall-Att, li għandhom l-għan, bħala l-ewwel prijorità sabiex jirregolaw l-għoti ta' ħlas lura fir-rigward ta' l-eko-kontribuzzjoni mħallsa mill-produtturi li jieħdu sehem fl-irkupru ta' l-iskart permezz ta' skemi approvati.

Tifsir.

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

"faċilità Approvata għall-Irkupru ta' l-Iskart" tfisser faċilità approvata skond dawn ir-regolamenti mill-korp li japprova bħala li hija mqabbda fl-irkupru ta' l-iskart;

"korp li japprova" tfisser l-Awtorita' ta' Malta għall-Ambjent u Ippjanar, jew dak il-korp jew persuna oħra skond kif il-Ministru responsabbli għall-immaniġġjar ta' l-iskart jista' b'ordni fil-Gazzetta jippreskrivi;

"eko-kontribuzzjoni" jew "kontribuzzjoni" tfisser l-eko-kontribuzzjoni imposta bl-Att;

"il-Ministru" tfisser il-Ministru responsabbli għall-immaniġġjar ta' l-iskart u tinkludi, fil-limiti ta' l-awtorità mogħtija, kull persuna awtorizzata f'dik il-kapaċità għal kull għan ta' l-Att;

"produttur" għandha l-istess tifsira mogħtija lilha bl-Att;

"prodotti" tfisser prodotti li fuqhom titħallas l-eko-kontribuzzjoni;

"rkupru ta' skart" għandha l-istess tifsira mogħtija lilha bl-Att;

"skema" jew "skema għall-irkupru ta' l-iskart" tfisser sistema li permezz tagħha produttur jista' juri lirkupru ta' l-iskart tal-prodotti li jqiegħed fis-suq;

"skart" għandha l-istess tifsira mogħtija lilha bl-Att.

Irkupru ta' skart.

3. Fil-każijiet ta' rkupru ta' skart mill-prodotti li fuqhom titħallas eko-kontribuzzjoni skond kif provdut fl-Att, il-produtturi ta' dawk il-prodotti jistgħu, skond dawn ir-regolamenti, jingħataw rifużjoni ta' l-eko-kontribuzzjoni mħallsa fuqhom, kollha kemm hi jew in parti.

Mekkaniżmu għar-rifużjoni.

4. (1) Produttur li jieħu sehem fi skema għall-irkupru ta' l-iskart ikollu jedd għar-rifużjoni ta' l-eko-kontribuzzjoni mħallsa, kollha kemm hi jew in parti, fuq il-prodotti li jaqgħu fi ħdan il-grupp ta' prodotti murija fl-Ewwel Skeda.

(2) L-ammont ta' rifużjoni jiġi kkalkolat fuq il-bażi tal-perċentwali ta' l-iskart irkuprat, skond it-Tieni Skeda, u l-valuri ta' rifużjoni għal kull grupp murija fit-Tielet Skeda.

(3) L-ammont ta' eko-kontribuzzjoni li jista' jitħallas lura lil produttur fir-rigward ta' kull perjodu li dwaru ssir talba skond dawn ir-regolamenti, ma jista' qatt jaqbeż l-eko-kontribuzzjoni li tkun tħallset fuq prodotti li jaqgħu fi ħdan l-istess grupp ta' prodotti, kif murija fl-Ewwel Skeda, li fir-rigward tagħhom ikun ġie rkuprat l-iskart, fis-sena kalendarja li tiġi qabel is-sena li fiha ssir it-talba.

(4) Rifużjonijiet dovuti lil produttur skond kif jipprovdu dawn ir-regolamenti isiru mill-Ministru qabel l-għeluq ta' sitt xhur mid-data li fiha ssir talba valida għal rifużjoni skond ir-regolament 6.

Reġistru Pubbliku tal-Faċilitajiet għall-Irkupru ta' l-Iskart.

5. (1) Il-korp li japprova jilqa' applikazzjonijiet mill-faċilitajiet għall-irkupru ta' l-iskart biex dawn jiġu approvati u akkreditati għar-Reġistru Pubbliku tal-Faċilitajiet għall-Irkupru ta' l-Iskart.

(2) Il-kriterji li fuqhom il-korp li japprova għandu jeżamina l-applikazzjonijiet kollha magħmula taħt dan ir-regolament għandhom jinkludu:

(a) il-pussess ta' permess validu ta' maniġġjar ta' l-iskart għall-irkupru ta' l-iskart maħruġ mill-korp li japprova;

(b) li fuq bażi annwali jiġu rrapurtati lill-korp li japprova l-kwantitajiet u xorta ta' skart li jkun qed jiġi rkuprat fil-faċilità;

(ċ) li jkun hemm sistemi adegwati biex jinżamm rendikont ta' l-iskart kollu rkuprat; u

(d) kull kondizzjoni oħra hekk kif tista' tiġi preskritta mill-korp li japprova.

(3) Faċilità għall-irkupru ta' l-iskart titqies approvata għall-finijiet ta' dawn ir-regolamenti mid-data li fiha l-korp li japprova jdaħħal l-isem tal-faċilità fir-Reġistru Pubbliku tal-Faċilitajiet għall-Irkupru ta' l-Iskart.

(4) Faċilità, ġaladarba mdaħħla fir-Reġistru Pubbliku tal-Faċilitajiet għall-Irkupru ta' l-Iskart, tibqa' hekk reġistrata sakemm tħares il-kriterji kollha stabbiliti mill-korp li japprova kif stipulati fis-subregolament (2).

Talba għal rifużjoni.

6. (1) Talba għar-rifużjoni ta' l-eko-kontribuzzjoni mħallsa tista' ssir minn produttur biss.

(2) It-talba għandha ssir fuq il-formola preskritta mill-korp li japprova jew fuq xi formola oħra approvata mill-korp li japprova u għandu jkollha magħha dikjarazzjoni magħmula minn faċilità approvata għall-irkupru ta' l-iskart li tikkonferma l-ammont ta' skart irkuprat mill-prodotti provduti minn produttur.

(3) Talba għandha ssir mhux aktar tard mill-31 jum ta' Marzu ta' kull sena fejn issir talba għar-rifużjoni, kollha kemm hi jew in parti, fir-rigward ta' l-eko-kontribuzzjoni mħallsa matul is-sena kalendarja ta' qabel fuq grupp ta' prodotti mqiegħda fis-suq:

Iżda kull talba għal rifużjoni fir-rigward ta' l-eko-kontribuzzjoni mħallsa matul l-2005 u l-2006 tista' ssir mhux aktar tard mit-30 jum ta' Settembru, 2007:

Iżda wkoll il-korp li japprova jista' jaċċetta li jeżamina kull applikazzjoni għal rifużjoni ppreżentata wara d-data preskritta fejn iċ-ċirkostanzi hekk jitolbu.

(4) Il-korp li japprova għandu jipproċessa talba magħmula validament fi żmien tliet xhur mid-data meta tkun ġiet sottomessa lill-korp li japprova jew f'dak iż-żmien itwal skond kif ikun meħtieġ mill-korp li japprova fejn iċ-ċirkostanzi hekk jitolbu, sakemm il-bilanċi kollha mhux ikkontestati u dovuti ta' l-eko-kontribuzzjoni jkunu tħallsu.

(5) Fl-ipproċessar ta' talba għal rifużjoni taħt dawn ir-regolamenti, il-korp li japprova jista' jitlob lill-produttur sabiex jissottometti aktar dettalji dwar it-tagħrif mogħti fl-applikazzjoni fir-rigward tal-kwantità ta' prodotti mqiegħda fis-suq u ta' l-ammont ta' skart irkuprat.

Notamenti u dikjarazzjonijiet .

7. Mingħajr ħsara għal dak li ntqal hawn fuq, produttur li jagħmel talba għal rifużjoni skond ir-regolament 6, ikun fid-dmir li:

(a) iżomm, għall-prodotti kollha li dwarhom issir talba, notamenti preċiżi dwar iċ-ċaqliq ta' l-prodott;

(b) jagħti l-kunsens tiegħu u josserva t-talbiet kollha għall-monitoraġġ, kontroll u jissottometti għall-ispezzjoni kull notament bħal dak u kull dokument ieħor li għandu x'jaqsam ma' l-irkupru ta' l-iskart mill-prodotti; u

(ċ) jassigura l-ħarsien tal-ħtiġiet kollha ta' l-Att u tar-regolamenti u ta' dawk it-talbiet l-oħra magħmula mill-korp li japprova.

Talba mhux korretta għal rifużjoni.

8. (1) Meta talba għal rifużjoni jkollha tagħrif falz jew mhux korrett, u dak li jkun ma jikkorreġġix dik it-talba skond kif jipprovdu d-disposizzjonijiet ta' dan ir-regolament, dik il-persuna teħel penali amministrattiva daqs l-ammont tar-rifużjoni mitluba:

Iżda fejn dik ir-rifużjoni ma tlaħħaqx il-mitt liri Maltin (Lm 100), il-penali amministrattiva tkun ta' mitt liri Maltin (Lm 100).

(2) Produttur li jkun għamel xi forma ta' dikjarazzjoni mhux korretta f'talba għal rifuzjoni għal xi perjodu jista' jikkoreġi l-imsemmija talba bl-għoti ta' formola kkoreġuta ta' talba mhux aktar tard minn għaxart ijiem minn meta t-talba li jkollha d-dikjarazzjoni mhux korretta tkun ingħatat lill-korp li japprova, b'indikazzjoni ċara li t-talba aġġustata qegħda tieħu post it-talba magħmula qabel:

Iżda l-korp li japprova jista', fejn iċ-ċirkostanzi hekk jitolbu u fid-diskrezzjoni assoluta tiegħu, itawwal iż-żmien imsemmi hawn fuq u jaċċetta talba aġġustata magħmula minn persuna wara ż-żmien stipulat:

Iżda fejn produttur jikkoreġi talba fiż-żmien stipulat, huwa b'danakollu jeħel penali amministrattiva ta' mitt Liri Maltin (Lm 100).

Talbiet qarrieqa.

9. (1) Meta rifużjoni tinkiseb b'mod frawdolenti jew b'kull mod ieħor irregolari, għandha titħallas penali amministrattiva daqs għoxrin fil-mija ta' l-ammont riċevut indebitament, flimkien ma' l-imgħax ta' wieħed fil-mija fix-xahar jew parti minnu liema imgħax jiddekorri mid-data tal-ħlas ta' l-ammont riċevut indebitament sad-data ta' meta dak l-ammont flimkien mal-penali amministrattiva u l-imgħax jitħallsu lura lill-korp li japprova:

Iżda l-ammont ta' dik il-penali amministrattiva u l-imgħax flimkien ma jistax jaqbeż l-ammont miksub b'mod frawdolenti jew b'kull mod ieħor irregolari.

(2) Meta tkun inkisbet rifużjoni b'mod frawdolenti jew b'kull mod ieħor irregolari, il-korp li japprova jgħaddi direttament sabiex jiġbor l-ammonti mħallsa ħażin u kull penali u mgħax imposti.

(3) Meta tkun ġiet imposta penali amministrattiva u sar dovut l-imgħax, iżda jkun għadu ma tħallasx, il-korp li japprova għandu jwaqqaf kull rifużjoni oħra lill-produttur in kwistjoni sakemm jitħallas.

Responsabbiltà u penalitajiet amministrattivi.

10. Kull ammont ta' penali amministrattiva dovut minn persuna taħt dawn ir-regolamenti ma jeħlisx lil dik il-persuna minn penali akbar jew oħra li għaliha jista' jkun sar jew ser isir responsabbli skond xi disposizzjoni ta' l-Att jew tar-regolamenti magħmula bis-saħħa tiegħu.

Infurzar.

11. Id-disposizzjonijiet tat-Taqsima VI u t-Taqsima VII ta' l-Att għandhom japplikaw fir-rigward ta' penalitajiet amministrattivi imposti skond dawn ir-regolamenti u kull referenza hemmhekk għall-"awtorità" jew għall-"awtorità kompetenti" għandha tinftiehem bħala referenza għall-"korp li japprova".

L-EWWEL SKEDA

Grupp ta' Prodotti

Regola ta' Interpretazzjoni

(1) In-Numri tal-Kodiċi HS murija fit-tieni kolonna tat-tabella hawn taħt huma bbażati fuq il-klassifikazzjoni ta' oġġetti fis-Sistema Armonizzata ta' Deskrizzjoni ta' Oġġetti u Kodifikazzjoni ta' l-1983 ippubblikata mill-Kunsill għall-Koperazzjoni Doganali, Brussel.

(2) Il-prodotti li jaqgħu taħt in-Numri tal-Kodiċi HS murija fit-tabella ta' hawn taħt huma deskritti fl-Ewwel Skeda ta' l-Att, liema deskrizzjonijiet huma msejsa fuq in-nomenklatura għas-Sistema Armonizzata u għandhom jiġu interpretati konformement man-Notamenti ta' Spjegazzjoni għas-Sistema Armonizzata, ippubblikati mill-Kunsill għall-Koperazzjoni Doganali, Brussel.

(3) Sakemm ma jkunx provdut xort'oħra f'din l-Iskeda, prodotti lesti biss li jaqgħu taħt in-Numri tal-Kodiċi HS murija fit-tieni kolonna tat-tabella ta' hawn taħt jitqiesu li jaqgħu fi taħt il-grupp rispettiv ta' prodotti murija fl-ewwel kolonna tat-tabella ta' hawn taħt.

Grupp ta' prodotti	**Numru tal-Kodiċi HS**
Ħġieġ	2201, 2202, 2203, 2204, 2205, 2206, 2208, 3923, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Plastik	2201, 2202, 2203, 2204, 2205, 2206, 2208, 3923, 39231000, 39241000, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Metall	2201, 2202, 2203, 2204, 2205, 2206, 2208, 3923, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Munizzjon	9306
Imtieraħ	940421, 940429
Imħaded, lożor	940430, 940490
Tyres	4011, 4012
Batteriji u akkumulaturi	8506, 8507
Żjut	27101971, 27101975, 27101981, 27101983, 27101985, 27101987, 27101991, 27101993, 27101999
Żejt jew filtri tal-karburant	842123
Apparat kbir (tad-dar)	8415, 8418, 841850, 8419, 84221100, 8450, 8472, 8476, 85165000, 851660, 7321
Apparat żgħir tad-dar	85161011, 85161019, 84191100, 84191900
Moniters u CRT	8528, 85281256, 85281258, 84716090
Apparat ta' l-IT u tat-telekomunikazzjoni	3215, 8470, 847050, 847090, 8471, 847210, 847220, 8473, 85252091, 8517, 9009

IT-TIENI SKEDA

Rata ta' Perċentwali ta' Rkupru

Rata ta' Rkupru (%)	**Rifużjoni (%)**
25 - 29	5
30 - 34	15
35 - 39	30
40 - 44	40
45 - 49	50
50 - 54	60
55 - 59	70
60 - 64	75
65 - 69	80
70 - 74	90
75 - 79	95
80 jew aktar	100

IT-TIELET SKEDA

Figuri ta' Rifużjoni

Grupp	**Rifużjoni (Lm/tunnellata metrika)**
Ħġieġ	42
Plastik	513
Metall	210
Munizzjon	2,650
Imtieraħ	80
Imħaded, lożor	267
Tyres	287
Batteriji u akkumulaturi	22
Żjut	200
Żejt jew filtri tal-karburant	101
Apparat kbir (tad-dar)	377
Apparat żgħir tad-dar	190
Moniters u CRT	397
Apparat ta' l-IT u tat-telekomunikazzjoni	5268

L.N. of 2007

ECO-CONTRIBUTION ACT
(CAP. 473)

Waste Recovery Scheme Regulations, 2007

IN exercise of the powers conferred by articles 12 and 13 of the Eco-Contribution Act, 2004 hereinafter referred to as "the Act", the Minister for Rural Affairs and the Environment in concurrence with the Prime Minister and Minister of Finance, has made the following regulations:-

Citation, commencement and scope.

1. (1) The title of these regulations is the Waste Recovery Scheme Regulations, 2007.

(2) These regulations shall come into force on the ……

(3) These regulations provide additional measures, procedures and guidance to the Act, which aim, as a first priority to regulate the granting of refunds in respect of eco-contribution paid by producers who participate in the recovery of waste through approved schemes.

Interpretation.

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

"Approved Waste Recovery Facility" means a facility approved in terms of these regulations by the Approving Body as being engaged in the recovery of waste;

"Approving Body" means the Malta Environment and Planning Authority, or such other body or person as the Minister responsible for waste management may by order in the Gazette prescribe;

"eco-contribution" or "contribution" means the eco-contribution imposed by the Act;

"the Minister" means the Minister responsible for waste management and includes, to the extent of the authority given, any person authorised in that behalf for any purpose of the Act;

"producer" has the same meaning assigned to it by the Act;

"products" means products on which eco-contribution is payable;

"recovery of waste" has the same meaning assigned to it by the Act;

"scheme" or "waste recovery scheme" means a system through which a producer can demonstrate the recovery of waste of the products which he places on the market;

"waste" has the same meaning assigned to it by the Act.

Recovery of waste.

3. In cases of recovery of waste from products on which an eco-contribution is paid in terms of the Act, the producers of those products may, in accordance with these regulations, be granted a refund of the eco-contribution paid thereon, in whole or in part thereof.

Refund mechanism.

4. (1) A producer who participates in a waste recovery scheme shall be entitled to a refund of the eco-contribution paid, in whole or in part, on products which fall within the clusters of products shown in the First Schedule.

(2) The amount of the refund shall be calculated on the basis of the percentage of the waste recovered, in terms of the Second Schedule, and the refund values per cluster shown in the Third Schedule.

(3) The amount of eco-contribution which may be refunded to a producer in respect of any period for which a claim is made in terms of these regulations, may never exceed the eco-contribution which has been paid on products falling within the same cluster of products, as found in the First Schedule, in respect of which waste has been recovered, in the calendar year preceding the year in which a claim is made.

(4) Refunds due to a producer in terms of these regulations shall be paid by the Minister before the end of the lapse of six months from the date on which a valid claim for a refund in terms of regulation 6 is made.

Waste Recovery Facilities Public Register.

5. (1) The approving body shall receive applications from waste recovery facilities to be approved and accredited to the Waste Recovery Facilities Public Register.

(2) The criteria upon which the approving body shall assess all applications made under this regulation shall include:

(a) possession of a valid waste management permit for waste recovery issued by the approving body;
(b) reporting on an annual basis to the approving body of the quantities and type of waste being recovered in the facility;
(c) having adequate systems to maintain an audit-trail of all waste recovered; and
(d) any other conditions as may be prescribed by the approving body.

(3) A waste recovery facility shall be deemed approved for the purposes of these regulations from the date on which the Approving Body enters the name of the facility in the Waste Recovery Facilities Public Register.

(4) A facility, once entered in the Waste Recovery Facilities Public Register, shall remain so registered so long as it complies with all criteria established by the Approving Body as stipulated in sub-regulation (2).

Claim for refund.

6. (1) A claim for a refund of the eco-contribution paid may only be made by a producer.

(2) A claim shall be made on the form prescribed by the approving body or on such other form approved by the Approving Body and shall be accompanied by a declaration issued by an approved waste recovery facility confirming the quantity of waste recovered from the products furnished by a producer.

(3) A claim shall be made by no later than the 31st day of March of each year claiming a refund, in whole or in part, in respect of the eco-contribution paid during the preceding calendar year on a cluster of products placed on the market:

Provided that any claims for refunds in respect of the eco-contribution paid during 2005 and 2006 may be made by no later than the 30th day of September 2007:

Provided further that the Approving Body may accept to process any applications for a refund filed beyond the prescribed date where circumstances so warrant.

(4) The Approving Body shall process a valid claim made within a period of three months from its date of submission to the approving body or such other longer period as may be required by the Approving Body where the circumstances so warrant, provided all uncontested eco-contribution balances due have been paid.

(5) In processing an application for a refund under these regulations, the Approving Body may request the producer to submit further details on the information provided in the application relative to the quantity of the products placed on the market and of the quantity of waste recovered.

Records and statements.

7. Without prejudice to the foregoing, a producer making a claim for a refund in terms of regulation 6, shall be required to:

(a) maintain, for all products in respect of which a claim is made, accurate records of product movements;

(b) consent and comply with all requests to monitor, check and produce for inspection any such records and any other documents relative to the recovery of waste from the products; and

(c) ensure compliance with all requirements of the Act and of the regulations and with such other requests made by the approving body.

Incorrect claim for refund.

8. (1) Where a claim for a refund contains false or incorrect information, and that person does not correct such claim in accordance with the provisions of this regulation, such person shall be liable to an administrative penalty equivalent to the amount of the refund being claimed:

Provided that where such refund does not amount to one hundred Maltese Liri (Lm 100), the administrative penalty shall be of one hundred Maltese Liri (Lm 100).

(2) A producer who has made any form of incorrect statement in a claim for a refund for any period may correct the said claim by the delivery of a corrected claim form not later than ten days from when the claim containing the incorrect statement was furnished to the Approving Body, clearly indicating that the adjusted claim form replaces the claim furnished earlier:

Provided that the approving body may, where circumstances so warrant and in its absolute discretion, extend the period indicated above and accept an adjusted claim furnished by a person beyond the stipulated time period.

Provided that where a producer corrects a claim within the stipulated time period, he shall nonetheless be liable to an administrative penalty of one hundred Maltese Liri.

Fraudulent claims

(9) (1) Where a refund is obtained in a fraudulent or any other irregular manner, an administrative penalty equivalent to twenty per cent of the amount unduly received shall become due, together with interest at the rate of one per cent per month or part thereof which interest shall start to run from the date of payment of the amount unduly received to the date when such amount together with the administrative penalty and interest is paid back to the Approving Body:

Provided that the amount of such administrative penalty and interest taken together shall not exceed the amount obtained in a fraudulent or any other irregular manner.

(2) Where a refund has been obtained in a fraudulent or in any other irregular manner, the Approving Body shall proceed directly to recover the amounts wrongly paid and any penalties and interest imposed.

(3) Where an administrative penalty had been imposed and interest has become due, but has not been paid, the Approving Body shall suspend any further refund to the producer concerned until it has been paid.

Liability and administrative penalties

10. Any amount of administrative penalty due by a person under these Regulations shall not relieve that person from a higher or a further penalty to which he may have become or may become liable in terms of any provisions of the Act or regulations made thereunder.

Enforcement.

11. The provisions of Part VI and Part VII of the Act shall apply in respect of administrative penalties imposed in terms of these regulations and all reference therein to the "authority" or "Competent Authority" shall be replaced by a reference to the "Approving Body".

FIRST SCHEDULE

Clusters of Products

Rule for Interpretation

(1) The HS Code Numbers shown in the second column of the table below are based on the classification of goods in the Harmonized Commodity Description and Coding System, 1983 published by the Customs Co-Operation Council, Brussels.

(2) The products falling under the HS Code Numbers indicated in the table below are described in the First Schedule to the Act which descriptions are based on the nomenclature for the Harmonized System and shall be interpreted in accordance with the Explanatory Notes to the Harmonized System, published by the Customs Co-Operation Council, Brussels.

(3) Unless otherwise provided in this Schedule, only finished products falling within the HS Code Numbers indicated in the second column of the table below shall be deemed to fall within the respective cluster of products indicated in the first column of the table below.

Clusters of products	**HS Code Number**
Glass	2201, 2202, 2203, 2204, 2205,2206, 2208, 3923, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Plastic	2201, 2202, 2203, 2204, 2205,2206, 2208, 3923, 39231000, 39241000, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Metal	2201, 2202, 2203, 2204, 2205,2206, 2208, 3923, 7010, 7612, 3303, 3304, 3305, 33051000, 3306, 3307, 3402
Ammunition	9306
Mattresses	940421, 940429
Sleeping bags, bedding	940430, 940490
Tyres	4011, 4012
Batteries and accumulators	8506, 8507
Oils	27101971, 27101975, 27101981, 27101983, 27101985, 27101987, 27101991, 27101993, 27101999
Oil or petrol filters	842123
Large (household) appliances	8415, 8418, 841850, 8419, 84221100, 8450, 8472, 8476, 85165000, 851660, 7321
Small household appliances	85161011, 85161019, 84191100, 84191900
Monitors and CRTs	8528, 85281256, 85281258, 84716090
IT and telecommunication equipment	3215, 8470, 847050, 847090, 8471, 847210, 847220, 8473, 85252091, 8517, 9009

SECOND SCHEDULE

Percentage Recovery Rate

Recovery Rate (%)	**Refund (%)**
25 - 29	5
30 - 34	15
35 - 39	30
40 - 44	40
45 - 49	50
50 - 54	60
55 - 59	70
60 - 64	75
65 - 69	80
70 - 74	90
75 - 79	95
80 or more	100

THIRD SCHEDULE

Refund values

Cluster	**Refund (Lm/tonne)**
Glass	42
Plastic	513
Metal	210
Ammunition	2,650
Mattresses	80
Sleeping bags, bedding	267
Tyres	287
Batteries and accumulators	22
Oils	200
Oil or petrol filters	101
Large (household) appliances	377
Small (household) appliances	190
Monitors and CRTs	397
IT and telecommunication equipment	5268

Nru. 1106

ATT DWAR IS-SIGURTÀ SOĊJALI
(KAP. 318)

Ħatra ta' Membri tal-Bord għall-Għajnuna Soċjali

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 128 ta' l-Att dwar is-Sigurtà Soċjali (Kap. 318.) u għall-finijiet ta' dak l-Att, il-Ministru għall-Familja u Solidarjetà Soċjali approvat li l-Bord għall-Għajnuna Soċjali mwaqqaf skond l-Att hawn fuq imsemmi, ikun magħmul kif ġej:

Chairman
Id-Direttur Ġenerali (Sigurtà Soċjali) jew rappreżentant tiegħu

Membri
L-Onor. Fredrick Azzopardi, M.P.
L-Onor. Karl J. Chircop, M.P.
Is-Sur Philip Bonnici
Is-Sinjura Doreen Camilleri
Is-Sur Leone Fenech
Is-Sur Anthony Micallef Debono

Segretarju
Is-Sur Alfred Portelli

Din il-ħatra hi valida għall-perjodu ta' sena b'seħħ mill-1 ta' Jannar, 2008.

In-Notifikazzjonijiet tal-Gvern dwar l-istess suġġett u li saru qabel huma b'din imħassra.

It-18 ta' Diċembru, 2007

No. 1106

SOCIAL SECURITY ACT
(CAP. 318)

Appointment of Members of the Social Assistance Board

IN exercise of the powers conferred by article 128 of the Social Security Act (Cap. 318) and for the purposes of that Act, the Minister for the Family and Social Solidarity has approved that the Social Assistance Board established by and under the aforesaid Act, be composed as follows:

Chairman
The Director General (Social Security) or his representative

Members
The Hon. Fredrick Azzopardi, M.P.
The Hon. Karl J. Chircop, M.P.
Mr Philip Bonnici
Ms Doreen Camilleri
Mr Leone Fenech
Mr Anthony Micallef Debono

Secretary
Mr Alfred Portelli

This appointment is valid for a period of one year with effect from the 1st January, 2008.

Previous Government Notices concerning the same matter are hereby revoked.

18th December, 2007

Nru. 1107

ID-DIRETTUR ĠENERALI (KUMMERĊ) JERĠA' LURA FUQ DMIRIJIETU

NGĦARRFU għall-informazzjoni ta' kulħadd illi s-Sur Godwin Warr, Direttur Ġenerali (Kummerċ), reġa daħal għal dmirijietu fis-17 ta' Diċembru, 2007 u l-arranġamenti magħmulin bin-Notifikazzjoni tal-Gvern Nru. 1060 tas-7 ta' Diċembru, 2007, huma b'din imħassrin.

It-18 ta' Diċembru, 2007

No. 1107

RESUMPTION OF DUTIES BY THE DIRECTOR GENERAL (COMMERCE)

IT is notified for general information that Mr Godwin Warr, Director General (Commerce), resumed duties on the 17th December, 2007 and the arrangements made by Government Notice No. 1060 of the 7th December, 2007, are hereby being cancelled.

18th December, 2007

Nru. 1108

MINISTERU GĦALL-AFFARIJIET RURALI U L-AMBJENT

Approvazzjoni ta' Programmi Operattivi ta' l-Għaqdiet tal-Produtturi

NGĦARRFU b'din għall-informazzjoni ta' kulħadd illi fis-7 ta' Diċembru, 2007, id-Direttur ta' l-Agrikoltura, skond id-dispożizzjoni tal-Kap. 447 u tar-Regolamenti ta' l-2004 dwar l-Għaqdiet tal-Produtturi fl-Oqsma tal-Ħaxix u l-Frott, approva l-programm operattiv għas-sena 2008 ippreżentat mill-Għaqda tal-Produtturi GOMRIZA bl-indirizz uffiċjali Shed 3, Pitkalija, Ta' Qali, Ħ'Attard.

Il-programm operattiv jirreferi għas-snin 2006-2008 u jinkludi programm dettaljat għas-sena 2008.

It-18 ta' Diċembru, 2007

No. 1108

MINISTRY FOR RURAL AFFAIRS AND THE ENVIRONMENT

Approval of Operational Programmes of Producer Organisations

IT is hereby notified for general information that in accordance with Cap. 447, and the Fruit and Vegetable Producer Organisations Regulations 2004, the Director of Agriculture has on the 7th December, 2007 approved the operational programme for the year 2008 submitted by the Producer Organisation Għaqda tal-Produtturi GOMRIZA of Fruit and Vegetable Market, Shed 3, Ta' Qali, Attard.

The operational programme relates to the years 2006-2008 and includes a detailed programme for the year 2008.

18th December, 2007

Nru. 1109

MINISTERU GĦALL-AFFARIJIET RURALI U L-AMBJENT

Approvazzjoni ta' Programmi Operattivi ta' l-Għaqdiet tal-Produtturi

NGĦARRFU b'din għall-informazzjoni ta' kulħadd illi fl-14 ta' Diċembru, 2007, id-Direttur ta' l-Agrikoltura, skond id-dispożizzjoni tal-Kap. 447 u tar-Regolamenti ta' l-2004 dwar l-Għaqdiet tal-Produtturi fl-Oqsma tal-Ħaxix u l-Frott, approva l-programm operattiv għas-sena 2008 ippreżentat mill-Għaqda tal-Produtturi GOZITANO Ltd' bl-indirizz uffiċjali Gozitano Building, Mġarr Road, Xewkija, Għawdex.

Il-programm operattiv jirreferi għas-snin 2005-2009 u jinkludi programm dettaljat għas-sena 2008.

It-18 ta' Diċembru, 2007

No. 1109

MINISTRY FOR RURAL AFFAIRS AND THE ENVIRONMENT

Approval of Operational Programmes of Producer Organisations

IT is hereby notified for general information that in accordance with Cap. 447, and the Fruit and Vegetable Producer Organisations Regulations 2004, the Director of Agriculture has on the 14th December, 2007 approved the operational programme for the year 2008 submitted by the Producer Organisation Għaqda tal-Produtturi GOZITANO Ltd' of Gozitano Building, Mġarr Road, Xewkija, Gozo.

The operational programme relates to the years 2005-2009 and includes a detailed programme for the year 2008.

18th December, 2007

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