No. 1021

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes[1] – Farm Advisory Services (Amendment) Regulations, 2024

1. Introduction

The title of these regulations is the Farm Advisory Services (Amendment) Regulations, 2024 (hereinafter referred to as the "regulations").

This document concerns the amendment of the Farm Advisory Services Regulations (S.L. 117. 39) and the said regulations have been drafted by the Agriculture and Rural Payments Agency (ARPA) within the Ministry for Agriculture, Fisheries and Animal Rights (MAFA).

2. Summary and background

The current Farm Advisory Services Regulations (S.L. 117.39) require updates in order to ensure conformity with the new Common Agricultural Policy (CAP) legislation 2023-2027, thereby updating references to outdated European Union legislation ((Regulation (EU) No 1306/2013 has been repealed by Regulations (EU) No 2021/2115 and 2021/2116)), as well as clarification of certain definitions and terminology utilised in line with actual implementation.

Terms such as "registered" and "registration" are being replaced with "recognised" and "recognition" as appropriate, while clarifications concerning the designation and composition of the Farm Advisory Services Recognition Board have also been included. Conditions for the recognition of farm advisory services and the responsibilities thereof have also been clarified as required.

The ultimate scope of these regulations is to ensure continued implementation of the farm advisory services under the EU's Common Agricultural Policy (CAP) in Malta.

3. Overview of the structure of the instrument

The regulations consist of twenty-three (23) regulations which outline the amendments to be made to the Farm Advisory Services Regulations (S.L. 117. 39).

4. Commentary on parts and regulations

The amendments to the regulations mainly concern:

(a) updating the relevant legislative references with regards to EU Regulations to align them with the new Common Agricultural Policy (CAP) legislation 2023-2027;

(b) amend the name of the Farm Advisory Services Recognition Board and introduce new provisions which clarify the composition of the Board;

[1]These Explanatory Notes are for the purpose of and in accordance with article 3(2)(c) of the Small Business Act (Chapter 512 of the Laws of Malta).

(c) updating accordingly the advisory areas to be recognised by the Farm Advisory Services Recognition Board in accordance with the applicable EU Regulations;

(d) the carrying out of other necessary amendments.

5. Concluding section

These regulations shall come into force within two (2) months from their publication in the Government Gazette.

For further information please contact: the Agriculture and Rural Payments Agency via telephone on 22926148 or via email sent to (arpa.mafa@gov.mt).

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

9th August, 2024

User Guidelines – Farm Advisory Services (Amendment) Regulations, 2024

1. Introduction

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This document concerns the amendment of the Farm Advisory Services Regulations (S.L. 117. 39) and the said regulations have been drafted by the Agriculture and Rural Payments Agency (ARPA) within the Ministry for Agriculture, Fisheries and Animal Rights (MAFA).

The current Farm Advisory Services Regulations (S.L. 117.39) require updates in order to ensure conformity with the new Common Agricultural Policy (CAP) legislation 2023-2027, thereby updating references to outdated European Union legislation ((Regulation (EU) No 1306/2013 has been repealed by Regulations (EU) No 2021/2115 and 2021/2116)), as well as clarification of certain definitions and terminology utilised in line with actual implementation.

The ultimate scope of these regulations is to ensure continued implementation of the farm advisory services under the EU's Common Agricultural Policy (CAP) in Malta.

2. Target Audience

These user guidelines are intended to provide useful information concerning these amendment regulations for interested farm advisory service providers, including conditions and requirements for recognition of such service providers.

3. Applicability

The regulations consist of twenty-three (23) regulations which outline the amendments to be made to the Farm Advisory Services Regulations (S.L. 117. 39).

Certain conditions apply to the setting up and composition of the farm advisory services recognition board and responsibilities thereof.

Other amendments concern recognised or interested farm advisory service providers seeking recognition to provide technical advice to farmers as required under the EU's Common Agricultural Policy (CAP).

4. Compliance

The amendments to the regulations mainly concern:

(a) updating the relevant legislative references with regards to EU Regulations to align them with the new Common Agricultural Policy (CAP) legislation 2023-2027;

(b) amend the name of the Farm Advisory Services Recognition Board and introduce new provisions which clarify the composition of the Board;

(c) updating accordingly the advisory areas to be recognised by the Farm Advisory Services Recognition Board in accordance with the applicable EU Regulations;

(d) the carrying out of other necessary amendments.

Recognised farm advisory services or interested farm advisory service providers seeking to gain recognition shall respect the conditions stipulated in these regulations at all times.

5. Responsibilities of the Regulator

The regulator is the Competent Authority identified by these regulations, namely the Agriculture and Rural Payments Agency (ARPA) within the Ministry responsible for agriculture. The Competent Authority has the responsibility to nominate the secretary to the Farm Advisory Services Recognition Board.

Furthermore, the Competent Authority also serves the role of Malta's paying agency in the implementation of EU funded schemes emanating from the EU's Common Agricultural Policy (CAP) as set out under Malta's CAP Strategic Plan 2023-2027.

6. Contact

For further information concerning these guidelines and the applicable amendment regulations, one may contact the regulator via telephone on 22926148 or via email sent to (arpa.mafa@gov.mt).

N.B. These User Guidelines are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. Any errors or omissions in these guidelines will not exempt users from compliance required by the applicable law as published.