Anness

(għall-finijiet tal-paragrafu (vi) tal-Iskeda III tal-Kapitolu 512 tal-Liġijiet ta' Malta)

Noti ta' Traspożizzjoni għat-traspożizzjoni tal-elementi ewlenin tad-Direttiva.

Id-Direttiva (UE) 2023/2673 u n-numru tal-Artikolu	Regolamenti emendatorji	Data ta' applikabbilità
Artikolu 1(1)(b)	Regolament 2	19 ta' Ġunju 2026
Artikolu 1(2)	Regolament 3	19 ta' Ġunju 2026
Artikolu 1(3)	Regolament 4	19 ta' Ġunju 2026
Anness 1	Regolament 5	19 ta' Ġunju 2026

No. 735

MALTA COMPETITION AND CONSUMER AFFAIRS AUTHORITY

Explanatory Notes[1]

1. Introduction

Title of Regulations	Consumer Rights (Amendment) Regulations, 2026 (hereinafter referred to as the "regulations")
Activity to be regulated	Exercising the right of withdrawal via an online interface and financial services contracts concluded at a distance
Responsible entity	Office for Consumer Affairs (OCA) within the Malta Competition and Consumer Affairs Authority (MCCAA)

2. Summary and background

2.1 Aims & Objectives of the legislation

Directive (EU) 2023/2673 of the European Parliament and of the Council of 22 November 2023 amending Directive 2011/83 as regards financial services contracts concluded at a distance and repealing Directive 2002/65/EC (hereinafter referred to as "Directive (EU) 2023/2673"), extends the scope of certain provisions of Directive 2011/83/EU to cover financial services contracts concluded between a consumer and a trader at a distance, and introduces a dedicated chapter laying down rules applicable to financial services contracts concluded at a distance with the view of ensuring clarity and legal certainty for contracting parties.

In Malta, the provisions related to financial services contracts, including Articles 1 and 2, Article 3(2), (5) and (6), Article 4, Article 6a, Article 8(6), Article 11a, Articles 16a to 16e, Article 19, Articles 21 to 23, Article 24(1) and (6), Articles 25 to 27 and Article 29 of Directive 2011/83/EU, will fall under the responsibility of the Malta Financial Services Authority and will be transposed into national legislation under its regulatory framework.

Directive (EU) 2023/2673 also introduces new provisions on the right of withdrawal for distance contracts concluded via an online interface. These regulations transpose the provisions of Directive (EU) 2023/2673 requiring traders to provide a clearly labelled and continuously available withdrawal function, allowing consumers to submit an online withdrawal statement. Upon submission, a confirmation function must be provided and traders must promptly acknowledge receipt on a durable medium, including the date and time of submission.

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

These regulations are amending the Consumer Rights Regulations (S.L. 378.17).

Directive (EU) 2023/2673 can be accessed through the following links:

https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202302673

https://eur-lex.europa.eu/legal-content/MT/TXT/HTML/?uri=OJ:L_202302673

2.2 Importance of legislation

To transpose the provisions of Directive (EU) 2023/2673 in order to enhance transparency and consumer protection by introducing provisions on withdrawal procedures, pre-contractual information, and safeguards that ultimately protect consumers against deceptive online practices.

3. Overview of the structure of the instrument

The proposed regulations consist of five (5) regulations.

4. Commentary

Regulation No. of draft L.N.	Meaning & obligations placed on user
1-Citation, scope and commencement	Regulation 1 provides the title and the scope of the regulations that is to transpose the provisions of Directive (EU) 2023/2673 amending Directive 2011/83/EU as regards financial services contracts concluded at a distance and repealing Directive 2002/65/EC. These regulations shall come into force on 19 June 2026.
2-Amends regulation 3 of the principal regulations	Regulation 2 provides that the principal regulations shall not apply to financial services unless otherwise provided for in any other law regulating financial services contracts concluded at a distance.
3- Amends regulation 5 of the principal regulations	Regulation 3 states that where a right of withdrawal exists for a distance contract, the trader must provide the consumer with the conditions, time limit and procedures for its exercise, and the model withdrawal form. Where applicable the trader may also be required to provide the consumer with information about the existence and placement of the withdrawal function.
4- Exercise of the right of withdrawal from distance contracts concluded by the means of an online interface	Sub-regulation (1) lays down rules on the accessibility and availability of the withdrawal function for the consumer. Sub-regulation (2) establishes that the withdrawal function must allow consumers to easily send an online withdrawal statement to the trader that includes the consumer's name, identification of contract to be withdrawn from, and the electronic means by which the consumer will receive confirmation. Sub-regulation (3) specifies that the trader shall enable the consumer to submit an online withdrawal via the means of a confirmation function that shall be clear and easily legible. Sub-regulation (4) sets out the responsibility of the trader to send an acknowledgement of receipt of withdrawal to the consumer. Sub-regulation (5) establishes that in cases where the right of withdrawal is exercised within the relevant withdrawal period, the consumer shall be considered to have exercised such right.
5- Amends the Schedule to the principal regulations	Item [3] of Part A highlights that where online withdrawal functions are offered to consumers due to an obligation to do so, then the internet address or explanation of where the withdrawal function is found must be provided. Where the option is given to the consumer to electronically fill in and submit information about the withdrawal, then the website where it can be found must be provided. An acknowledgement of receipt must be provided in both cases.

5. Concluding Section

These regulations shall come into force on 19 June 2026.

Should more information be required, kindly contact the Office for Consumer Affairs within the Malta Competition and Consumer Affairs Authority.

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.

5th May, 2026

Annex

(for the purpose of paragraph (vi) of Schedule III of Chapter 512 of the Laws of Malta)

Transposition Notes for the implementation of the main elements of Directive (EU) 2023/2673

Directive (UE) 2023/2673 Article number	Implementing regulations	Applicability date
Article 1(1)(b)	Regulation 2	19 June 2026
Article 1(2)	Regulation 3	19 June 2026
Article 1(3)	Regulation 4	19 June 2026
Article 1	Regulation 5	19 June 2026

Nru. 736

ATT DWAR L-AGRIKOLTURA (KAP. 639)

Regolamenti dwar il-Protezzjoni tal-Art Agrikola (L.S. 639.13)

Avviż ta' Miżuri Protettivi Addizzjonali taħt ir-Regolament 7

BIS-SAĦĦA tas-setgħat mogħtija mir-regolament 7 tar-Regolamenti dwar il-Protezzjoni tal-Art Agrikola (Leġiżlazzjoni Sussidjarja 639.13), u bl-għan li jiġi limitat jew evitat id-degradament tal-art agrikola, il-Ministru għall-Agrikoltura, is-Sajd u d-Drittijiet tal-Annimali, f'konsultazzjoni mad-Direttur, b'dan jippreskrivi l-obbligi, il-miżuri u r-rekwiżiti temporanji addizzjonali li ġejjin:

1. Dan l-Avviż għandu japplika f'każijiet fejn art agrikola, fil-fatt u fuq bażi temporanja, tintuża għal attivitajiet relatati mal-ħruq tal-logħob tan-nar skont L.S. 33.03,

2. L-iskop ta' dan l-Avviż huwa biss li jistabbilixxi miżuri u obbligi protettivi addizzjonali mmirati biex jissalvagwardjaw l-integrità agronomika u l-kundizzjoni ambjentali tal-art agrikola.

3. F'dan l-Avviż, sakemm il-kuntest ma jirrikjedix mod ieħor –

No. 736

AGRICULTURE ACT (CAP. 639)

Protection of Agricultural Land Regulations (S.L. 639.13)

Notice of Additional Protective Measures under Regulation 7

IN EXERCISE of the powers conferred by regulation 7 of the Protection of Agricultural Land Regulations (Subsidiary Legislation 639.13), and for the purpose of limiting or avoiding the degradation of agricultural land, the Minister for Agriculture, Fisheries and Animal Rights, in consultation with the Director, hereby prescribes the following additional temporary obligations, measures and requirements:

1. This Notice shall apply in cases where agricultural land is, in fact and on a temporary basis, made use of for activities connected with the discharge of fireworks in line with SL33.03;

2. The purpose of this Notice is solely to establish additional protective measures and obligations aimed at safeguarding the agronomic integrity and environmental condition of agricultural land.

3. In this Notice, unless the context otherwise requires –