

# The Malta Crafts Act

## Public Consultation

### 1. Introduction

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During the last five years local artisans were given the opportunity to participate in 180 fairs in across the Maltese Islands, 50 of these, together with a number of exhibitions were directly organised and funded by the Ministry for the Economy Investment and Small Business through the Commerce Department. In addition financial assistance was provided to enable annual participation in Europe's largest artisan fair -L' Artigiano in Fiera- while : €365,000 was disbursed via the "Premju Ġieħ l-Artiġjanat Malti" awards held every year in recognition of innovative artisan products and initiatives to promote crafts, measures aimed at increasing inclusivity and integration through crafts as well as artisans with a long career dedicated to crafts.

The above was complemented the Commerce Department launching the "Malta Crafts Mobile Application" and a new certification tag for artisanal products with a quick response code (QR Code) individually assigned to registered artisans. This code, once scanned via the mobile app can link the customer to the artisans' site on the new mobile responsive Malta Crafts portal, which went live in 2018, providing not only details and the business location of the craftspersons but also a shop window to their other works.

It is worth noting that within context the Ministry for the Economy Investment and Small Business spearheading a 10 million euro EU funded project aimed at converting the "Ta' Qali Crafts VillageW" into a centre of excellence for the country's artisanal skills.

All the above actions and initiatives have been aimed at enhancing and sustaining the craft sector. It is with this frame of mind that Government is now proposing a new Malta Crafts Act with the scope of revising the national set up relating to the promotion, preservation and appreciation of local crafts and in doing so replacing the Malta Crafts Council Act.

## **2. Background**

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Currently the main legislation concerning crafts is the Malta Crafts Council Act (Cap 421) which however focuses more on the operations of the Malta Crafts Council rather than crafts, vesting it with a number of functions, powers and duties related to craft. The Act stipulates that the Council is to be made up of a number of representatives of various ministries and three representatives to be elected by and from among craftsmen registered with the Council.

Regretfully, since the enactment of the Act in question, it has always been difficult to find artisans who were in a position to participate in the Council elections. Moreover since those who got elected practised specific crafts there frequently was an inadequate representation of the crafts spectrum. This shortcoming resulted, contrary to what was intended, in there never being a proper and effective consultation structure within the Council and it was only with the intervention of the the Commerce Department that consultation has been possible.

In addition to the above, the Malta Crafts Council Act is lacking in that it does not provide the Malta Crafts Council with a formal administrative and operational set up to assist it in the carrying out of its duties. As a result, while the Council meets regularly once a month to register new craftspersons and to put forward proposals in line with its remit, it is the Commerce Department which, over the years, has executed most of the decisions taken by the Council in addition to the planning and implementation of other initiatives which did not emanate from Council meetings.

Finally, the Malta Crafts Council Act does not empower the Council to take any action in the case of transgressions involving products falsely purporting to Maltese crafts, not even when such transgressions are committed by registered craftspersons. Unfortunately, the Act does not empower the Council to strike off its register craftspersons who either violate rules and/or conditions established by the Council or the Department or craftspersons who are in breach of any of the provisions of the Act and/or its Regulations.

### **3. Proposed New Act**

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The proposed new Malta Crafts Act does away with the Malta Crafts Council providing instead for the creation of an Office of the Registrar of Crafts which shall be obliged to ensure that craftspersons be consulted regularly on matters related to the sector through the creation of sub-committees which may be thematic or sectorial.

The Office shall incorporate those duties which currently fall under the remit of the Council but also include additional functions as follows:

- a) To maintain a register wherein crafts, craftspersons and entrepreneurs in the field of crafts may be registered;
- b) To affect sanctions, possible expulsions and de-registration of registered craftspersons as well as other persons who infringe the Act and its Regulations;
- c) To create opportunities for the promotion, sale and recognition of craft products and to promote such opportunities;
- d) To establish and enforce specific regulations in relation to the Crafts Register and events organised by the same Registrar, including any sanctions which would result if such regulations are not adhered to by a registered craftsperson or craftspersons;
- e) To support the preservation and promotion of traditional Maltese crafts;
- f) To keep abreast with European and International developments in the field of crafts and to participate in the relevant fora as necessary;
- g) To report possible infringements which are brought to its attention to the appropriate authorities and to commission investigations, surveillance and inspections in relation to the authenticity of craft products;
- h) To impose administrative fines and enforce sanctions in the manner as may be prescribed;
- i) To take and propose actions aimed at raising the standard and profile of the crafts sector in Malta;
- j) To contribute as necessary in the drawing up of legislation and in the formulation of a national policy on crafts;

- k) To upgrade as necessary and maintain the voluntary certification system of craft products in place before the coming into force of the proposed act provided that said crafts products are in compliance with the definition of craft provided in said proposal.

## **4. Your Suggestions**

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Those interested in contributing to this initiative are kindly being invited to submit any ideas, suggestions and comments on the proposals in this document on [matlacrafts@gov.mt](mailto:matlacrafts@gov.mt) with a view to continue on the road to progress in this sector

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