

**A BILL
entitled**

An ACT to make provision for the encouragement, promotion, registration and regulation of crafts and crafts persons, in particular crafts forming part of Malta's historical heritage, for the setting up of a registrar of crafts made in Malta and craftspersons. The Act also makes provision for matters ancillary to or connected therewith.

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:-

Short title.

1. The short title of this Act is the Malta Crafts Act, 2019.

Definitions.

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

"craft" means an art, skill or trade declared by the Minister to be a craft for the purposes of this Act which is practised by a person or persons in the manufacture of craft products made by craftspersons;

"craft products" are products made completely by hand or with the help of hand tools or even mechanical means, as long as the direct manual contribution of the craftsperson remains the most substantial component of the finished product and for the purpose of this act refers to crafts made in Malta;

"craftsperson" means a person who practises a craft and earns his living by or supplements his income by that craft or who proves that he possesses the ability to produce craft products and for the purpose of this Act must be a citizen of Malta or a European Union national who has formal residence in Malta or has a permanent residence issued by the relevant authorities and is allowed to work in Malta in the crafts sector;

"crafts villages" means the Ta'Qali Crafts Village and the Ta' Dbiegi Crafts Village and any other villages or areas which the Minister may prescribe;

"crafts entrepreneur" for the purpose of this Act means a person, whether an individual or a juridical person, who by way of trade prominently deals in craft products made in Malta;

"the Minister" means the Minister responsible for the promotion and sustainability of the crafts sector;

"the Office" means the office of the Registrar of Crafts, Craftspersons and Entrepreneurs;

"the Registrar" means the registrar of crafts made in Malta, crafts persons and entrepreneurs selling such crafts as set up under article 4;

"traditional" means using to significant extent a combination of the same or similar materials and customary techniques, know-how, skills and practices that were developed and passed on locally from generation to generation.

Declaration of a craft.

3. The Minister may by Order under this Act, declare an art, skill or trade to be a craft for the purposes of this Act and may by similar Order amend, revoke or substitute an Order so made.

Establishment of the Office of the Registrar of Crafts, Craft Persons and Entrepreneurs.

4. There shall be an office of the Registrar of Crafts, Craft Persons and Entrepreneurs which shall be the Public Entity designated with the responsibilities outlined in article 5 hereunder.

Functions of the Office.

5. The functions of the Office shall be:

- a. to maintain a register wherein crafts, craftspersons and entrepreneurs in the field of crafts shall be registered according to criteria which may be prescribed from time to time:

Provided that when creating such register, there shall be consideration of the craftspersons and entrepreneurs previously registered under the Malta Crafts Council Act (**Cap. 421**) and determination as to who of these are to be automatically registered, who shall no longer be deemed as registered and who will be asked to apply again for registration:

Provided further that the Office can create different categories of registration;

- b. to affect sanctions, possible expulsions and deregistration 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 maintain a voluntary certification system of craft products which are in compliance with the definition of craft provided in the Act;
- e. to establish and enforce specific regulations in relation to the Crafts Register and events organised by the same Registrar, including any enforceable sanctions which would result if such Regulations are not adhered to by a registered craft person or craft persons;
- f. to support the preservation and promotion of traditional Maltese crafts;
- g. to keep abreast with European and international developments in the field of crafts and to participate in the relevant fora as necessary;
- h. 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;
- i. to impose administrative fines and enforce sanctions in the manner as may be prescribed;
- j. to take and propose actions aimed at raising the standard and profile of the craft sector in Malta;
- k. to contribute as necessary in the drawing up of legislation and in the formulation of a national policy on crafts; and
- l. to undertake other tasks which may be required in relation to crafts:

Provided that the Registrar shall submit to the Minister responsible for crafts an annual report and other updates as may be required.

**Regular consultation
with craftspersons.**

6. The Registrar shall ensure that craftspersons be consulted regularly on matters related to the sector. Consultations with the craftspersons may be effected:
- a. through the creation of sub-committees which may be thematic or sectorial. The terms of reference and the duration of the mandate of such sub-committees would be determined by the same Registrar:

Provided that the composition of said sub-committees shall be made up of persons nominated by registered artisans; and

- b. by means of sectorial or general consultation meetings, conferences and, or workshops;

Resources and facilities.

7. The Minister shall provide the Registrar with such resources and facilities as in his opinion may be required for the proper performance of its functions.

Registration and cancellation.

8. A registration in the register may be cancelled and a registration certificate withdrawn by the Registrar in the circumstances as may be prescribed:

Provided that there shall be the possibility of appeal as provided in Regulations.

Minister may make Regulations.

9. The Minister may make Regulations for the better carrying out of the provisions of this Act and may in particular by such Regulations:-

- (a) regulate the registration of craftspersons and entrepreneurs in the crafts sector provided that the registration of craftspersons shall include both hobbyist and professional artisans of contemporary and traditional crafts;
- (b) provide for a system under the supervision of the Registrar for the certification of the genuineness of craft products and the materials used in their production;
- (c) establish any qualifications that registered craftspersons producing craft products are to possess;

- (d) provide for the certification of registered craftspersons producing craft products;
- (e) generally to regulate the activities of craftspersons and entrepreneurs;
- (f) establish rules concerning indication of origin and geographical indications insofar as crafts products are concerned;
- (g) establish sanctions, administrative fines and procedure for appeals from such Regulations; and
- (h) prescribe any other matters that in accordance with this Act is to be prescribed.

OBJECTS AND REASONS

The object of the Bill is to ...