

No. 1182

**MINISTRY FOR AGRICULTURE, FISHERIES
AND ANIMAL RIGHTS****Protection of Agricultural Land Regulations, 2025****Explanatory Notes¹****1. Introduction**

The title of these regulations is the Protection of Agricultural Land Regulations, 2025. The scope of these regulations is to establish measures and processes to safeguard agricultural land to ensure that agricultural land is maintained as suitable for agricultural purposes. These regulations have been drafted by the Ministry of Agriculture, Fisheries and Animal Rights (MAFA)

2. Summary and background

Through the implementation of these regulations, agricultural land shall be safeguarded from damages and agronomic viability is promoted. Minimum agronomic measures are being laid down in order to sustain the local agricultural sector by protecting soil and cultivating agricultural land at least once every agricultural year. The cultivation of abandoned fields can contribute towards carbon removals through the planting of trees and crops whilst improving the visual aesthetic of the rural landscape enhancing social wellbeing. The provisions of these regulations are also envisaged to ensure that any current abandoned agricultural land is managed in a sustainable manner through government intervention.

3. Overview of the structure of the instrument

These regulations which fall under the Agriculture Act (Chapter 639 of the Laws of Malta) are set out in fourteen (14) regulations:

1. Citation, scope and commencement (regulation 1)
2. Interpretation (regulation 2)
3. Registration of agricultural land (regulation 3)
4. Crop plan (regulation 4)
5. Maintenance of agricultural land (regulation 5)
6. Minimum activity on agricultural land (regulation 6)
7. Additional obligations (regulation 7)
8. Unregistered land (regulation 8)
9. Sale of agricultural land (regulation 9)
10. General Powers of the authorised officers (regulation 10)
11. Measures in case of irregularities and breaches (regulation 11)
12. Warning notice (regulation 12)
13. Proceedings before the Court (regulation 13)
14. Offences and fines (multi) (regulation 14)

4. Commentary

Regulation 3 requires that the Director keeps a register and farmers or valid title holders are to register their agricultural land. Those farmers already engaged in agricultural activity need to register their agricultural land within six (6) months from the entry into force of the regulations. Upon registration, a crop plan needs to be submitted for one or more agricultural years in line with regulation 4.

¹This Explanatory Note is in accordance with and for the purpose of article 3(2)(c) of the Small Business Act (Chapter 512 of the Laws of Malta).

Regulation 5 sets out measures to safeguard agricultural land from threats and damages which include measures that protect the soil from activities that deteriorate it or render it unsuitable for agricultural use.

Regulation 6 sets out the minimum activity on agricultural land, which stipulates that a product must be cultivated at least once every agricultural year, unless it is kept fallow as part of a crop rotation exercise that is included as part of the crop plan submitted to the Director. Land parcels planted with wild species of plants as part of an agri-environmental commitment financed through National or European Union funds are exempted from this obligation. Regulation 7 allows for additional measures to be prescribed by the Minister for Agriculture in case of emergencies or as required.

Regulation 8 sets out measures to ensure that any current abandoned agricultural land is managed in a sustainable manner through government intervention. In cases where agricultural land is not registered, the Director shall affix a notice at the site of the agricultural land and a notice shall also be published in the Gazette for any person to declare interest for that land within three (3) months from that publication. If no interest is declared, the Director will request the Riżorsi Agrikoli Malta (RAM) to register the land on its behalf and acquire effective possession of the agricultural land and have the power to allocate it for agricultural activity. Should a valid title be proven then the land shall be deregistered from RAM at the end of the agricultural year and the title holder will register that land in his favour, provided that any fines or fees or dues are settled by the title holder. The title holder will also be required to compensate RAM for all the expenses incurred for the taking up of the agricultural land and the management thereof including but not limited to notarial, legal and fiscal costs, and the expenses for all improvements made by RAM. If the valid title holder proves that it was impossible for him to register the agricultural land according to these regulations, and that he obliges himself that he will act as the farmer for such agricultural land once it is registered in his name, he shall be entitled to the payment of any amount equivalent to every payment received by RAM from third parties, excluding the expenses previously mentioned, and that amount shall be paid to the farmer or valid title holder by RAM.

Regulation 9 prohibits advertisement that promotes agricultural land for non-agricultural purposes

Regulation 10 sets out that for the purposes of the general powers of authorised officers article 8 of the Agriculture Act (Cap 639) shall apply *mutatis mutandis*.

The measures to be taken in case of irregularities and the breaches are set out under regulation 11, and failure to implement such measures is deemed an offence. A warning notice shall be issued as per regulation 12 in case the requirements of regulations 4 to 7 are not satisfied. Regulation 13 describes proceedings before the Court of Magistrates as a court of criminal judicature and regulation 14 sets out offences and fines.

5. Concluding Section

These regulations shall come into force within two (2) months from their publication in the Gazette, provided that regulation 8 shall come into force within one (1) year from the publication of these regulations in the Gazette.

For further information please contact agripolicy.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.

28th July, 2025

User Guidelines

Protection of Agricultural Land Regulations, 2025

1. The Protection of Agricultural Land Regulations provide a legal framework to ensure that agricultural land is maintained as suitable for agricultural purposes. A number of measures are established to ensure sustainability and viability of the agricultural sector.

2. These user guidelines are intended for farmers and valid title holders of agricultural land to better understand the obligations set out in the Protection of Agricultural Land Regulations which are necessary to safeguard agricultural land.

3. Farmers managing agricultural land and valid title holders of agricultural land that is outside the development zone and that can support an agricultural activity, need to satisfy the obligations set out in these regulations.

4. Farmers or valid title holders need to register their agricultural land with the Director of Agriculture and those farmers who are already engaged in agricultural activity need to register their agricultural land within six (6) months from the coming into force of the regulations. Upon registration, a crop plan needs to be submitted that includes details of the crops to be cultivated during one or more agricultural year, that starts on 1st September and ends on 31st August of each calendar year, both dates included.

5. Farmers or valid title holders need to maintain agricultural land in good condition by meeting the obligations set in the regulations. These include measures that protect the soil from being deteriorated becoming unsuitable for use in an agricultural activity.

6. As a minimum, an agricultural product must be cultivated at least once every agricultural year. Fallow periods are allowed if they are part of a crop rotation exercise according to the crop plan submitted to the Directorate. In the case where agricultural land is part of an agri-environment climate commitment which requires it to be cultivated with wild plant species, and which is financed through National or European Union Funds, such land is exempted from this obligation. Additional temporary obligations may be required in extreme or emergency cases.

7. For agricultural Land that has not been registered, the Director will affix a notice at the site of the agricultural land and also issue a notice in the Government Gazette ordering any person having interest in that agricultural land to declare and describe that interest within three (3) months of publication of the said notice. If no declaration is made, the Director shall request the Riżorsi Agrikoli Malta Agency to register the agricultural land on its behalf. If a valid title is proven following the registration on behalf of Riżorsi Agrikoli Malta, the agricultural land will be deregistered from the Agency at the end of the agricultural year and be registered in favour of the title holder, subject to conditions whereby any fines, fees or dues are settled by the title holder, and where the holder compensates the Agency for all the expenses incurred for the taking up of the agricultural land and the management thereof including but not limited to notarial, legal and fiscal costs, and the expenses for all improvements made by Riżorsi Agrikoli Malta.

8. If the holder proves that it was impossible for him to register the agricultural land according to the regulations, and that he obliges himself that he will act as the farmer for such agricultural land once it is registered in his name, he shall be entitled to the payment of any amount equivalent to every payment received by Riżorsi Agrikoli Malta from third parties, excluding the expenses previously mentioned, and that amount shall be paid to the farmer or valid title holder by Riżorsi Agrikoli Malta.

9. The regulations prohibit advertisement that promotes agricultural land for non-agricultural purposes.

10. Authorised officers shall have the right to enter and inspect any buildings and structures and agricultural land if there is suspicion of breaches to the regulations.

11. The regulations set out measures for corrective action in case of irregularities and infringements as well as fines for any person found guilty of an offence. If a farmer does not satisfy the obligations, a warning notice is issued describing the irregularity and measures to be taken to be deemed in compliance and the timeframe in which the measures are to be taken. The Court of Magistrates shall be competent for offences to the regulations and any persons found guilty of an offence shall be liable to fines as set out in the regulations.

12. The Protection of Agricultural Land regulations shall come into force within two (2) months from their publication in the Gazette, provided that regulation 8 shall come into force within one (1) year from the publication of these regulations in the Gazette.

13. For further information, farmers may contact the Agriculture Directorate by sending an email to agripolicy.mafa@gov.mt or by calling on 22926700.

No. 1183

**MINISTRY FOR AGRICULTURE, FISHERIES
AND ANIMAL RIGHTS****Explanatory Notes with regards to Propagation Material
of Vines (Amendment) Regulations, 2025¹****a. Introduction**

Title of the Legal Notice	Propagation Material of Vines (Amendment) Regulations, 2025 (hereinafter referred to as the “amending regulations”)
Activity to be regulated	To further transpose of Article 5(1) of Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (68/193/EEC).
Responsible entity	Plant Protection Directorate within the Ministry for Agriculture, Fisheries and Animal Rights

b. Summary and background

Council Directive of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (68/193/EEC) was transposed via Propagation Material of Vines Regulations (S.L. 433.15) (hereinafter referred to as the “principal regulations”). The principal regulations were first published in 2004 and further amended in 2006 and 2020. The need recently arose to further transpose Article 5(1) of the said Directive, so that in the case of vine varieties that were already accepted as at 31 December 1971, reference may be made to their description in the official ampelographic publications.

c. Overview of the structure of the instrument

These amending regulations are made up of two (2) regulations and consist of the following:

Regulation 1. Citation and scope

Regulation 2. Amends regulation 7(5) of the principal regulations.

d. Commentary

Regulation 2: Amends regulation 7(5) in order to add the following text “For those varieties already accepted as at 31 December 1971, reference may be made to the description in the official ampelographic publications.” at the end of this particular sub-regulation.

e. Concluding Section

These regulations shall come into force from the date of their publication in the Government Gazette.

For further information kindly contact the Plant Protection Directorate via email at plantprotection@gov.mt or via telephone 22926535.

¹These Explanatory Notes are for the purpose of and in accordance with Article 3(2)(c) and Schedule III of Chapter 512 of the Laws of Malta.

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.

28th July, 2025

User Guidelines

Legal Notice: Propagation Material of Vines (Amendment) Regulations, 2025

Target Audience

The following information pertains to professional operators that are registered with the Plant Protection Directorate and which are active in the propagation and marketing of propagation material of vines.

Objective of the Legal Notice

The national law, Subsidiary Legislation 433.15 – Propagation Material of Vines Regulations, provides the rules and standards for the marketing of material for the vegetative propagation of the vine [plants of the genus *Vitis* (L.) intended either for the production of grapes or to be used as propagation material for such plants]. One can find this legislation in Legislation Malta (<https://legislation.mt/eli/sl/433.15/20201002/eng>).

Regulation 7 of S.L. 433.15 stipulates the conditions for the listing of varieties and states that the catalogue in which varieties are registered shall indicate the principal morphological and physiological characters by which the varieties can be distinguished from one another. From the publication of the new Legal Notice, for those varieties already accepted as at 31st December 1971, reference may be made to the descriptions in the official ampelographic publications.

Sectors affected

Business related to the propagation and marketing of vines.

Compliance

Professional operators need to take all the necessary measures to guarantee compliance with the newly included provision when intending to propagate and market old vine varieties in the Maltese territory.

The details in this document do not substitute the national legislation and do not have any legal weighting. Any mistake or omission in these guidelines does not exempt the professional operator from the compliance required by Subsidiary Legislation 433.15 together with the new Legal Notice.

Regulator

Among other responsibilities, the Plant Protection Directorate shall ensure that any old vine varieties to be cultivated in the Maltese territory from which propagation material shall be taken and marketed, shall be registered in the national catalogue subject to the presentation of descriptions available in the official ampelographic publications.

Contact Details

More explanations can be obtained by communication with the Plant Protection Directorate by calling on 8007 2310 or 2292 6535 or by email on plantprotection@gov.mt.