

PRESS RELEASE

15th April 2016

Laws cannot be enacted without prior consultation

The Malta Chamber will not accept that laws affecting business are introduced with no prior consultation. This was the case when Legal Notice 103 of 2016 (Billboards and Advertisements Regulations, 2016) was published in the Government Gazette on 5th April, giving operators a deadline of merely six working days to comply. Worse still, the Legal Notice was published and implemented by the Parliamentary Secretary responsible for the Simplification of Administrative Processes.

The Chamber will not accept twisting of facts as it was reported that “the Chamber of Commerce expressed itself in favour of the Legal Notice”. During a meeting it requested urgently with the Parliamentary Secretary, (13th April) the Chamber said that it was in favour of the intention to harmonise current legislation in this area but in no uncertain terms it condemned the fact that no consultation whatsoever took place prior to the implementation of this Legal Notice. The Chamber feels it is imperative for it to set this record straight to avoid any possibility that the general public is misled on the matter.

Moreover, the Chamber shall be submitting its recommendations towards improving the LN in question. Indeed, there are several points in the law with which it strongly disagrees with, not least the imposition of a €1,500 yearly fee payable to Transport Malta on all signs, billboards and advertisements included in the law save for some limited exceptions. The Chamber shall also be requesting assurances that this law is being enacted in full compliance of the provisions of the Small Business Act. As has happened countless times before, the authorities have chosen to over-regulate and in the process over-burden business as an easy alternative to putting into place appropriate enforcement structures. This practice must certainly be reversed.

The Chamber is extremely disappointed, that while it enjoys an excellent relation with most Ministries, some are still obstinate in their ways of legislation with no consultation. Naturally, the Chamber would have very much preferred putting forward its recommendations as part of a consultation process rather than a damage limitation exercise.

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