

CHAPTER 515

COUNCIL FOR MALTESE LIVING ABROAD ACT

To establish a Council for Maltese Living Abroad which shall have the function of protecting and promoting the rights and interests of Maltese living outside Malta, and to provide for matters connected therewith or incidental thereto.

22nd July, 2012*

[ACT XX of 2011](#), as amended by Act [XXIV of 2024](#).

1. The short title of this Act is the Council for Maltese Living Abroad Act. Short title.
2. In this Act, unless the context otherwise requires -
 - "the Constitution" means the [Constitution of Malta](#); Interpretation.
Amended by:
XXIV.2024.2.
 - "the Council" means the Council established by article 3;
 - "House" shall have the same meaning as assigned to it by article 3 of the [Interpretation Act](#); Cap. 249.
 - "Maltese citizen" means any person considered to be a citizen under the [Maltese Citizenship Act](#); Cap. 188.
 - "Maltese living abroad" means any Maltese citizen or person of Maltese descent who is not resident in Malta;
 - "Members of the Council" means the members appointed to the Council in accordance with article 5(1);
 - "the Minister" means the Minister responsible for foreign affairs;
 - "overseas Maltese communities" means any group of Maltese citizens or persons of Maltese descent living outside Malta;
 - "persons of Maltese descent" means any person who may become a Maltese citizen under the [Maltese Citizenship Act](#); Cap. 188.
 - "the public service" shall have the same meaning as is assigned to it by article 124 of the Constitution of Malta;
3. (1) There shall be a Council that shall be known as the Council for Maltese Living Abroad. Establishment of
Council.
Substituted by:
XXIV.2024.3.
 - (2) The Council shall be the body representing overseas Maltese communities abroad before all entities of the government of Malta, including the public service and any public authority, institution or organisation responsible for implementing policies affecting these communities.
 - (3) The functions of the Council shall consist of the following:
 - (a) to monitor the quality of life of overseas Maltese communities;
 - (b) to strengthen, facilitate and cultivate the ties

*see article 1(2) of this Act, as originally promulgated, and Legal Notice [237 of 2012](#).

between overseas Maltese communities and Malta's political, cultural, economic and social life;

(c) to ensure effective protection of the rights of overseas Maltese communities;

(d) to facilitate the maintenance of the cultural and linguistic identity of overseas Maltese communities and promote Maltese culture abroad, in particular the teaching of the Maltese language and all aspects of Maltese culture;

(e) to promote the history of Maltese migration in cooperation with the government of Malta;

(f) to maintain ties with all those organisations established by Maltese living abroad and keep a register of organisations established by Maltese living abroad;

(g) to analyse and verify the problems encountered by overseas Maltese communities, including professional and educational training and development, and recognition of qualifications and skills gained in Malta;

(h) to prepare any proposal, or make any suggestion or recommendation relating to legislation or administrative measures as well as international agreements and European Union legal acts affecting the rights and interests of Maltese living abroad;

(i) to promote and encourage studies and research work relating to subjects concerning Maltese living abroad;

(j) to be consulted on and contribute to the drafting of Maltese legislation, administrative measures or policies affecting Maltese living abroad;

(k) to assist cultural centres, libraries, archives, museums, theatres, musical ensembles and creative edifices of overseas Maltese communities by facilitating contacts with the pertinent national entities;

(l) to ensure the development of the business dimension of Malta with overseas Maltese communities;

(m) to provide correct information when requested to overseas Maltese communities living abroad about policies of the government of Malta, as well as about the economic, social, and cultural life in the country;

(n) to enhance connectivity with Malta through contacts with established overseas institutions of excellence in areas such as, but not limited to, education (including university

and vocational academics), culture (including film-makers, dance, art, literature, music and intangible heritage), medicine, business, artificial intelligence, professional sportsmen and, or organisations active in major sports disciplines; and

(o) to identify Maltese living abroad who have shown excellence in their professional activity, and to create networks of such persons in order to promote innovation and the sustainable development of Malta.

4. The Council shall be responsible to provide the Minister with advice on:

Duties.
Amended by:
XXIV.2024.4.

- (a) any Bill presented to the House which directly or indirectly affects the rights or interests of Maltese living abroad;
- (b) any budgetary matter or administrative measure relating to the interests of overseas Maltese communities, including the promotion of Maltese culture and language abroad, on the initiative of Government or any public institution entrusted with the promotion of Maltese culture abroad;
- (c) any transmission on and production of public broadcasting services relating to programmes intended for Maltese living abroad; and
- (d) any other relevant matter referred to the Council by the Minister.

5. (1) The Council shall be composed as follows:

Council set-up.
Substituted by:
XXIV.2024.5.

(a) the Minister responsible for foreign affairs, or any other Minister or Parliamentary Secretary as the Prime Minister may determine, who shall be *ex officio* its Chairman;

(b) five (5) members, who shall be Maltese citizens, shall be appointed by the Prime Minister for a term of (3) three years, after consulting the Leader of the Opposition. The members shall have distinctive knowledge and experience of the needs and interests of Maltese living abroad; and

(c) sixteen (16) members appointed by the Prime Minister for a term of three (3) years who shall be Maltese citizens ordinarily resident abroad, active in overseas Maltese communities, and the said shall be appointed in accordance with the Schedule.

(2) Persons who serve as members of the Council may be re-appointed for another term of three (3) years only, upon the expiration of their initial term of office.

(3) Except for the Chairman, a person shall not be qualified to hold office as a member of the Council if he is a Minister,

Parliamentary Secretary, a candidate for election or a member of the House or the European Parliament, or any national, state, regional or local legislature, or a member of any local government authority, of any country including Malta. A member of the Council shall not hold any position which is incompatible with the correct performance of his official duties or with public confidence therein.

(4) Without prejudice to the provisions of this article, the office of a member of the Council shall become vacant:

(a) at the expiration of three (3) years from the date of appointment or re-appointment;

(b) upon resignation by means of a letter addressed to the Minister;

(c) if any circumstances arise that, if he were not a member of the Council, would cause him to be disqualified for appointment as such;

(d) when members of the Council may have their appointment terminated at any time, if the Prime Minister, upon the recommendation of the Minister, deems this to be an appropriate action to be taken; or

(e) when the members of the Council appointed under article 5(1)(c) no longer reside in the geographic area for which they were appointed to represent.

(5) The Council may set up Regional Committees for any one of the countries listed in the Schedule. Such Regional Committees shall be exclusively responsible and accountable to the Council. Their composition shall be within the exclusive remit of the Council.

Meetings.
Amended by:
XXIV.2024.6.

6. (1) Meetings of the Council may take place through the medium of video and, or audio teleconferencing and the records of such meetings shall register the presence of any participants through such medium.

(2) The meetings of the Council shall be called by the Chairman on his own initiative or at the request of any four members of the Council.

(3) The Council shall not act unless a quorum consisting of the Chairman or his delegate and not less than ten (10) members of the Council.

(4) At least once (1) every year the Chairman shall convene a meeting of the Council in Malta or virtually as deemed fit.

(5) The decisions of the Council shall be adopted by a simple majority of the votes of the members present. The Chairman shall not have an original vote or a casting vote.

(6) Any vacancy among the members of the Council shall not invalidate the proceedings of the Council.

(7) Subject to the provisions of this Act, the Council may regulate its own procedure.

7. (1) By the end of March of the year immediately following the year of its constitution, the Council shall publish a report of all its activities and annually thereafter, and send a copy of the report to the Clerk of the House of Representatives who shall immediately lay such report on the Table of the House, provided that if the House is not in session, then such report shall be laid within four weeks after the House resumes its session.

Reports.

(2) The report mentioned in sub-article (1) shall, within a period of eight weeks from the date on which a copy thereof is laid on the Table of the House, be noted and discussed by the Foreign and European Affairs Standing Committee of the House or by any other committee replacing it and such Committee shall make appropriate recommendations to the House on any matters arising from the report.

(3) A copy of such report shall also be sent to the Standing Committee on Social Affairs of the House.

8. (1) There shall be established within the Ministry responsible for Foreign Affairs or any other Ministry as the Prime Minister may determine, a Directorate responsible for Maltese living abroad, whose aim shall be the promotion and protection of the rights and interests of Maltese living abroad.

Directorate.
Amended by:
XXIV.2024.7.

(2) The Directorate shall serve as a focal point for information, advice and co-ordination to Maltese living abroad and any association representing Maltese living abroad or organisations included in the register referred to in article 10.

(3) The Directorate shall be responsible to ensure the implementation of this Act.

9. (1) There shall be a Secretary to the Council who shall be a person appointed by the Minister or a public officer designated by the Minister to perform the functions of Secretary.

Secretary and staff.
Amended by:
XXIV.2024.8.

(2) The Council shall also have such other staff as the Minister may deem necessary and appoint or designate as aforesaid.

(3) The Secretary of the Council in conjunction with the Directorate shall provide the Council with all the administrative services and shall keep the members of the Council regularly informed with relevant issues.

10. (1) There shall be kept a register of non-governmental organisations established abroad which are involved in the promotion and protection of the interests of Maltese living abroad.

Register of non-governmental organisations.
Substituted by:
XXIV.2024.9.

(2) The responsibility, including the inclusion, exclusion and removal of an organisation, from the register referred to under sub-article (1) shall lie with the Secretary of the Council on behalf of the Council.

Power to make
regulations.
Amended by:
XXIV.2024.10.

11. The Minister may make regulations to implement and give better effect to the provisions of this Act and may also, without prejudice to the generality hereof, make regulations:

- (a) to regulate any appointment, re-appointment or election of any member of the Council who lives abroad;
 - (b) to amend or substitute in whole or in part the provisions of the Schedule;
 - (c) to prescribe anything that may or is to be prescribed under this Act;
 - (d) to provide for assistance to members who live abroad and attend meetings of the Council in Malta.
 - (e) Deleted by Act [XXIV.2024.10.](#)
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*Substituted by:
XXIV.2024.11.*

SCHEDULE
[Article 5(1)(c)]

1. There shall be appointed two (2) overseas members, as defined under article 5(1)(c), from each of the following countries and, or geographic areas:

- (a) the State of Victoria in the Commonwealth of Australia;
- (b) the State of New South Wales in the Commonwealth of Australia;
- (c) the United States of America;
- (d) Canada; and
- (e) Europe, but not resident in Malta.

2. There shall be appointed one (1) overseas member, as defined under article 5(1)(c), from each of the following countries and, or geographic areas:

- (a) United Kingdom;
- (b) any geographic area in the Commonwealth of Australia not referred to in item 1 of this Schedule, New Zealand or Oceania;
- (c) United Arab Emirates;
- (d) North Africa or the Republic of South Africa;
- (e) Asia;
- (f) South or Central America.

3. When choosing overseas members, due consideration shall be given to the opinions, suggestions, recommendations and advice of, where applicable, federations of associations, community councils and the associations most representative of the interests of communities of Maltese living abroad.
