CHAPTER 639

AGRICULTURE ACT

AN ACT to provide for the regulation, protection, conservation and management of agriculture in Malta and matters incidental thereto.

1st January, 2024

ACT XXXIII of 2023.

ARRANGEMENT OF ACT

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PART I
Preliminary

1. The short title of this Act is the Agriculture Act. Short title.

2. In this Act, unless the context otherwise requires: Interpretation.

"agriculture" means the cultivation of agricultural and horticultural crops and the rearing of livestock;

"agricultural activity" means the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition;

"agricultural holding" means all the production units including those managed by a farmer, livestock breeder, or processor;

"agricultural industry" or "agricultural sector" means the business of agricultural and horticultural crops, and of breeding livestock;

"agricultural products" means the products listed in Annex I to the Treaty on the Functioning of the European Union, with the exception of fishery products, but including cotton;

"authorisation" means an administrative act by which the Director may permit any activity pertinent to this Act, following the submission of an application;

"authorised person" means a person duly authorised by

the Director to carry out inspections and other functions with a view to the attainment of the objectives of this Act or any other regulations made thereunder;

"competent authority" means the Agriculture Directorate;

"Director" means the Director responsible for agriculture and includes, to the extent of the authority given, any officer authorised by him in writing, to act on his behalf for any of the purposes of this Act or any regulations made thereunder;

"Directorate" means the Agriculture Directorate and includes the Director or any authorised body or person acting on the Directorate's behalf in accordance with the powers delegated by the Directorate under this Act;

"farmer" means a natural or legal person, or a group of natural or legal persons responsible for a holding and who exercises an agricultural activity;

"fertile soil" means soil which, in the opinion of the Director, is suitable or could be made suitable for purposes of agriculture;

"Malta" shall have the same meaning as that assigned to it by article 124 of the Constitution;

"Minister" means the Minister responsible for agriculture and rural affairs;

"person" means a natural person, and includes any commercial partnership, firm, company, or other association of persons or any other legal entity;

"producer organisations and producer groups" means an initiative of producers of particular products or of persons working in the agricultural industry, acting together to improve their position in the marketplace;

"Tribunal" means the Administrative Review Tribunal established by article 5 of the Administrative Justice Act.

Cap. 490.

PART II
Administration

Powers of the Director responsible for Agriculture.

3. (1) This Act shall be administered by the Director who shall be responsible for:

(a) the development and implementation of the National Agriculture Policy;

(b) the taking of such measures as he may consider appropriate for the protection, conservation, sustainability of agricultural land, livestock and products;

(c) the collection of data related to all aspects of the production and processing of agricultural products including but not limited to agricultural holding structure, location, accountancy, employment and agricultural and processing practices adopted for the preparation of policy, drawing up of statistics and maintenance of databases;

(d) the monitoring, control and surveillance of agricultural activity and activities ancillary thereto;

(e) the issue, variation, suspension and revocation of permits and licences for agricultural activities, and any equipment or machinery used in connection with agriculture and other activities for which permits or licences are required under this Act or any subsidiary legislation made thereunder;

(f) providing regulatory provisions for land fragmentation and consolidation;

(g) the collection of fees in respect of permits and licences as well as the collection of fees for licences issued for all other categories of permits and licences referred to in paragraph (e);

(h) the setting up and administration of extension services to provide support to the agriculture sector;

(i) any other matters which shall require administration under this Act.

(2) The Director may, in writing, authorise any public officer to exercise any or all of the powers of the Director in accordance with this Act, either concurrently with him or in his absence, subject to such conditions as he may stipulate in writing in his authorisation.

PART III
Policies, Plans and Regulations

Plans, policies and regulations.

4. Without prejudice to the provisions of this Act, the sustainable management of the agriculture sector shall be regulated by plans, policies and regulations, which are prepared and amended, from time to time, in accordance with the provisions of this Act.

The National Agricultural Policy and its preparation and review.

5. (1) The National Agricultural Policy is a strategic governance document which establishes the policy framework for the preparation of plans, policies and programs issued in accordance with this Act.

(2) The Agriculture Directorate shall prepare the National Agricultural Policy. In preparing such document, the Agriculture Directorate shall consult with all the entities, whether public or otherwise, including ministries, as the Agriculture Directorate may deem proper.

(3) The Minister shall review the National Agricultural Policy every ten (10) years, unless a review of said policy is required prior to the lapse of the ten (10) years:

Provided that if the Directorate is unable, for whatever reason, to prepare the National Agricultural Policy or its review, the Director shall inform the Minister without delay and the Minister shall instruct the Directorate to delegate such function, and in so doing it shall ensure that the provisions of this Part are complied with.

(4) In preparing or reviewing the National Agricultural Policy, the Minister shall have regard to:

(a) the policies of the Government;

(b) environmental policies;

(c) current economic and financial policies;

(d) current social policies;

(e) European Union legislation and policies and other international environmental convention obligations to which Malta is a party;

(f) the resources likely to be available in all relevant government entities for the implementation of the strategy.

Power to delegate.

6. The Minister may, by order in the Gazette, designate different bodies or persons as a competent authority for different provisions and different purposes of this Act or any regulations made thereunder.

Power to make regulations.

7. (1) The Minister may make regulations, rules and orders for the better carrying out of the provisions of this Act that include the power to amend, repeal, add to, and vary any such instrument, from time to time:

Provided that the Minister may by regulations repeal, add to, and vary any of the Schedules to this Act.

(2) Without prejudice to the generality of the provisions of sub-article (1), the said regulations may in particular provide for:

(a) matters relating to the importation, exportation, production, processing, marketing and sale of agricultural

produce;

(b) the establishment of national schemes for the purpose of providing financial assistance and other forms of guidance or assistance of any nature to the agricultural industry;

(c) measures to be taken to ensure compliance with European or international obligations and other standards relating to products, practices or equipment relating to the agricultural industry;

(d) measures to impose administrative penalties or sanctions or daily fines upon any person who breaches any of the provisions of this Act or of any regulations made thereunder;

(e) producer organisations and producer groups;

(f) products being direct derivatives of local agricultural or animal husbandry primary produce;

(g) matters relating to sustainable management and agricultural practices to preserve the natural resources and agricultural ecosystems;

(h) matters relating to quality schemes of agricultural products and organic production and marketing;

(i) measures related to the establishment of national registers of products, varieties, or breeds of relevance to the agricultural sector;

(j) matters relating to crop production, vineyard establishment, wine and olive production;

(k) administrative checks, collection of data, verification of records and on-the-spot checks on agricultural holdings to ensure compliance with this Act and any regulations made thereunder;

(l) the setting up and maintenance of a fund or funds specifically set up for the agricultural sector;

(m) data collection for the establishment of an agricultural information system, and any relevant research;

(n) measures for the protection, management and conservation and guardianship of agricultural land;

(o) land registration for agricultural purposes;

(p) the establishment of procedures for the

recognition of professionals in the sector of agriculture and agricultural related areas;

(q) the prescription of charges and fees that may be levied for services rendered under this Act, or in respect of any matter for which it is considered that a fee should be payable;

(r) the commencement of any international treaty or instrument, including directives, regulations and decisions, relating to any matter governed by this Act to which Malta may, from time to time, be a party or subject, and to set up structures and make other provisions for the implementation thereof;

(s) the setting up of objectives, issuing directives and establishing recommended agricultural practices in relation to agriculture sectors;

(t) the prescription in the form of any notice, order or other document authorised or required by this Act to be made, submitted, served or given;

(u) the making of provisions regarding a contingency plan in the event of any crisis relating to any matter regulated by this Act;

(v) administrative penalties and fines (*multi*), including out of court settlement arrangements;

(w) the drafting of regulations related to the management of soil present in agricultural areas;

(x) the recognition and protection of plant varieties and animal breeds, including sub-species that are considered to be both authochthonous and of agricultural importance;

(y) the prescription of anything which may be or is required to be prescribed by this Act.

(3) Notwithstanding the other provisions of this Act or of any other law, regulations published under this Act may be published in the Maltese language only or in the English language only, or in both languages.

PART IV
Enforcement

General powers of authorised officers.

8. (1) Notwithstanding the provisions of any other law, for the purposes of carrying out their functions under this Act, the Director or any officer or authorised person by the Director, shall have the right to:

(a) enter any agricultural holding, or any other premises, public or private, at all reasonable times, and in the case of a dwelling house after giving reasonable notice of at least twenty-four (24) hours, to inspect, detect and investigate any offence under this Act or any regulations made thereunder, which has been committed or likely to be committed; to collect evidence and without prejudice to the generality of the powers to examine under this Act, said person shall have the power to examine or enter any structure, enclosure, commercial premises such as retail outlets and warehouses, vehicle, station, documents, equipment, laboratory, farm, parcel or any item that is necessary to be examined in order for the Director or authorised person to execute the duties so as to achieve the objectives falling within the competence of this Act:

Provided that any authorised person entering any premises in accordance to paragraph (a) shall produce proof of his identity and authorisation to enter prior to or upon entering such premises:

Provided further that the twenty-four (24) hours notice to enter into a dwelling house shall not be applicable if the Director himself, but not any other official acting under his delegated authority, considers that there is reasonable suspicion, on the basis of substantiated grounds, that an offence under the Act or the regulations made thereunder has been committed or is about to be committed:

Provided further that in the event that the owner of a private property or any other premises cannot be identified, the officer may enter by means of force and without prior warning or consent of the owner of said private property, to execute his duties which fall under his competence so as to achieve the objectives of this Act and when in the discretion of the Director, there is serious jeopardy;

(b) seize or seal off any agricultural produce or product in relation to which an infringement under this Act or any regulations made thereunder has been committed or likely to be committed;

(c) seize, seal off, or render non-functional any equipment, products, gear, instruments and, or electronic appliances which they reasonably believe have been used in the commission of such offence or in respect of which they reasonably believe that such offence has been committed or that is the result of an infringement under this Act or any regulations made thereunder;

(d) seize or take copies of any documents which they believe are relevant to any such offence in accordance with this

Act or any regulations made thereunder;

(e) inspect all records, licences, permits and notifications issued under this Act or required to be kept or preserved under this Act or any regulations made thereunder;

(f) carry out inspections, monitor any activity, elevate samples, take photographs, film, video recording or electronic images in order to verify compliance, or in pursuance to any investigation of offences under this Act or any regulations made thereunder or any conditions subject to which a licence or permit is issued under this Act or any regulations made thereunder;

(g) may request and shall be provided with any information held by departments or other public bodies responsible for agriculture and from any person who is involved, concerned or regulating the agriculture sector in any manner or having an interest therein be furnished with such information as such authorised person may reasonably require with respect to any matter regulated by this Act or any regulations made thereunder; and

(h) generally ensure compliance with the provisions of this Act or any regulations made thereunder.

(2) For the purpose of performance of any function under this Act, the Director, officers or any other such officer or person as may be authorised by the Agriculture Directorate may request the assistance of the Executive Police, any local council, any voluntary organisation or private sector, any department of Government or any government agency.

Seizure notice to be given to owner of seized goods.

(3) Whenever any seizure is made, except in the presence of the offender or owner, of any thing as forfeited in accordance with this Act, the authorised person acting as the seizing official shall give notice in writing of such seizure and of the grounds thereof to the owner of the things seized, if known, either by delivering the notice to him personally or by letter addressed to him and sent by registered post or delivered at his last known place of abode or business in Malta.

Seized goods to be claimed within thirty days.

(4) All goods seized in accordance with this Act, shall be deemed to be forfeited *ipso jure*, and may be sold or donated, or otherwise disposed of as the Director may order:

Provided that the Director cannot dispose of such things if, within thirty (30) days from the date of seizure, the person from whom such seizure has been made, or the owner of such things seized, or some person authorised by him, gives notice in writing to the Director that he claims the things so seized or that he intends to claim them and if within thirty (30) days from the date upon which such notice was

given, proceedings are instituted by the claimant in the competent civil court:

Provided further that if proceedings are not instituted within thirty (30) days from date of notice, the claim shall be deemed to be abandoned and the Director can dispose of such things.

Perishable goods, etc., may be sold.

(5) When any thing seized in accordance with this article is of a perishable nature or is, in the opinion of the Director, likely to suffer a substantial loss of value by the lapse of time, or is a living creature, by order of the Director, they may be sold, donated or disposed of:

Provided that when the thing of a perishable nature is sold, and court proceedings are instituted, the Director shall deposit the proceeds of the sale in court pending an order by the court in respect of the seizure or otherwise of the proceeds, to the person from whom the things were seized in accordance with this Act.(6)When a seizure made in accordance with this article is contested in accordance with sub-article (4), the Director may, at any time, if he deems fit and notwithstanding the pendency of the proceedings wherein the seizure is contested, deliver anything seized to any claimant upon the payment by the said claimant to the Director of a sum representative of the value of the thing as the Director deems proper, or upon the claimant giving to the Director such sufficient guarantee for the eventual payment of such sum, which guarantee is to have the same value as the thing as the Director deems fit. Such sum or such guarantee, as the case may be, shall be retained to honour the outcome of any claim that may be legally made in respect thereof and shall, for the purpose of any proceedings in accordance with this Act in respect of the seized goods, represent and substitute the said seized goods.

(7) For the purpose of any fulfilment of any functions in accordance with this Act or any regulations made thereunder, the Director, or any other such authorised person may request the assistance of the Executive Police, the Comptroller of Customs, any local council, or any Government department or agency, as may be required.

(8) The provisions of sub-article (1) shall be without prejudice to the powers of the Executive Police, community officers, the Comptroller of Customs, or of any other authority under the Criminal Code or other law. Cap. 9.

(9) The Director, or any other officer appointed or authorised in accordance with this Act or any regulations made thereunder, shall, notwithstanding any other law, have the right to assist the Executive Police or Attorney General in the conduct of prosecution in accordance with this Act or regulations made thereunder and to plead the case before the court:

Provided that any expenses related to the confiscation,

impounding, seizure and, or disposal of any agricultural produce, animals and, or any equipment shall be fully borne by the offender.

Offences and punishments.

9. Any person who:

(a) assaults, hinders, obstructs, molests or interferes or attempts to assault, hinder, obstruct, molest or interfere, resist or wilfully obstructs any authorised official or other appointed person or any officer of the Executive Police, community officer, or public officer, employee or worker of any department of Government or of any Government agency in the execution of duties in accordance with this Act or regulations made thereunder;

(b) refuses or fails to comply with any order or direction lawfully made or given under this Act and, or any regulations made thereunder;

(c) without reasonable cause fails to:

(i) provide the requested information to an authorised official; or

(ii) produce anything required to be produced in accordance with this Act and, or any regulations made thereunder;

(d) fails to allow a search or inspection in accordance with this Act and, or any regulations made thereunder;

(e) prevents or attempts to prevent another person from complying with any orders or directions or from answering any questions, or producing anything or allowing a search or inspection; or

(f) for the purposes of obtaining any licence or permit, or for the purported compliance with any requirement to provide any information under this Act and, or any regulations made thereunder, provides information which he knows to be false in a material fact or recklessly provides information which is false in a material fact,

shall be guilty of an offence and liable, on conviction, to a fine (*multa*) of not less than four hundred and sixty-six euro (€466) but not exceeding six thousand euro (€6,000).

Responsibility for any loss or damage suffered.

10. (1) No authorised person or officer of the Executive Police, community officer, or public officer, employee or worker of any department of Government or of any Government agency in the execution of duties in accordance with this Act or regulations made thereunder, shall be liable for any loss or damage suffered by any person by reason of anything done or omitted to be done in good faith

in the course of the administration of this Act or of any regulation made thereunder.

(2) No action or legal proceedings can be instituted against the Government in respect of any loss arising from the detention of produce or from their deterioration on account of such detention for the purpose of inspection under this Act or any regulations made thereunder.

Fines (*multi*).

11. Any person who contravenes any provision of this Act or any regulations made thereunder for which no fine (multa) is specifically provided, shall be liable to a fine (*multa*) of not less than fifty euro (€50) but not exceeding eleven thousand and six hundred and forty-six euro and eighty-seven cents (€11,646.87).

Enforcement notice by the Director.

12. (1) When the Director believes that any provision of this Act or any regulations made thereunder have been contravened, the Director or other person appointed by the Director may serve an enforcement notice in accordance with sub-article (2).

(2) An enforcement notice served in terms of sub-article (1) shall:

(a) require the infringing party upon whom it is served, to carry out such works or to take such steps as the Director may establish in order to remedy, or to prevent the continuation or repetition of any contravention for which the enforcement notice was served; and

(b) state the period within which any such requirement is to be complied with.

(3) The period stated in the enforcement notice for compliance with any such requirement shall be such period as is reasonable in the circumstances and shall not in any case be a period of less than twenty-eight (28) working days.

(4) The Director may at any time:

(a) withdraw the enforcement order;

(b) extend the period for compliance with any requirement of the enforcement order; or

(c) modify the requirements of the enforcement order.

Administrative penalties.

13. (1) When the Director has reasonable cause to believe that an infringement of any provision of this Act or any regulation made thereunder has been committed by any person, and the infringing party did not comply with the conditions and, or with the time frames of the enforcement notice referred to in article 12, or when an

enforcement notice could not be issued as the infringement cannot be remedied, he may order that person to be notified in writing in accordance with sub-article (2).

(2) A notice in accordance with sub-article (1) shall contain the following:

(a) the date or time periods and the circumstances in which the infringement took place;

(b) the provisions of the law providing for the infringement;

(c) a summary of the facts upon which the allegation that the infringement was committed is based, which is sufficient to fully and fairly inform the person of the allegation against him;

(d) any other matters that the Director considers relevant to the imposition of a penalty;

(e) the amount of the penalty due, and where the penalty due depends on a previous infringement, the date of such infringement; and

(f) if it so appears reasonable to the Director and without prejudice to the other provisions of the law, if applicable, the suspension for that time period, as notified, of any licence, and, or permit or any other type of authorisation in accordance with this Act or any regulations made thereunder, or by the Director under any other law, and in the notice, there shall be a written declaration that such notice is being issued under this article.

(3) When a person is served under sub-article (1) does not, after the notice is served upon him, admit the infringement and pay the amount imposed within thirty (30) days, the Director shall institute proceedings or request proceedings to be instituted before the Court in respect of the alleged infringement.

(4) When a person admits to an infringement under this article, the Director shall impose a monetary penalty on that person in respect of the infringement. The Director shall take into account any or more than one of the following criteria when determining the amount of the infringement which is to be imposed:

(a) the nature and the extent of damage caused;

(b) the intention of the offender;

(c) the economic situation of the offender; and

(d) any repetition of the violation.

(5) The penalty imposed under sub-article (4) shall be due as a civil debt enforceable by the competent court of civil jurisdiction in favour of the Government and the admission under oath by the person on whom the penalty is imposed shall constitute an executive title for the purposes of article 253 of the Code of Organization and Civil Procedure. Cap. 12.

(6) Notwithstanding any other provisions of this Act or any other regulations made thereunder, where an infringement has been admitted under this article, no charge may be issued in respect of such infringement against any person who registered an admission.

(7) Proceedings in respect of an infringement under this Act or any other regulation made thereunder, shall be taken before the Court of Magistrates as a court of criminal judicature and the provisions of the Criminal Code relating to criminal proceedings before such court shall, subject to the articles of this Act, apply in respect of proceedings for infringements under this Act or any other regulations made thereunder. Cap. 9.

(8) Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgment given by the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) in respect of proceedings for any offence under this Act. Cap. 9.

(9) Nothing in this article shall apply to any infringement in respect of which any charge has already been made.

Infringement by a body of persons.

14. Where an infringement is committed by an association or body of persons, any person who, at the time of the commission of the infringement, was a director, manager, secretary or other similar officer of such association or body of persons, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

Administrative Review Tribunal. Cap. 490.

15. (1) The Administrative Review Tribunal established by article 5 of the Administrative Justice Act shall be competent to hear and determine appeals made by any person aggrieved by any decision of the Director not to grant or renew, or suspend or revoke an authorisation, a licence or a permit, or to impose conditions, limitations or exclusions related to them.

(2) The Administrative Review Tribunal may require any department or agency of the Government to provide the Tribunal with such information or advice as the Tribunal may deem necessary for the proper execution of its functions.

(3) An appeal in accordance with this sub-article to the

Administrative Review Tribunal shall be filed within twenty (20) days from the notification of the Director's decision.

Cap. 490.

(4) There shall be a right of appeal in accordance with the provisions of Part IV of the Administrative Justice Act from decisions of the Administrative Review Tribunal under sub-article (1) and said appeal shall be to the Court of Appeal (Inferior Jurisdiction).

PART V
Miscellaneous

Decisions to be taken without delay.

16. (1) Decisions on applications shall be taken without delay.

(2) The Minister may, after consultation with the competent authority, make regulations to give better effect to the provisions of this article.

Review of activities.

17. The Directorate may also undertake a review of any such activities carried out before the coming into force of this Act, or any other Act preceding this Act, not in compliance with the rules, the regulations, the plans, the policies or authorisations in force at the time the activity took place, and in respect of any such an activity the Directorate shall have such powers as it has in respect of an activity carried out after the coming into force of this Act in order to ensure that the rules, the regulations, the plans and the policies aforesaid are complied with or to regularise any such an activity to the extent that the Directorate deems adequate in the circumstances.

Notification of documents.

18. (1) Where any other notice, order, instrument or document is required or authorised to be served or given by or under this Act, it may be served or given in any of the following manners:

(a) by delivering it to the person on whom it is to be served or to whom it is to be given;

(b) by leaving it at the usual or last known place of residence of that person or, if such person has furnished an address for service, at that address;

(c) by sending it by means of a registered letter addressed to that person at the place of residence or the address for service aforesaid;

(d) in the case of a body corporate or other body of persons, by delivering it to an officer or employee thereof at the registered or principal office, or sending it by means of a registered letter addressed to the body aforesaid at that office;

(e) in any case in which it is not reasonably possible to effect service in any of the aforementioned manners, whether on all or on any one or more of the persons on whom service is

to be made or notice is to be given, by affixing the document to be served or given in a conspicuous place on the land to which it relates and keeping it so affixed for a period of not less than seven (7) days;

(f) in any case in which it is not reasonably possible to effect service in any of the manners referred to in paragraphs (a) to (e) whether on all persons or on any one or more of the persons on whom service is to be made or notice is to be given, by publication in a local newspaper; or

(g) when the order, notice, or other document to be served or given is affixed on the land but is removed before the expiry period of seven (7) days, the reaffixing of the order, notice or other document shall only be for the remaining period after the document was removed.

(2) When the notice or other document is required or authorised to be served or given to any person as having an interest in the land, and the name of that person cannot be ascertained after reasonable inquiry, or is required or authorised to be served on an occupier of land, the notice shall be deemed to be duly served or given if it is served or given in any of the manners indicated in sub-article (1) and addressed to the person having an interest in the land by the description of "owner" or "occupier".

(3) A person who at any time after an order, notice or other document is affixed in accordance with this article, removes, damages or defaces the said affixed order, notice or other document during its term of validity without lawful authority shall be found guilty of an offence and shall be subject to a fine (*multa*) not exceeding a maximum amount of one thousand euro (€1,000).

Repeal, saving and transitory provisions. Cap. 84. Cap. 85.

19. (1) The Agricultural Returns Ordinance and the Agricultural Produce (Export) Ordinance, hereinafter referred to as "the repealed Ordinances" are hereby repealed and any references in any law to the repealed Ordinances shall be construed as references to this Act.

(2) Any order, rule, regulation, bye-law, notice, plan or policy or other instrument having the force of law made under the authority or kept in force under any provision of the repealed Ordinances shall continue to be in force and shall continue to have effect as if made in accordance with this Act and may be amended, substituted or revoked accordingly.

(3) Any licence, permission, authority, order, notice or certificate, or any prosecution or charges granted or made under or kept in force under any of the provisions of the repealed Ordinances and still in force immediately before the date of coming into force of this Act, shall as from such date continue in force as if it were a

licence, permission, authority, order, notice or certificate, or prosecution or charges granted or made under a corresponding provision of this Act, and any such licence, permission, authority, order, notice or certificate, or prosecution or charges as aforesaid shall be treated and dealt with accordingly:

Provided that in the case of any such licence, permission, authority, order, notice or certificate issued as operative for a specific period, such licence, permission, authority, order, notice or certificate shall remain operative for such a period from the date such licence, permission, authority, order, notice or certificate was issued.

(4) Any law prior to the coming into force of this Act shall be deemed, unless other provisions are made under or by virtue of this Act, to have remained in force, including for the purpose of any act, decision, action or proceedings which have been commenced prior to the said date.