CHAPTER 84

AGRICULTURAL RETURNS ORDINANCE*

To facilitate the preparation of agricultural statistics.

(8th January, 1935)†

ORDINANCE I of 1935, as amended by Ordinances: XIX and XXII of 1935; Act XIX of 1949; Legal Notice 4 of 1963; Acts: XXIII of 1966, XXXIII of 1969; XLIX of 1981 and XIII of 1983; and Legal Notice 408 of 2007.

Short title.

1. The short title of this Ordinance is the Agricultural Returns Ordinance.

Interpretation. *Amended by: XIX.1949.2; XXIII. 1966.2; XXXIII. 1969.2.*

2. In this Ordinance -

"agricultural land" includes any grazing, meadow, pasture, fallow, or unproductive land, and any vineyard, oliveyard, or orchard and any fruit or kitchen garden having an area of not less than one thousand one hundred and twenty-four square metres, and any glass-house or polythene-house having an area of not less than seventeen square metres;

"farmhouse" includes any farmyard, cowshed, stable, piggery, and any sheep, goat or poultry run, and any other place where farm animals or poultry are usually kept;

"owner" includes the occupier and any person having the management of any agricultural land or farmhouse, and "ownership" shall be construed accordingly.

Power to require returns. *Amended by: XIX.1935.2; XXII. 1935.2; XIX. 1949.3; XIII. 1983.5; L.N. 408 of 2007.*

3. (1) The Director of Agriculture may, at any time, by notice served on the owner of any agricultural land or farmhouse in Malta, require him to make, within the time, not being less than seven working days, limited by such notice, a return specifying -

(*a*) the area of the land in cultivation and of the several crops thereon;

(*b*) the area of the land in fallow or used for grazing;

(*c*) the livestock kept on the land or in the farmhouse;

(*d*) the nature of the tenure of the land;

(*e*) the rural labour employed; and

(*f*) such other particulars concerning the agriculture of Malta and kindred industries as the Director of Agriculture may require.

(2) The Director of Agriculture may, at any time, by notice served on the owner of any dairy, winery, or cannery in Malta, require him to make, within the time, not being less than fifteen working days, limited by such notice, a return specifying the raw materials and labour employed by him, the animal or mechanical

* This Ordinance has been repealed by Act XXXIII of 2023.
†*See* Proclamation No. I of the 8th of January, 1935.

means employed and any other equipment used and all such other data concerning dairying, wine-making, and canning, and kindred industries in Malta as the Director of Agriculture may require.

(3) Such returns shall be made in accordance with the instructions contained in the notice.

(4) The owner of any agricultural land or farmhouse who, after having made a return as provided in subarticle (1), ceases otherwise than by death to be the owner of the agricultural land or farmhouse to which the return relates, shall, within one month, report the fact to the Director of Agriculture, and shall give such information concerning the change of ownership as the Director of Agriculture may require.

Where the change of ownership occurs through the death of the previous owner, then the said report shall be made and the information shall be given as aforesaid by the new owner.

(5) Any person who fails to comply with the requirement of subarticle (4) shall, on conviction, be liable to a fine (*multa*) of not more than twenty-three euro and twenty-nine cents (23.29).

Service of notice.

4. (1) Any notice under this Ordinance may be served on the owner or on a member of his family either personally or by post.

(2) In default of evidence to the contrary, a postal letter shall be presumed to have been delivered on the working day after that of posting.

Delivery of returns.
Amended by: XIX. 1949.4

5. Any return in writing under this Ordinance may be delivered personally or sent by post free of postage to the person specified in the notice.

Non-disclosure of returns.
Amended by: XXXIII. I969.3.

6. No individual return or part of a return made under this Ordinance shall be used, published or disclosed without the authority of the owner, except for the preparation and publication of agricultural statistics or of a prosecution under this Ordinance:

Provided that it shall be lawful for the Director of Agriculture to furnish to the Commissioner of Land any information contained in a return made under this Ordinance as may be required in order to establish the ownership or the nature of tenure of any agricultural land or farmhouse.

Power to make regulations.
Amended by: XIX. 1949.5; L.N. 4 of 1963.

7. The Minister responsible for agriculture may make, amend and repeal regulations for carrying out the provisions of this Ordinance. Without prejudice to the generality of the aforesaid provision, such regulations may provide for the production to the Director of Agriculture of such documents as may be specified therein.

Offences and penalties.
Amended by: XLIX.1981.4: XIII. 1983.5; L.N. 408 of 2007.

8. If any person -

(*a*) refuses or without lawful excuse neglects to make a return required to be made under this Ordinance, to the best of his knowledge and belief; or

(*b*) makes or causes to be made a return which is false in any particular; or

(*c*) uses, publishes, or discloses contrary to the provisions of this Ordinance any individual return or part of a return of which he is aware by reason of his office,

he shall be liable to a fine not exceeding four euro and sixty-six cents (4.66) or, if the court is of opinion that the offence was committed wilfully, to a fine not exceeding forty- six euro and fifty-nine cents (46.59) or to imprisonment for a term not exceeding three months.