

SUBSIDIARY LEGISLATION 549.34**CHEMICALS CO-ORDINATING COMMITTEE
REGULATIONS**

1st May, 2004

*LEGAL NOTICE 328 of 2002, as amended by Legal Notice 12 of 2003;
and Acts XXV of 2015 and XXXIII of 2024.*

1. The title of these regulations is the Chemicals Co-ordinating Committee Regulations.

Citation.

2. The objective of these regulations is to set up a committee with the aim to achieve a holistic multi-partite approach for the implementation of the Export and Imports of Certain Dangerous Chemicals Regulations, and for the management of all chemicals affecting the environment.

Objective.

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3. In these regulations, unless the context otherwise requires:

Definitions.

*Amended by:
L.N. 12 of 2003.*

"Agreement" means an agreement, to which Malta is a party, entered into by a group of states reciprocally granting to citizens of such states or their dependants the right to enter, remain and reside in and leave the territory of such state, to move freely within such states for such period as may be established in the agreement and to work or establish, provide or receive services therein; and "Agreement State" and "citizen of an Agreement State" shall be construed accordingly; and where a state is a party to such an Agreement subject to modifications and adaptations, a citizen of an Agreement State shall be subject to such modifications or adaptations as may be prescribed "Chairman" means the Chairman of the Committee;

"chemical substances" means chemical elements and their compounds in the natural state or obtained by any production process, including any additive necessary to preserve the stability of the products and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;

"chemicals" means chemical substances or preparations;

"committee" means the Chemicals Co-ordinating Committee;

"competent authority" means the Chemicals Co-ordinating Committee;

"main regulations" means the Export and Imports of Certain Dangerous Chemicals Regulations;

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"management" means the production, manufacture, transport or storage of chemicals and the ultimate fate into the environment;

"Minister" means the Minister responsible for the environment;

"placing on the market" means making available to third parties, whether in return for payment or free of charge;

"preparations" means mixtures or solutions composed of two or

more substances.

Any other terminology shall be understood to have the same meaning ascribed to it under the main regulations.

Interpretation.

4. (1) The Chemicals Co-ordinating Committee shall be established under these regulations and shall be referred to as the committee.

(2) The Committee shall be the national competent authority for regulating the export, import of dangerous chemicals and the placing on the market of any chemicals referred to in the main regulations and matters related thereto.

National
competent
authority.

5. The competent authority shall ensure that the conditions of procedure for the grant of the permit and compliance monitoring shall be fully co-ordinated, in order to guarantee an effective integrated approach by all authorities competent for this procedure.

Composition and
terms of reference
of the Chemicals
Co-ordinating
Committee.

6. (1) The composition and terms of reference of the Committee shall be as respectively shown in Schedules I and II.

(2) The Minister shall appoint a Board Secretary to the Committee.

(3) The members of the Committee shall be so appointed for a term of three years:

Provided that the Chairman and the other members of the Committee may resign their office at any time by giving notice in writing to the Minister, and the Minister may at any time remove the Chairman and, or any of the members of the Committee on grounds of disability to perform their functions, of bankruptcy or neglect of duty.

(4) Without prejudice to any of these regulations, the Committee may regulate its own procedures and meetings.

Sub-committees.

7. The Chairman may set up any other sub-committee to assist the Committee as it may deem necessary.

Permits.

8. (1) Any person requiring any permit under the main regulations shall submit the notifications for a permit to the competent authority.

(2) The competent authority shall authorise the granting of any permit and the registration of any dangerous chemicals, under the main regulations, through the Environment and Resources Authority.

(3) The competent authority may decide to forward the notification to any other public entity for consultation before finalising its rulings and recommendations.

(4) The competent authority shall forward its rulings to the Customs Department who will be responsible for implementing these rulings.

SCHEDULE I
Composition of Chemicals Co-ordinating
Committee

*Substituted by:
L.N. 12 of 2003.
Amended by:
XXV. 2015.41;
XXXIII.2024.
First Schedule.*

The Chemicals Co-ordinating Committee shall consist of:

- (a) The Director of the Environment Protection Directorate within the Environment and Resources Authority, who shall act as Chairperson of the Committee.
- (b) An official designated by the Chairperson of the Environment and Resources Authority, who shall act as Deputy Chairperson of the Committee.
- (c) An official responsible for Customs, designated by the Minister responsible for finance.
- (d) An official responsible for public health, designated by the Minister responsible for public health.
- (e) An official responsible for health and safety at work, designated by Chairperson of the Occupational Health and Safety Authority.
- (f) An official responsible for agriculture and fisheries, designated by the Minister responsible for agriculture and fisheries.
- (g) An official designated by the Chairperson Malta Standards Authority.
- (h) An official designated by the Regulator for Energy and Water Services.
- (i) An official designated by the Minister responsible for Civil Protection.
- (j) Any other representative as the Committee may deem necessary.

SCHEDULE II

The terms of reference of the Chemicals Co-ordinating Committee shall include:

- (a) management of chemicals affecting the environment;
- (b) gathering of information from the local exporter and notifying the respective country where such export is intended to take place;
- (c) evaluating the risks of chemicals without prejudice to other provisions adopted;
- (d) ensuring that each exported chemical has its relevant EC Export Reference Number;
- (e) setting up an information system on chemicals and the protection of health and the environment;
- (f) receiving and sending notifications on the importation/exportation of chemicals from other States;
- (g) forwarding notification for distribution to other competent authorities in other States;
- (h) propose and advise upon the appropriate legal and administrative framework to implement the main regulations.