SUBSIDIARY LEGISLATION 595.08

ENERGY AND WATER AGENCY (ESTABLISHMENT AS AN AGENCY) ORDER

7th February, 2014

LEGAL NOTICE 50 of 2014, as amended by Legal Notice 340 of 2016.

Citation.
Amended by: L.N. 340 of 2016.

1. The title of this Order is the Energy and Water Agency (Establishment as an Agency) Order.

Interpretation.
Substituted by: L.N. 340 of 2016.
Cap. 595.

2. In this Order, unless the context otherwise requires -

"the Act" means the Public Administration Act;

"Agency" means the Energy and Water Agency;

"Minister" means the Minister responsible for energy and water and includes any person authorised by such Minister in that behalf;

"Permanent Secretary" means the Permanent Secretary in the Ministry responsible for energy and water.

Establishment of the Energy and Water Agency.
Substituted by: L.N. 340 of 2016.

3. There shall be an Agency, to be known as the Energy and Water Agency, which shall carry out functions related to the design, implementation and dissemination of water, conventional energy and alternative energy policy.

Mandate of the Agency.
Substituted by: L.N. 340 of 2016.

4. In the execution of its functions, the Agency shall have the following responsibilities:

(*a*) the design, development and cohesive coordination of conventional and alternative energy policies and measures together with water policy and secure governance across and within Ministries, Departments and government entities;

(*b*) the monitoring, reviewing and updating of conventional energy, alternative energy and water conservation in accordance with European Union and international requirements;

(*c*) leading and coordinating co-funded projects relating to conventional energy, alternative energy and water across Ministries;

(*d*) the design, development and management of a sustained knowledge, education, information and communications framework directed to influence behaviour with regard to alternative energy use;

(*e*) the drawing up of legislative proposals in support of national policies as necessary;

(*f*) any other initiative or activity that is complementary and conducive to the fulfilment of the responsibilities of the Agency; and

(*g*) the general regulation of its own procedures provided it does not violate the provisions of any other law.

Minister responsible for the Agency. *Amended by: L.N. 340 of 2016.*

5. (1) The Minister responsible for the Agency shall be the Minister responsible for energy and water conservation.

(2) The Permanent Secretary in the Ministry responsible for energy and water conservation shall supervise the Unit in terms of article 29 of the Act:

Provided that the Permanent Secretary in the Ministry responsible for energy and water conservation may be assisted in such supervision by another Permanent Secretary in accordance with the proviso to article 14(6) of the Act:

Provided further that the Prime Minister may assign the responsibility of the Unit to another Minister and its supervision to the Permanent Secretary of that ministry.

Operational set-up of the Agency. *Substituted by: L.N. 340 of 2016.*

6. (1) The Agency shall, in consultation with the Minister, establish and re-organise units, divisions and sections as appropriate in order to exercise its primary functions in, *inter alia*, energy policy, renewable energy and alternative energy, water conservation and programme management and in other supporting functions.

(2) The operations of the Agency shall follow an Agreement which is to be agreed upon between the Permanent Secretary and the Agency.

Role of the Chief Executive Officer. *Substituted by: L.N. 340 of 2016.*

7. (1) Subject to the other provisions of this Order, the executive conduct of the Agency, its administration and organisation and the administrative control of its officers and employees, shall be the responsibility of a Chief Executive, who shall be appointed by the Minister.

(2) The Chief Executive shall be responsible for the implementation of the objectives of the Agency in the exercise of its functions and, without prejudice to the generality of the foregoing, he shall:

(*a*) assume full responsibility for the overall direction and control of the units, divisions and sections;

(*b*) assign to each unit, division and section such duties which he considers necessary or expedient;

(*c*) co-ordinate the workings of the units, divisions and sections;

(*d*) develop the necessary strategies for the implementation of the objectives of the Agency; and

(*e*) perform such other duties as the responsible Minister may assign to him from time to time.

Deployment of public officers and recruitment with the Agency. *Amended by: L.N. 340 of 2016.*

8. (1) Public officers deployed with the Agency shall be deemed to be detailed with the Agency in accordance with article 33 of the Act.

(2) Subject to the provisions of the Act and of any other legislation, the Agency shall have authority to engage its own employees.

9. The Agency shall be governed by the provisions of the Public Finance Management Act unless otherwise stated in the Agreement between the Permanent Secretary and the Agency, in which case the provisions of the Agreement shall prevail.

Financial arrangements.
Amended by: L.N. 340 of 2016.
Cap. 601.