L.N. 136 of 1990

LOCAL MANUFACTURES (PROMOTION) ACT, 1989

(ACT NO. XXXI OF 1989)

Promotion of Local Manufactures (Applications to Board) Regulations, 1990

IN exercise of the powers conferred by section 11 of the Local Manufactures (Promotion) Act, 1989, the Minister for Economic Affairs, with the concurrence of the Minister of Finance, has made the following regulations:—

Citation.

1. These regulations may be cited as the Promotion of Local Manufactures (Applications to Board) Regulations, 1990.

Interpretation.

2. In these regulations unless the context otherwise requires —

Act No. XXXI of 1989

"Act" means the Local Manufactures (Promotion) Act, 1989;

"Board" means the Local Manufactures Promotion Board set up under section 3 of the Act; and

"Minister" means the Minister responsible for industry.

Prescribed forms and fees.

3. (1) The prescribed forms for the application in writing from any person or organisation in connection with measures that may be taken by the Minister for the promotion of Maltese goods under the Act shall be in accordance with the form in the —

(a) First Schedule to these regulations for applying to the Board for the introduction of measures to promote Maltese goods, and

(b) Second Schedule to these regulations for applying to the Board for the amendment or revocation of any existing measures to promote Maltese goods,

and any reference to a prescribed form shall be construed as a reference to the appropriate form in the said Schedules.

(2) A fee of Lm10 shall be paid in respect of each application on a prescribed form submitted to the Board by manufacturers or by importers. Fees shall under no circumstances be refunded.

Powers of the Board.

4. (1) The Board may request such information, inspect such books and other documents and carry out or order such inspections of premises as may reasonably be considered necessary to enable it to carry out its functions.

(2) The Board may set time limits for compliance with any requests it may make in accordance with paragraph (1) of this regulation.

(3) The Board may consider an application on a prescribed form to have been withdrawn if the person making such application does not comply with any final time limit which the Board may set for the submission of any information, books or other documents connected with his application.

Offences.

Cap. 117

5. (1) Any person who contravenes any provision of the Supplies and Services Act or of any regulations made thereunder which are exercised by the Minister in virtue of the provisions of subsection (4) of section 5 of the Act shall, on conviction, be liable to a fine *(multa)* of not more than five thousand liri, or to a term of imprisonment of not more than six months, or to both such fine and imprisonment together.

(2) Whosoever, in order to gain any advantage or benefit for himself or others, or in order to place in any disadvantage any other person, shall, in any document intended for the Board, knowingly make a false declaration or statement, or give false information, for the purposes of regulations 3 and 4 of these regulations, shall, on conviction, be liable to a fine *(multa)* of not more than one thousand liri or imprisonment for a term of not more than one month, or to both such fine and imprisonment together.

FIRST SCHEDULE

(Regulation 3)

APPLICATION FOR THE INTRODUCTION OF PROTECTION MEASURES
UNDER THE
LOCAL MANUFACTURES (PROMOTION) ACT, 1989
(ACT NO. XXXI OF 1989)

I. PARTICULARS REGARDING BUSINESSMAN OR COMPANY

1. Name of Proprietor, Manager, Director: .....

2. Address: .....
Tel. No: ..... Telefax No: ..... Telex No. and Answerback: .....

3. (i) State legal status of the business, e.g. Individual, Partnership, Company:
.....

(ii) In the case of a Limited Liability Company state the Date of Incorporation: ..... and Registered Office: .....

4. Bank and Other Reference: .....

5. a) Directors:

	Name	*Address*
1	.....	.....
2	.....	.....
3	.....	.....
4	.....	.....

b) Shareholders:

Name	*Name and Address of Reference*
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
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6. Business history of promoters named in paragraph 1 and/or shareholders named in paragraph 5(b):

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II. PRODUCTION AND MARKETING

7. Description of existing products for the last three years (if any) : (Composition and Specifications).

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8. Description of volume and sales value of the products produced in the last three years:

PRODUCT—H.S Code:—	*SALES*		*HOME*	*EXPORT*
DESCRIPTION	*VOLUME*	*VALUE Lm*	%	%
Last Year				
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
Penultimate Year				
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.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
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Pre-Penultimate Year				
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.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
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.....	.....	.....	.....	.....

9. Estimated Size (Volume and Value) of Maltese market per product:

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10. Details of main export markets (if any):

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11. Details of manufacturing or other process used:

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12. In the case of a new product, estimated date of commencement of production in months: .....

III. EMPLOYMENT

13. Existing employment by the applicant in the same activity:

Men	*Women*	*Nature of Activity*	*Total Gross Wage p.a.*
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

14. Projected NEW employment in Malta (one/two/three shift/s) (if applicable):

	Men	*Women*	*Total*
Within ONE Year	.....	.....	.....
Additional Year TWO	.....	.....	.....
Additional Year THREE	.....	.....	.....
TOTAL within THREE Years	.....	.....	.....

15. Will employment be constant or seasonal? If seasonal, indicate minimum number of months per year and give particulars of expected fluctuations:

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IV. PLANT, MACHINERY AND EQUIPMENT

15. (a) Existent

(b) Still to be purchased
to include potential output on 1, 2 or 3 shifts.

Description	*Cost and Freight* *Lm*
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V. FINANCIAL INFORMATION

17. Projected capital expenditure (if any):

	During 1st Year of operation	*Additions during 2nd Year of operation*	*Additions during 3rd Year of operation*
1. Cost of site and premises	.....	.....	.....
2. Cost of installation of:			
(a) internal services	.....	.....	.....
(b) plant and machinery	.....	.....	.....
3. Other expenditure on site and building	.....	.....	.....
4. Cost of plant, machinery and equipment:			
(a) to be purchased new	.....	.....	.....
(b) to be purchased second hand	.....	.....	.....
5. Valuation of used plant, machinery and equipment to be transferred	.....	.....	.....
6. Cost of office and other equipment:			
(a) to be purchased new	.....	.....	.....
(b) to be purchased second hand	.....	.....	.....
7. Removal expenses of own plant, machinery and equipment, etc.	.....	.....	.....
8. Formation and other pre-incorporation expenses	.....	.....	.....
TOTAL	.....	.....	.....

VI. COSTING SHEET

18. Description of item or items produced:

1.	Material Consumed	.....
2.	Direct Wages	.....
	PRIME COST	
3.	Factory overhead	.....
	FACTORY COST	
4.	Mark Up (Note 1)	.....
	SELLING PRICE to the consumer	.....

Note 1: The percentage of Mark Up is calculated in accordance with Order No. 15 relating to the Maximum Prices of Commodities which was published in the Government Gazette of the 25th February, 1983.

This information is required in respect of each item produced for which protection is being requested.

VII. DOCUMENTATION

19. (a) In the case of a Limited Liability Company:

(i) Audited Accounts for the last year; and

(ii) Current Management Accounts.

(b) In the case of a Sole Trader or a Partnership:

The accounts i.e. Profit and Loss Account and Balance Sheet for the last year.

(c) If the Company/Other Business has submitted for tests any of its products to the Government Standards Laboratory please attach copy/copies of the tests' results.

....

Signature Date

SECOND SCHEDULE

(Regulation 3)

APPLICATION FOR
THE AMENDMENT OR REVOCATION OF PROTECTION MEASURES
UNDER THE
LOCAL MANUFACTURES (PROMOTION) ACT, 1989
(ACT NO. XXXI OF 1989)

I. PARTICULARS

1. Name: .....

2. Address: .....
   Tel. No: ..... Telefax No: .....
   Telex No. and Answerback: .....

3. (i) State legal status of the business, e.g. Individual, Partnership, Company:
   .....

   (ii) In the case of a Limited Liability Company state the —
   Date of Incorporation: ..... and
   Registered Office: .....

4. Bank and Other Reference: .....

5. Directors and Managers:

	Name	*Capacity*
1	.....	.....
2	.....	.....
3	.....	.....
4	.....	.....

II. COSTING SHEET

6. Description of item or items imported (including H.S. Code):

		Lm
(1)	C.I.F. Cost (to submit costed invoice)	.....
(2)	Importation duty (if any)	.....
(3)	Importation Levy (if any)	.....
	Sub Total (1), (2) and (3)	.....
	Total Cost to Importer	.....
(4)	Selling Price to the Wholesaler	.....
	Retailer	.....
	Consumer	.....

SECTION III

III. RELEVANT INFORMATION

7. Reasons for request to amend/revoke levy on specified items on the Register:

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8. Other Details/Relevant Infomation: (to include detailed composition and specifications of each product — and a copy in English of label or wrapper):

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Signature Date

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