VERŻJONI ELETTRONIKA

L.N. 96 of 2018

PUBLIC ADMINISTRATION ACT (CAP. 497)

Malta Individual Investor Programme Agency (Establishment) Order, 2018

IN EXERCISE of the powers conferred by article 36 of the Public Administration Act, the Prime Minister has made the following order:-

Title.

1. The title of this order is the Malta Individual Investor Programme Agency (Establishment) Order, 2018.

Definitions.

2. In this order, unless the context otherwise requires:

Cap. 497.

"Agency" means the Malta Individual Investor Programme Agency established by this order;

"the Act" means the Public Administration Act;

"Minister" means the Minister responsible for identity management.

Establishment of Agency.

3. There shall be established an Agency, to be known as the Malta Individual Investor Programme Agency which shall carry out functions and duties of public administration in the following matters:

Cap. 188.

(a) to administer the Individual Investor Programme of the Government of Malta as established by and under the Maltese Citizenship Act;

(b) to cooperate with Identity Malta Agency in all matters, including the setup and implementation of strategies and policies;

(c) to perform all such other matters which are ancillary, incidental or consequential to the matters stipulated in this article, as the Minister may from time to time determine.

Minister responsible for the Agency.

4. The Minister responsible for identity management shall be the Minister responsible for the Agency.

Agency to be subject to the Act.

5. The Agency shall be subject to the provisions of the Act and shall be regulated accordingly.

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Special arrangements. Board of Directors.

6. (1) As a special arrangement in terms of article 36(2)(d), in conjunction with article 39 of the Act, the Agency shall be directed by a Board of Directors appointed by the Minister, which Board, some of its members shall be involved in the direction of the Identity Malta Agency, an agency established in accordance with the Act and this saving the powers granted to Minister, the Principal Permanent Secretary and the Permanent Secretary by articles 38 and 39 of the Act.

(2) The Board shall be composed of five (5) Directors appointed by the Minister. One (1) of the Directors shall be appointed by the Minister as the Chairperson of the Board.

(3) The members of the Board shall hold office for a period not exceeding three (3) years. Any member may, before the expiration of his term of office, resign by letter addressed to the Minister:

Provided that the members of the Board may be removed from office by the Minister prior to the expiry of their term of office where, in the opinion of the Minister, they have been found guilty of misconduct or where they are, in the opinion of the Minister, unable to perform the duties of their office.

(4) The Minister shall appoint a person to act as a Secretary of the Board.

(5) The remuneration paid to members of the Board shall be in accordance with the Act and established guidelines.

Chief Executive Officer.

7. (1) The Agency shall have a Chief Executive Officer who shall be responsible for the performance, functions and duties of the Agency in accordance with the Act and shall be responsible for the daily management of the Agency, and to give his recommendations to the Minister on applications presented, after all due diligence checks are performed.

(2) The Chief Executive Officer shall be appointed by the Minister.

(3) The Chief Executive Officer shall be answerable to the Board, and this save the powers granted to the Minister, the Principal Permanent Secretary and the Permanent Secretary, by articles 38 and 39 of the Act.

(4) The legal and judicial representation of the Agency shall vest in the Chief Executive Officer or in any officer of the Agency who the Minister may nominate for the purpose from time to time.

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Amends the Fourth Schedule of the Public Administration Act. Cap. 497.

8. In the Fourth Schedule of the Public Administration Act, immediately after "MEUSAC" there shall be added the following:

"Malta Individual Investor Programme Agency	to carry out functions and duties of public administration relating to the Individual Investor Programme of the Government of Malta, as established by and under the Maltese Citizenship Act and to cooperate with Identity Malta Agency in all matters including the setup and implementation of strategies and policies.".

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