L.N. 263 of 2021

TRADING LICENCES ACT
(CAP. 441)

COVID-19 Temporary Government Financial Support Measures Regulations, 2021

IN EXERCISE of the powers conferred by article 17 of the Trading Licences Act, the Minister responsible for commerce, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the COVID-19 Temporary Government Financial Support Measures Regulations, 2021.

(2) The scope of these regulations is to issue vouchers under various schemes in order to sustain, preserve and regenerate their economic activity in Malta.

Interpretation.

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

Cap. 441.

"Act" means the Trading Licences Act;

"authorised entity" means an entity authorised by the Minister to operate and manage the grant, issuance, distribution, and redemption of the vouchers in accordance with these regulations;

S.L. 465. 60.
S.L. 465. 59.

"eligible establishment" means an establishment which was forced to close pursuant to the Closure of Non-Essential Retail Outlets and Outlets Providing Non-essential Services Order and the Closure of Places Open to the Public Order due to the COVID-19 pandemic;

"eligible persons" means anyone who is a resident of Malta and sixteen (16) years of age as at the date of publication of these regulations;

"Minister" shall have the same meaning as assigned to it in the Act;

"terms and conditions" means the terms and conditions to be issued together with the vouchers and constituting an integral part of such vouchers issued by the Minister or any such authorised entity;

"vouchers" means vouchers being issued by the Minister or any such authorised entity to eligible persons and to be used at eligible establishments.

Use of vouchers.

3. Vouchers shall only be used by eligible persons at eligible establishments.

Authorised entity.

4. The Minister may appoint any authorised entity by notice in the Gazette for the purposes of enabling such authorised entity to operate and manage the grant, issuance, distribution, and redemption of the vouchers as well as assist it with any matter relating to the vouchers.

Transfer of vouchers.

5. Vouchers are freely transferable between eligible persons:

Provided that vouchers may not be sold or transferred against payment whether in cash or in kind.

Audit of eligible establishments.

6. (1) The Minister or authorised entity shall be entitled to carry out an audit of an eligible establishment to ensure compliance by that eligible establishment with these regulations.

(2) Eligible establishments shall give all necessary assistance to the authorised entity for the purposes of conducting the audit.

Record-keeping.

7. Eligible establishments shall maintain records of vouchers which have been redeemed for a period of one year from the end of the voucher scheme:

Provided that failure by eligible establishments to keep proper records with regard to the redemption of vouchers shall constitute a breach of these regulations.

Offences and penalties.

8. Any person who contravenes any of the provisions of these regulations shall be guilty of an offence and shall, on conviction be liable to the same penalties established under article 18 of the Act.

9. For the purposes of article 19 of the Act, the penalty that the authorised entity may demand in relation to any offence against the provisions of the Act and any of these regulations shall be of five hundred euro (€500).

10. (1) In case of any eligible establishment who is in breach of these regulations, it shall be lawful for the authorised entity to suspend any payment due to the eligible establishment until conclusion of special proceedings established by the Act.

(2) In case of conviction, the court shall order the imposition of a fine and, or that any payments obtained under these regulations are to be returned to the authorised entity.

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