L.N. 105 of 2026

AGRICULTURE ACT
(CAP. 639)

Protection of Agricultural Land (Amendment) Regulations, 2026

IN EXERCISE of the powers conferred by article 7 of the Agriculture Act, the Minister responsible for agriculture and rural affairs, has made the following regulations:-

Citation and commencement.

S.L. 639.13.

1. (1) The title of these regulations is the Protection of Agricultural Land (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with the Protection of Agricultural Land Regulations, hereinafter referred to as the "principal regulations".

(2) These regulations shall come into force within two (2) months from their publication in the Gazette.

Substitutes regulation 8 of the principal regulations.

2. Regulation 8 of the principal regulations shall be substituted by the following new regulation:

"Non-agricultural activity.

8. The use of agricultural land for non-agricultural activities, including the practice of hobbies, is permissible provided that it does not interfere with agricultural activities which may be carried out in accordance with regulation 6 or cause any environmental degradation:

Provided that any non-agricultural activity on agricultural land shall comply with the provisions of these regulations and any other obligations according to law.".

Substitutes regulation 9 of the principal regulations.

3. Regulation 9 of the principal regulations shall be

substituted by the following new regulation:

"Unregistered land.

9. (1) In cases of agricultural land which is not registered under any person and is not maintained in terms of regulation 5, the Director shall affix a notice on the site of the agricultural land as well as publish a Government notice ordering that any person having an interest in such agricultural land shall declare and describe such interest to the Director within three (3) months from the said publication, and if no declaration is made the Director shall request Riżorsi Agrikoli Malta to register the agricultural land in its name and by virtue of such registration Riżorsi Agrikoli Malta shall acquire the effective possession of such agricultural land and shall have the power to allocate it to an agricultural activity:

Provided that if a valid title on such agricultural land is proven to the satisfaction of the Director, he shall cancel the registration of the land under Riżorsi Agrikoli Malta by the end of the agricultural year in which a valid title was established, and register it in favour of the title holder:

Provided further that any registration under the preceding proviso shall only become effective if any fine (*multa*), fee or other debt in accordance with these regulations is settled by the title holder, unless the holder of the valid title demonstrates to the satisfaction of the Director that it was impossible for him to register the land and comply with the land use obligation in accordance with these regulations, and thus any such fine (*multa*), fee or debt shall cease to be due even if it resulted from an offence in accordance with these regulations.

(2) Riżorsi Agrikoli Malta shall manage agricultural land registered in its favour in accordance with sub-regulation (1) as a *bonus paterfamilias*:

Provided that if such agricultural land ceases to be registered on Riżorsi Agrikoli Malta in order to be registered in favour of a holder of a valid title according to sub-regulation (1), such title holder shall compensate Riżorsi Agrikoli Malta for all costs incurred for the taking over of the agricultural land and management of same, including but not limited to notarial, legal and fiscal costs, and the costs for all improvements made by Riżorsi Agrikoli Malta and this unless the valid title holder demonstrates to the satisfaction of the Director that it was impossible for him to register the land and to comply with the land use obligation according to these regulations, and thus any costs shall cease to be due even if these resulted from an offence in accordance with these regulations.

(3) If a holder of a valid title on an agricultural land proves to the satisfaction of the Director that:

(a) it was impossible for him to register the agricultural land in accordance with these regulations; and

(b) undertakes to act as a farmer or engage a farmer for such agricultural land upon the registration in his name according to these regulations,

he shall be entitled to the payment of any amount as equivalent to that collected by Riżorsi Agrikoli Malta for such agricultural land from third parties, excluding costs in accordance with sub-regulation (2), and such equivalent amount shall be paid to the farmer or to the valid title holder by Riżorsi Agrikoli Malta.".

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