



# USER GUIDANCE

---

**Title:** Registration in the Malta Official Register of professional operators

**Issue date:** 30 September 2020

**Update:** N/A

**Version:** V1 dated 30 September 2020

---

**Contents**

- | Introduction..... 3
- | Overview..... 3
- | Legal basis..... 3
- | Definitions..... 3
- | Designated authority..... 4
- | Eligibility..... 4
- | Procedure of application..... 5
  - || Application options..... 5
  - || Service availability..... 5
  - || Service delivery timelines..... 5
  - || Compliance requirements..... 6
  - || Other requirements..... 6
- | Related documents..... 6

## Introduction

The new plant health regulations recognise the importance of professional operators in the safe production and movement of healthy plants/plant products. For the purpose of control and traceability, these professional operators are required to be registered by the Competent Authority for plant health in the Official Register.

## Overview

As the Competent Authority for plant health in Malta, the Plant Protection Directorate is duty bound to keep and update a register containing professional operators who operate in the territory of Malta.

The Director of the Plant Protection Directorate may decide for further categories of growers or other professional operators to be registered if this is justified on the basis of the pest risk presented by the plants that they grow or by any other of their activities.

Certain professional operators may be exempt from registration if they fulfil specific criteria.

Professional operators are required to notify any quarantine pest they find in the areas of their control. They also have to ensure the traceability of the regulated plants/plant products they receive from and submit to other professional operators.

Professional operators will be authorised to issue plant passports, under the supervision of the Plant Protection Directorate.

For the purpose of registration, professional operators need to submit an application to the Plant Protection Directorate. This application shall follow the prescribed procedure and contain the required elements.

The information kept in the Official Register includes the official registration number, and, where applicable, an indication of the activities for which the professional operator is authorised, as well as, where applicable, the specific plants, plant products or other objects of interest as well as the stage the plant product is marketed if applicable.

Without prejudice to rules on confidentiality, access to information and private data protection, the Plant Protection Directorate shall make available, on reasoned and/or justified request, the information contained in the Register to other Member States or the Commission, or other professional operators, in specific cases only.

## Legal basis

- Regulation (EU) 2016/2031 on protective measures against plant pests ‘Plant Health Law’ which entered into force on 13 December 2016, and became applicable from 14 December 2019.
- Subsidiary Legislation 433.03. Plant Quarantine (Harmful Organisms) Regulations. Legal Notice 97 of 2004, as amended by Legal Notices 477, 478, 480 of 2004, 42, 55, 307, 308, 361 of 2005, 245 of 2006, 359 of 2007, 270 of 2008, 33, 100 of 2009, 77, 119 of 2010, 19 of 2011, 99, 293, 426 of 2012, 162, 334 of 2014, 293 of 2015, 354 of 2017, 27 of 2018 and 232 of 2019.
- Official Control Regulation (EU) 2017/625

## Definitions

‘Plants’ means living plants and the following living parts of plants:

- a. seeds, in the botanical sense, other than those not intended for planting;
- b. fruits, in the botanical sense;

- c. vegetables;
- d. tubers, corms, bulbs, rhizomes, roots, rootstocks, stolons;
- e. shoots, stems, runners;
- f. cut flowers;
- g. branches with or without foliage;
- h. cut trees retaining foliage;
- i. leaves, foliage;
- j. plant tissue cultures, including cell cultures, germplasm, meristems, chimaeric clones, micro-propagated material;
- k. live pollen and spores;
- l. buds, budwood, cuttings, scions, grafts.

‘Plant products’ means unmanufactured material of plant origin and those manufactured products that, by their nature or that of their processing, may create a risk of the spread of quarantine pests.

‘Competent authority’ means the central authority or authorities of a Member State, or, where applicable, of a third country, responsible for the organisation of official controls and of other official activities, or any other authority to which that responsibility has been conferred, in accordance with Union legislation on official controls;

‘Professional operator’ means any person, governed by public or private law, involved professionally in, and legally responsible for, one or more of the following activities concerning plants, plant products and other objects:

- a. planting;
- b. breeding;
- c. production, including growing, multiplying and maintaining;
- d. introduction into, and movement within and out of, the Union territory;
- e. making available on the market;
- f. storage, collection, dispatching and processing.

‘Registered operator’ means a professional operator registered in accordance with the provisions of the regulations.

‘Authorised operator’ means a registered operator authorised by the competent authority to issue plant passports, to apply a mark, or to issue attestations in accordance with the provisions of the regulations.

## Designated authority

The Surveillance and Enforcement Unit within the Plant Protection Directorate.

## Eligibility

The procedure of registration in the Malta Official Register is applicable to individuals or entities involved in an activity listed under Article 6 of S.L. 433.03 who:

- Propagate, grow and trade or any activity associated with any plant and plant products or other objects listed in Schedule V part A and seeds which are referred in Schedule IV part A of S.L. 433.03.
- Issue of plant passports
- Import any plant, plant product or other object listed in Schedule V part B, and seeds which are listed in Schedule IV part A of S.L. 433.03.
- Produce or maintain any collective warehouse or dispatching centres of potato tubers, and

- seeds and fruits of Citrus include all hybrids.
- Treat wood with heat treatment as per ISPM15.
- Produce and market plant reproductive material.
- Professional operators who request the competent authority to issue the certificates referred to in Articles 100, 101 and 102 of Plant Health Regulation (EU) 2016/2031
- Organisations / Businesses involved in providing information in accordance with Articles 45 or 55 of Plant Health Regulation (EU) 2016/2031

## Procedure of application

### Application options

- Application forms for businesses available at eGov servizz.mt at:
  - <http://eforms.service.gov.mt/EForms/> (for companies) and
  - [https://servizz.gov.mt/en/Pages/Economy -Business-and- Trade/Business-and-Trade/Starting-a-Business/WEB870/default.aspx](https://servizz.gov.mt/en/Pages/Economy-Business-and-Trade/Business-and-Trade/Starting-a-Business/WEB870/default.aspx) (for sole traders)
- Applications may also be requested:
  - Via phone on freephone 80072310 or number 22926535.
  - By email on: [plantquarantine@gov.mt](mailto:plantquarantine@gov.mt).
  - Or by calling in person at the PPD at 110, Annibale Preca Street, Lija.
- Requests for assistance to fill in the application forms can be made by phone or by email as per above.
- Filled applications may be submitted in person at Lija, or sent by post.

### Service availability

During normal opening hours:

Summer (16th June to 30th September):	07:00 – 13:00
Winter (1st October to 15th June):	07:30 – 15:30

### Service delivery timelines

- In cases of walk-in's applications form is handed to the customer immediately.
- In case of requests by email or by phone, the application form is sent to the customer within twenty-four (24) hours from requests.
- Should the customer require assistance to fill in the application form, an appointment is scheduled within twenty-four (24) hours of receiving the request.
- For applications that are handed in person, an acknowledgement is issued immediately. For applications that are received by post, an acknowledgement in writing is sent within twenty-four (24) hours of receipt.
- Filled applications are reviewed and assessed within three (3) days of being received and customer is notified.
- Within the same three (3) working days, an appointment for an inspection is scheduled with the customer.
- An inspection report is drawn up, sent to the customer by email, and, in the case of no breaches, the MOR compliance certificate will be issued within five (5) working days of the

inspection.

- In the case of breaches, customers will be given time to rectify and continue the process.
- The operator is registered in the MOR and is sent a copy of the compliance certificate by post within twenty-four (24) hours of issue.

## **|| Compliance requirements**

Application must include the following information. Compliance to these criteria will also be verified during the on-the-spot inspection, if applicable:

- A system of records is available;
- Place for the segregation of consignments;
- An area suitable for inspection is present on site.
- List of products concerned;
- A georeferenced site plan of the premises (if relevant);
- A detailed plan for segregation of consignment in case of suspected/infestation by harmful organisms (if relevant).

## **|| Other requirements**

The MOR compliance certificate is valid for one (1) year from the date of issue.

## **| Related documents**

Malta Official Register Application Form.

User Check-list for the registration of professional operators in the Malta Official Register.