

SUBSIDIARY LEGISLATION 363.141**LOCAL COUNCILS (TWINNING) REGULATIONS**

12th May, 2009

LEGAL NOTICE 144 of 2009.

- 1.** The title of these regulations is the Local Councils (Twinning) Regulations. Citation.
- 2.** In these regulations, unless the context otherwise requires: Interpretation.
- "Act" means the Local Councils Act; Cap. 363.
- "the Association" means the Local Councils Association recognised as such in terms of article 37(3) of the Act;
- "budget" means the estimates of income and expenditure of the Local Council during the coming financial year as provided in article article 56(1) of the Act;
- "the Council" shall have the same meaning as assigned to it in the Act;
- "the Department" means the Department responsible for Local Government;
- "Director" shall have the same meaning as assigned to it in the Act;
- "locality" shall have the same meaning as assigned to it in the Act;
- "Malta" means the islands of Malta and Gozo;
- "the Minister" means the Minister responsible for Local Government;
- "twinning" means a friendship agreement, co-operation or association between two communities in different countries or a friendship agreement, co-operation or association between Maltese Local Councils, even though this agreement is not expressly called twinning.
- 3.** A Local Council may make twinning arrangements with another Local Council or with another community, local authority or another Local Council, in another country: Council may make twinning arrangements.
- Provided that when a Council resolves to twin with a community, local authority or a Local Council in any other country, consideration shall be given that as much as possible the country chosen shall be a member of the European Union, or a candidate to join the European Union, by which arrangements the Local Council shall be in a position to benefit from the European Union:
- Provided further that a Local Council may, under the same conditions mentioned in regulation 4, make twinning arrangements with another Local Council in Malta.

Report to the Director.

4. Before initiating a twinning process, the Council shall submit a report in writing to the Director. The report shall include:

- (a) the objects and reasons of the proposed twinning;
- (b) an estimate of the expenses related to the proposed twinning which shall include all activities related to the twinning. This expenditure shall not exceed the amount mentioned in paragraph (e). The estimated expenditure in connection with the twinning shall be included the budget of the respective Local Council;
- (c) the name of the Councillor in charge of the twinning process;
- (d) a declaration by the Executive Secretary that this report has been discussed and approved by the Council;
- (e) Twinning Work Plan specifically connected with every proposed twinning indicating the results and benefits expected, and also a financial estimate of the expenses incurred by the Council in connection the twinning. This proposed expenditure shall not exceed three thousand five hundred euro (€3,500) or 0.5% of the financial allocation of the Council for that financial year, whichever is the higher. The expenses related to travel abroad and the number of Councillors who shall attend for the Twinning Ceremony taking place abroad shall be included in the estimate as mentioned above.

Evaluation of the Twinning report.

5. (1) The Director, after consultations with the Local Councils Association and the Minister responsible for Foreign Affairs, shall evaluate the submitted report and give his recommendations to the Minister. The Minister shall by not later than ten weeks from when the report is received by the Director, inform the Council in writing if the proposed twinning is approved or not and a copy of the report shall also be sent to the Local Councils Association.

(2) In case that the proposed twinning is refused, the reason for such refusal shall be given in writing to the Council.

One application at a time.

6. Twinning shall be effected with one or more localities at the same time and no other application shall be considered before the present application is either finalized or withdrawn. In the case that a Local Council has an existing twinning and is now proposing another twinning, the Council shall, besides what is required in regulation 4, submit also a plan with regards to the sustainability of more than one twinning.

Signing of the Twinning Agreement.

7. (1) A Twinning Agreement may be signed in one city or in the two cities. The official ceremony shall be held during a special activity held by the Council wherein the formal signing by the two Mayors of the respective localities together forming the twinning.

(2) The Twinning document may be in the form shown in the Schedule.

- 8.** The twinning ceremony shall be given the publicity due and as much as possible the ceremony shall take place in conjunction with an important event being held in the locality and in such a way as to make it possible for the maximum number of residents to attend. Twinning Ceremony.
- 9.** When the Twinning Agreement is signed abroad only the Mayor the Councillors and the Executive Secretary are entitled to travel at the expense of the Council and this without prejudice to what is stipulated in regulation 4(e). Refund of expenses for activity held abroad.
- 10.** (1) At the end of the financial year, the Executive Secretary and the Councillor responsible for Twinning shall prepare a report to the Local Council. This report shall immediately be sent to the Department and shall include: Preparation of a report at the end of the financial year.
- (a) the result of each twinning for that year and all the benefits derived by virtue of this twinning; and
- (b) a statement of all the expenditure related to the agreement.
- (2) The report shall also be drawn when in that year no activities related to twinning are organized, in which case the report shall also include the reasons for such failure.
- 11.** A Local Council resolving to make twinning arrangements or a Local Council who already has twinning arrangements shall, at the beginning of the financial year, budget funds which funds shall not exceed three thousand five hundred Euro (€3,500) or 0.5% of the financial allocation for that year, whichever is the higher. Budget.
- 12.** The Council shall proceed with the resolution for the twinning approval after confirmation by the Executive Secretary that funds were available for such purpose. Funding.
- 13.** (1) The expenses incurred for the travelling expenses for the Maltese delegation and also the expenses incurred for accommodating the foreign delegation shall be kept as low as possible. Expenses related to travelling abroad.
- (2) The procedure to be adopted for supply of services, including the travel tickets, shall be in accordance with the regulations applicable for the supply of services and goods, including the necessary quotations. In all cases, however, the travel tickets shall be economy or tourist class.
- (3) (a) Travelling expenses and other related expenses (including the *per diem* allowance) shall be in conformity with the Public Sector Managerial Code and the financial regulations applicable for the Public Sector.
- (b) When accompanying the Mayor and the Councillor, the Executive Secretary shall also be entitled to an allowance in Class A:
- Provided that if the Executive Secretary travels on his own and if his salary scale is 6 or 7, he shall be entitled to an allowance in Class B.

(4) For each visit abroad in relation to twinning, the Local Council shall only pay for expenses incurred by Councillors and the Executive Secretary and provided that the expenditure shall not exceed that indicated in regulation 4(e).

(5) Contingency funds may be allowed to cover transport expenses incurred from and to the airport in Malta and abroad. These funds shall not exceed two hundred and thirty Euro (€230) for every person and all relevant receipts must be produced.

(6) On arrival in Malta the Executive Secretary or the Council member shall draw up a statement of expenses showing the amount of cash given beforehand as subsistence allowance and contingency and how these were spent, and also, there shall be attached to this statement all the relevant receipts. Unspent cash shall be recorded as balance in the statement and shall be refunded to the Council.

(7) The Council shall pay for a travel insurance to cover all members and other Council officials travelling abroad in connection with the twinning abroad.

Validity of signing
of the Twinning
Agreement.

14. A Twinning Agreement shall be valid if signed by the Mayors of the two localities at least in one locality of the localities being twinned.

SCHEDULE

Regulation 7(2)

TWINNING AGREEMENT

WE, the Mayors of the localities of (), Malta and of () democratically elected by the citizens in the respective localities, and after a resolution by the respective Councils it was agreed that a Twinning Agreement is reached by the two localities, solemnly approach for the signing of this agreement.

For this reason we solemnly resolve to honour that we:-

- Together foster and maintain sincere friendship and respect towards the citizens in our respective localities;
- Share cultural, educational, scientific and research;
- Encourage our citizens to meet and experience different culture thus promoting and strengthening respect, culture, solidarity between the two localities, and also in the field of trade and industry.

We pledge to do the utmost of our abilities for the full implementations of these objectives.

This Twinning Agreement is being signed to-day, (date) in Malta, at the Council Administrative Offices or in (name of the locality abroad) in the event of (Council's Day or any other important event linked with the locality)

(name)
Mayor (Local Council)

(name)
Mayor (Local Council)
