

L.N. 104 of 2016

**PUBLIC ADMINISTRATION ACT
(CAP. 497)**

Aġenzija SAPPOR (Establishment as an Agency) Order, 2016

IN exercise of the powers conferred by article 36(1) of the Public Administration Act, the Prime Minister has made the following regulations:-

1. The title of this Order is the Aġenzija SAPPOR (Establishment as an Agency) Order, 2016. Citation.

2. In this Order, unless the context otherwise requires - Interpretation.

"the Act" means the Public Administration Act; Cap. 497.

"Agency" means the Agency established by means of this Order;

"Agency Agreement" means the Agreement as provided for in article 7;

"Minister" means the Minister responsible for matters relating to persons with disability;

"Permanent Secretary" means the Permanent Secretary of the Ministry responsible for matters relating to persons with disability.

3. (1) There shall be an Agency, to be known as the Aġenzija SAPPOR, which shall carry out functions related to disability affairs. This Agency shall henceforth assume the responsibilities vested in Aġenzija SAPPOR within the Foundation for Social Welfare Services. Establishment of Aġenzija SAPPOR.

(2) All employees previously performing duties with, and any other public officers currently deployed with, the Aġenzija SAPPOR within the Foundation for Social Welfare Services shall be regarded as employees of Aġenzija SAPPOR established by virtue of this Order under the same terms and conditions prevailing at the date of coming into force of this Order.

(3) The employment contracts entered into between, on the one hand, the employees of Aġenzija SAPPOR within the Foundation for Social Welfare Services, and, on the other hand, the Foundation for Social Welfare Services, shall continue in force as if

they were entered into by the Aġenzija SAPPOR as established by this Order and any collective agreement in force prior to the coming into force of this Order which affects the rights and status of employees of Aġenzija SAPPOR within the aforesaid Foundation shall remain unprejudiced.

(4) Public officers deployed with the agency shall be deemed to be detailed with the Agency in accordance with article 43 of the Act.

(5) Aġenzija SAPPOR shall, as from the coming into force of this Order, assume responsibility for all assets, liabilities and obligations previously entered into by the Aġenzija SAPPOR within the Foundation for Social Welfare Services or by other bodies who act on its behalf. For all intents and purposes all agreements entered into with regards to property leased, purchased, used by and, or in possession of Aġenzija SAPPOR within the Foundation for Social Welfare Services and all rights acquired and obligations arising from such agreements shall devolve upon and be assumed by Aġenzija SAPPOR as established by this Order.

Functions and duties of the Agency.

4. The Agency shall have the following functions and duties:

(a) to actively promote the needs of people with disability through the principles of normalisation, social integration, empowerment and social role valorisation;

(b) to actively support, through direct intervention (accommodation, recreation, guidance and education), people with disability in a community;

(c) to enhance the quality of life of persons with disability through innovative personalised support, expertise, and advocacy;

(d) to work with persons with disability and their families to secure the means, opportunities and services whereby they can execute their right to fully participate in community life;

(e) to manage the services related to persons with disability;

(f) to ensure that the services are run, managed and provided in terms of the existing and approved standards from time to time;

(g) to monitor and administer pensions of clients living

in residential homes;

(h) to monitor service agreements concluded through the Ministry responsible for matters relating to persons disability;

(i) to engage the service users in meaningful activities that enhance their ability for independent living;

(j) to actively involve the service users within the community;

(k) to act as support for the service users and parents / guardians;

(l) to enhance service users quality of life through further training and development independent living training;

(m) to encourage service users to explore and work towards employability;

(n) to provide core skilled programmes such as basic skills towards independent living supported by other skills that augment quality of life;

(o) to develop programmes to engage service users in as many activities as possible within the community. Activities are to be both occupational and leisurely in nature;

(p) to carry out programmes of physical and psychological well-being and activities that improve their educational, social communications, cultural, leisure, and employability skills;

(q) to participate in disability-related projects and to explore initiatives which can be used as outwork, sheltered and supported employment;

(r) to ensure that programmes are undertaken on levels according to the service users' individual abilities and needs;

(s) to enhance and maintain skills and foster socialisation within different peer groups;

(t) to provide space and structure for service users; and to develop and improve upon their social skills in terms of adapting to various social situations;

(u) to support, teach and motivate such persons with disability within their homes and the community utilising a holistic approach targeting as many skills as possible;

(v) to give all available support and consultancy to the family as a whole in a bid to ensure that the person with disability has the optimum quality of life possible;

(w) to ensure that persons with disability who are service users are given a voice through support and empowerment;

(x) to ensure that persons with disability are given the opportunity to fully reach their potential, whatever their ability, whilst making them aware that they have the right to make choices that effect their life;

(y) by adopting a holistic approach, to empower persons with disability and their families and care-givers through personal assistance, socialisation and intervention to improve their quality of life, and thus promote their right to learn, choose and develop their skills - elements which are often taken for granted by persons without disabilities;

(z) to increase social awareness by integrating persons with disabilities - whether intellectual, physical or both - within the community and introducing them to everyday situations;

(aa) to provide community services both in Malta and Gozo and to target a variety of needs as experienced by the individual with disability and, or their family/care-givers. The intervention strategies or personal assistance needs shall be reviewed according to necessity to determine whether the identified outcomes are being achieved;

(bb) to provide direct personalised support to help persons with disability with activities of daily living within their home, workplace or in the community, where and when needed;

(cc) to provide an opportunity for persons with disability to continue developing their skills or receive training to learn new skills within the community environment so as to focus on daily living skills, communication and social interaction to prepare persons with disabilities for school, work, day centres, or general socialisation within the community;

(dd) to ensure the highest standards in care and social

work exercised; and

(ee) to keep under review the workings of this Order, and where deemed required, at the request of the Minister or otherwise, submit proposals for the Order's review.

5. (1) The Minister responsible for Aġenzija SAPPOR shall be the Minister responsible for matters relating to persons with disability. Minister responsible for Agency.

(2) The Permanent Secretary in the Ministry responsible for matters relating to persons with disability, hereinafter referred to as "the Permanent Secretary", shall supervise the Agency in terms of article 39 of the Act.

(3) The Permanent Secretary may be assisted in such supervision by another Permanent Secretary from another Ministry in accordance with the proviso to article 13(5) of the Act.

(4) If a Minister, other than the Prime Minister, assumes responsibility for the Agency, its supervision shall fall under the Permanent Secretary of that Ministry.

6. The Agency shall be governed by the provisions of the Financial Administration and Audit Act unless otherwise stated in the Agency Agreement between the Permanent Secretary and Aġenzija SAPPOR, in which case the provisions of the Agency Agreement shall prevail. Financial arrangements. Cap. 174.

7. The operations of the Agency shall follow an Agency Agreement which is to be agreed between the Permanent Secretary and Aġenzija SAPPOR. Other special arrangements applying to the Agency.

8. The Agency shall be headed by the Chief Executive Officer of the Agency who shall perform all the functions and duties as stipulated in the Act. Head of the Agency.

9. (1) The Minister responsible for the Agency may establish an advisory board to assist the Chief Executive Officer in the discharge of his duties. Advisory Board.

(2) An Advisory Board established under this article shall consist of not less than two and not more than four members appointed by the Minister responsible for the Agency.

(3) The remuneration paid to members of the Agency's Advisory Board shall be in accordance with any directives and guidelines which may be issued by the Agency from time to time.

B 1444

Amends the
Fourth Schedule
to the Act.

10. In the Fourth Schedule to the Public Administration Act, immediately before the item "Aġenzija Żgħażaġħ" there shall be added the following:

Agency	Agency Function
"Aġenzija SUPPORT	To exercise and execute the functions and duties previously exercised by the Aġenzija SAPPOR within the Foundation for Social Welfare Services, as well as any other matter falling within the ambit of the support and care of persons with disability".

