Parliamentary Secretariat for Tourism, the Environment and Culture

2011
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A National Cultural Policy that strengthens the identity and economy of creativity

Over the past 7,000 years of history, our country has evolved within a richness of cultural and historical heritage. Cultural heritage, which includes historical heritage, has depended on the investment that our country has created and attracted, thanks to the efforts of our people.

This National Cultural Policy is the result of a long consultation process aimed at the improvement of the organisation and quality of cultural expression and identity. To this effect, the National Cultural Policy focuses on the sector’s holistic development, particularly on governance, education, inclusivity and participation on an international level. This has not stemmed out of nowhere. We are building on the firm foundations on which our cultural sector has been built on for years.

We value the development of the creative potential of every citizen. Our vision of a vibrant cultural and creative sector in Malta and Gozo aims at the integration of knowledge, skills and different professions, so as to stimulate creativity and innovation. This also applies to the educational system in the development of skills and cultural appreciation amongst our children and youth. The framework of the national curriculum stipulates that our students should regularly experience art education. Art education offers opportunities for our students to be creative and imaginative, to experience joy and inspiration, and to develop skills in visual and performing arts.
Creativity is the backbone of a strong economical development which promotes sustainable cultural resources whilst creating a suitable space for the development of enterprises, activities and creative projects. This also gives rise to further job creation in our country.

Creativity is key to the full development of a country. Through creativity, we can discover new dimensions of our identity, whilst opening up to economical exchanges and collaborations for workers in the sector and for the country as a whole. Our country’s economy depends on the skills of the Maltese population. For this reason, and by means of our full creative potential, our country can keep moving forward and advancing in its educational, cultural, social and economic sectors.

The National Cultural Policy has been compiled by an array of people, entities and authorities that participated enthusiastically in the consultation process that was held. I encourage its implementation to take place with the same spirit of cooperation and collaboration.

Government perseveres in the creation of an environment that encourages cultural development as a main sector in our educational, social and economical development, and also as a sector that keeps our identity alive and regenerates it, for us, for the tourists who visit us both physically and virutally, and for our future generations.

Dr Lawrence Gonzi  
Prime Minister
STRENGTHENING THE CULTURAL SECTOR

A year long-process from the publishing of a Draft Cultural Policy leading to the publication of a National Cultural Policy document has witnessed a vibrant trail of cultural activity in our country – from the extensive policy consultations, to a growing recognition and investment in the creative economy, to the ongoing preparatory work for the European Capital of Culture 2018 in Malta – we are showing that Culture is positioned high on our national agenda.

Malta is a talented nation. From advertising to architecture, graphic design to fashion, crafts to the performing arts and from the film-servicing industry to published literary works, thousands of individuals are capitalising on their ideas and skills to produce a variety of creative experiences, goods and services. Creative workers are at the heart of the cultural and creative industries, yet they require the right economic, social and cultural environment to thrive and develop. Talent itself is a great asset; however, we must go beyond that to develop a sustainable sector. Our future creative entrepreneurs need the necessary educational structures, legal systems and investments to professionalise their sectors.

The priorities identified in the National Cultural Policy serve this purpose.

Government surely cannot take on the role of a creative worker but this Policy serves as a framework for Government’s commitment to championing the cultural and creative economy through strategies, investment and initiatives, aimed at achieving an inclusive society.

MARIO DE MARCO
Parliamentary Secretary for Tourism, the Environment and Culture
The Ministry of Education, Culture, Youth and Sport launched the process for the drafting of a National Cultural Policy in 2009. This process led to the publication of a Draft Culture Policy text in February 2010 followed by an extensive consultation process culminating in a National Forum on the 8th July 2010. Following the feedback received from Council of Europe experts, who were commissioned to review the draft policy, and from various stakeholders, the Parliamentary Secretariat for Tourism, the Environment and Culture is now publishing the National Culture Policy, identifying the policy issues which will act as guidelines for the cultural sector.

Feedback from stakeholders in Malta and Gozo included the Ministry of Foreign Affairs, the Ministry for Resources and Rural Affairs, Heritage Malta, Commissioner for Children, Directorate of Curriculum within the Ministry of Education, Institute of Art and Design (MCAST), Department of Social Policy and Social Work at the University of Malta, Commission for Voluntary Organisations, Kunsill Nazzjonali Persuni b'Diżabilita (KNPD), Kunsill Studenti Universitarji, Front Kontra ċ-Censura, artists, opinion writers, individuals from civil society, individuals from the education sector including academics, heads of institutions and teachers, and individuals from entities within the three cultural sectors of heritage, the arts and audiovisuals.

The Culture Policy Working Group wishes to acknowledge the following three documents as having had a broad, cross-cutting relevance to the entire exercise: Dr Vicki Ann Cremona’s A Cultural Policy for Malta, Working Document (1995); The Policy Unit at the Ministry of Education’s Il-Politika Kulturali f’Malta - Cultural Policy in Malta, A Discussion Document (Ministry of Education and Culture, 2001); and the published report from the Valletta Creative Forum organised by St. James Cavalier Centre for Creativity between January and June 2007.
To transform cultural and creative activity into the most dynamic facet of Malta’s socio-economic life in the 21st century.

Empower the public to participate in cultural activity through a people-centred approach.

Enable relationships between all stakeholders.

Knowledge-building and sharing through dissemination of best practices and reliable and valid information.

Governance to Facilitate Cultural Development

Enabling Creativity through Education, Creative Excellence and the Economy

Developing An Inclusive Culture

Fostering Transnational Cooperation

Strategic Development of Culture and the Arts
“The government firmly believes in the potential of the creative, artistic and cultural spheres. Apart from the fact that these areas are of an intrinsic value in themselves, we feel that these spheres can greatly enhance the development of our economy and our quality of life.”

Prime Minister Dr Lawrence Gonzi
Budget Speech 2008
Cultural Policy

Executive Summary

The Parliamentary Secretariat for Tourism, the Environment and Culture has formulated the National Cultural Policy 2011, identifying the policy issues which will act as guidelines for the cultural sector. Throughout the years, the need has been felt to have public policies which reflect the dynamic character and needs of the societies under scrutiny. This is one of the primary objectives of this cultural policy. Culture is a living phenomenon and it must be addressed with the mindset of a transitory journey, adhering to the changing needs felt both in the national arena and in the international field. The Cultural Policy aims to provide guidelines by which Government entities, voluntary organisations and private enterprise articulate their roles and contributions to the sector.

The National Cultural Policy focuses on the cultural development needs in Malta. These include:

- improved cultural governance structures
- international cultural cooperation
- strengthening the professional status of the artist
- articulating the specific needs of the arts, heritage and audiovisuals
- development of the cultural and creative industries
- recognition of cultural rights, cultural socialisation and cultural inclusion
- ensuring the long-term sustainability of the cultural sector
Following this document, another phase will follow which will define strategies that are in line with the National Cultural Policy. These strategies will outline the necessary actions, tangible outcomes, responsibilities and timeframes which need to be pursued. Such strategies will focus on the needs of the country, and their impacts will be analysed in order to identify initiatives which are most feasible, desirable and in the best interest of Maltese society. This policy also entails a number of measures, including legislative and administrative adjustments coupled with statistical and analytical research, to ensure that the implementation of these strategies is effective and consistent with general public policy and with the specific objectives which are hereby being identified for the cultural sector.

Policy evaluation will concentrate on the assessment and appraisal of the identified policy measures, including the content, implementation, objectives and the effects of actions arising from these policy decisions. The monitoring and evaluation activity need not occur at the last stages. Indeed it may restart the policy process at any stage in order to enhance, modify or reformulate the nature of the policy.

This Cultural Policy intends to emphatically point out the Ministry’s intent to increase awareness and understanding of cultural well-being as a purpose of Government. The proposals it articulates aim to reflect government’s interest in funding of, and impact on, cultural activity. The Policy and its subsequent programmes and initiatives aim to promote understanding of the inter-relationship of well-being between society, culture, economy, and the environment.
Introduction

The Ministry of Education, Culture, Youth and Sport launched the process for the drafting of a National Cultural Policy in 2009. This led to the publication of a Draft Cultural Policy in February 2010 which enabled extensive consultation with stakeholders. This process culminated in a National Forum on the 8th of July, 2010.

Following the feedback, the Parliamentary Secretariat for Tourism, the Environment and Culture is now presenting the final text of the National Cultural Policy, which identifies the policy issues and presents concrete guidelines by which Government agencies, voluntary organisations and private enterprise are to be guided in articulating their roles and contributions to the sector. The proposals also aim to reflect Government’s interest in the funding and impact of cultural activity.
The overriding objective of the National Cultural Policy is to outline the framework for a sustainable cultural sector in Maltese society. This Cultural Policy underlines also Government’s commitment to stimulating and supporting cultural, environmental, social and economic activity as catalysts to engendering the wellbeing of society. The formulation of the Cultural Policy involved therefore a thorough analysis of various socio-economic areas, taking account of the contribution and the implications of activities from other segments of the public sector.

Throughout the years, Government has felt the need to establish public policies that reflect the dynamic character and needs of society. Culture is a living phenomenon and it must be addressed with the mindset of a transitory journey corresponding to the changing needs of both the national and international arenas.

This Policy therefore considers the concept of culture as being at the heart of a dynamic social fabric which is itself evolving with the spirit of the times. The overall Policy is framed on the concept of culture as a multifaceted and fluctuating relationship, not an isolated and static domain.¹

Government is therefore committed to a Cultural Policy framed within the context of a dynamic creative milieu and of an evolving and diverse tangible and intangible heritage.

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The Policy in Action

The National Cultural Policy focuses on Malta’s cultural development needs. These include:

- improved cultural governance structures
- international cultural cooperation
- the strengthening of the professional status of cultural workers
- articulation of the specific needs of the arts, heritage and audiovisual sectors
- development of the cultural and creative industries
- recognition of cultural rights, cultural socialisation and cultural inclusion
- ensuring the long-term sustainability of the cultural sector

Following this document, another phase will define strategies to deliver the National Cultural Policy. These strategies will outline the necessary actions, assign responsibilities and devise timeframes in order to seek the desired outcomes. Such strategies will focus on the needs of the country by identifying initiatives which are most feasible and desirable and in the best interests of Maltese society.

This Policy also entails a number of measures, including legislative and administrative adjustments coupled with statistical and analytical research, to ensure that the implementation of these strategies is effective and consistent with general public policy and with the specific objectives of this Policy.

Policy evaluation will concentrate on the assessment and appraisal of the identified policy measures, including the content, implementation, objectives and the effects of actions arising from these policy decisions. Monitoring and evaluation
need not be deferred until the last stages of implementation. Indeed, these activities may restart the policy process at any stage in order to enhance, modify or reformulate the nature of the policy.

The Cultural Sector’s Contribution

Culture and the Economy
World economies have witnessed a shift from activity centred on industrial production to one focused on creativity, knowledge and innovation. Studies indicate that in this century, creativity will be at the heart of commerce and employment, and will leave an impact on nations the way natural resources and industrialisation influenced societies in the past.²

While financial services, tourism, ICT and other service industries are established sectors of the economy, the cultural sector is growing in its socio-economic importance and net contribution. The sector provides employment for around eight thousand people, while supporting the activity of around three thousand six hundred enterprises in Malta and Gozo. Data published in 2010 also reveals that the annual national growth rate of the sector for the period 2001-2007 has been 3%, with a contribution of 4% to the GDP.³ At a European level, the cultural and creative sectors have grown at a rate of 2.2% faster than the general economy in Europe for the period 1999-2003,


generating 2.6% of the EU GDP and employing 3.1% of the total employed population in Europe.4

Culture and Society
Cultural and creative activities, however, are not significant only for their economic implications. People have a right to participate in the cultural world, and this active participation is a necessary aspect of their human identity and dignity, with benefits accruing for the well-being and quality of life of societies at large. The implications of this creative revolution are being felt globally, and governments have the responsibility to address their emergent needs in order to promote and sustain the development of forward-looking and open societies. By doing so, societies will offer more opportunities and be more reflective of the need for the development of the creative individual and the creative community.5

The community must be empowered to engage in the cultural sphere through open dialogue and sustained debate. The aim is to facilitate society’s role as a platform for participation in the cultural field and to encourage communities and individuals from an early age to be the driving forces of a country rich in cultural initiatives and opportunities.

Given the cultural sector’s ability to make a valuable contribution to society’s well-being, both socially and economically, the scope of this Cultural Policy is two-fold:

- it outlines the need for policy-makers to recognise the fundamental contribution of culture to everyday socio-economic life through a proactive approach; and

• it stresses the need for cultural operators to acknowledge the public value of heritage and the arts, and their connectivity to society’s way of life.

Cultural Activity in Malta: legacy and future

Cultural activity in Malta has been shaped throughout the centuries by the succession of powerful military, political and cultural forces which have occupied or influenced the Islands, and left behind a rich mosaic of traditions, customs and identities. As shown in successive policy documents and political manifestoes, the historical development of Maltese cultural life underpins the way contemporary society contributes and interacts with current developments in the international sphere, while at the same time strongly determining the way Maltese society views itself and its future development.

During the past decade Malta undertook important developments in the sphere of culture, with the establishment in 2002 of the Malta Council for Culture and the Arts, the Superintendence of Cultural Heritage, and Heritage Malta, as well as the legal recognition of a number of venue-based, core-funded cultural institutions, through the enactment of a number of legislative measures aimed at strengthening cultural governance structures. This Policy builds upon these efforts, identifying the areas where further refinement and improvement of legislative, administrative and informal support structures are required.

Malta’s accession to the European Union on the 1\textsuperscript{st} of May 2004 meant that the nation had to address new challenges and enhance its strategic position on the Mediterranean border of an enlarged Europe. Malta has benefited from, and shall
continue to capitalise on, the opportunities that result from EU membership, while re-affirming the cultural potential resulting from of its geo-political position.

The Vision of the National Cultural Policy
Taking into consideration the current global economic and social scenario, this Policy elevates culture to a national priority and aims to sustain it as one of the pillars of the creative economy in Malta’s Vision 2015. In addition, this Policy sets out the framework leading to a new cultural era in which Malta celebrates the European Capital of Culture in 2018.

POLICY VISION:
The Policy’s Vision is to transform cultural and creative activity into the most dynamic facet of Malta’s socio-economic life in the 21st century.

Cultural rights, development of creative skills and of the creative industries, social inclusion, increased opportunities, accessibility, participation, and investment in people and in a sustainable cultural infrastructure will be promoted in order to produce an environment which caters for the cultural and creative needs of the community within an international context. Government is committed to enabling a society which fosters change, embraces competitiveness and provides tools for each individual to flourish, while acknowledging the creative potential of its growing multi-cultural diversity. A fair culture which promotes the realisation of cultural rights and the inclusion of all members of society is among Government’s priorities. This entails providing accessibility and opportunities for individuals to develop and succeed socially, culturally and economically, irrespective of gender, age, ability, religion, ethnicity, sexual orientation or cultural background.
Culture defines who we are and nurtures our innate creativity. It is a responsibility upheld by Government to acknowledge, recognise and celebrate the creative input from every individual and community. Government will strive to identify and promote talent and quality, support hubs of cultural and creative excellence, and attract cultural workers, by empowering individuals, communities, educational structures and cultural and voluntary organisations.

A key objective is to have a society which experiences cultural manifestations that are stimulating and engaging, while interacting creatively with the community of cultural operators and artists. In this context, government agencies, voluntary organisations and corporate sponsors should provide a significant contribution to cultural development, underpinned by an educational sector that supports the development of every individual’s creative potential.

**Policy with a Practical Approach**

This Cultural Policy will take a practical approach towards reaching these targets and shall therefore drive towards the widening of cultural access and participation. It is Government’s responsibility to recognise the barriers hindering access to culture and to take steps to overcome them. In realising these aims, Government shall be guided by the principles of:

I. **Empowering the public to participate in and to foster cultural activity through a people-centred approach.** Dialogue and active participation in community planning are imperative for the democratic development of the arts, heritage and audiovisual sectors.
II. **Enabling relationships among all stakeholders.** This entails coordinating cultural management and initiatives between central and local government, and drawing upon the commitment of voluntary, community and independent bodies.

III. **Knowledge-building and sharing through dissemination of best practices and reliable and valid information.** Decision-makers and policy-makers must be informed about the positive impacts of culture on the quality of life, including welfare, creativity, accessibility, well-being, entrepreneurship and entertainment.

In view of the above, the National Cultural Policy recognises the need to:

- Ensure culture is taken into account widely in all relevant policies
- Develop dialogue within the cultural sector
- Enact an effective, accountable and transparent cultural governance structure
- Strengthen cultural education services to facilitate quality cultural expression
- Contribute to sustainable development through the growth of the cultural and creative industries in a knowledge society
- Assist and promote trans-national and intercultural cooperation
This Cultural Policy presents guiding principles through a cultural rights lens, while aiming to strengthen Malta’s economic competitiveness through enhanced cultural processes and products. A framework is therefore necessary in this context to facilitate the setting of rules and decision-making structures that are informed by social, economic and cultural relationships and values. The Policy does not merely lay down a set of recommendations, but also outlines principles for the development of the arts, cultural heritage and the audiovisual sector within a rapidly evolving international context. Consequently, the Policy framework takes into consideration all major challenges facing society today, such as diversity, international relations and technology, as well as economic, education and community development.

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Culture is a vehicle for individual and collective expression, while policy is legislation *en masse*. The definition of culture has long been debated and given diverse meanings. One does not have ‘to agree on one definition of ‘culture’ to concur that thinking about it, providing trusted information and analysis, and crafting coherent policies can make a lasting contribution to our changing society’. The challenge that this Policy faces is to move from principle to practice in addressing the needs of the cultural sector.

Government accepts that in a country aspiring to participate and benefit from a globalised knowledge society, creativity, innovation and diversity must be nurtured. The intellectual infrastructure of Maltese society needs to be cultivated through opportunities for growth. This line of thought is also manifested in the Declaration of Principles of the Constitution of Malta, Article 8, which states that: ‘The State shall promote the development of culture and scientific and technical research.’

An important factor in cultural governance is the legal regime that regulates it. It is imperative that, on the one hand, legislation promotes a firm basis for the development of the arts and the sustainable enjoyment of heritage, while on the other hand, Cultural Policy provides the complementary flexible framework as guided by commonly agreed principles. Within a wider context, the national policy framework interacts and complements Malta’s geopolitical interests in the Mediterranean region and in the European Union.

This Policy is driven by the concept of culture as a network

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8 *The Politics of Culture*, p. 2.
which bridges differences and which brings people and communities together, while providing opportunities for self-fulfilment through employment and economic activity. It highlights the importance of cultural cooperation and the need to build synergies between public authorities, independent bodies, and voluntary organisations to maximise resources, provide public support, and develop private initiative. In this regard, the contribution and concomitant empowerment of local government are key factors in increasing civil society’s contribution in both cultural and social activities.

As regards culture’s contribution towards sustainable creative development, this Policy aims at instigating a national regeneration effort which is culture-led and citizen-oriented. Government shall ensure that urban and social regeneration projects are innovative and culturally-led, as well as sensitive to the intangible dimensions of cultural and social life while aiming at maximising economic, social and cultural potential for the resident communities.

In this regard, the eco-island initiative led by Gozo must be seen as part of a creative and innovative process towards sustainable development. Government shall invest in this potential by incentivising creative programmes from a culture-led regeneration perspective. People’s history and values, their cultural interests and activities, the architecture and landscapes they inhabit, and the resources they require for a fulfilling life shall be recognised as the prevailing elements in shaping the nature and character of such projects. The role of cultural and creative industries, especially those of small- and medium-sized enterprises (SMEs), as well as of non-governmental organisations should be emphasised within this context.
This Policy also takes note of the Architects’ Council of Europe publication of 2004, Architecture and Quality of Life, which states: “Architecture is a fundamental feature of the history, culture and fabric of each of our countries; it represents an essential means of artistic expression in the daily life of citizens and it constitutes the heritage of tomorrow. A sense of belonging, of identity, is an important feature of human society and culture. Architectural expression is frequently the carrier of such cultural and social needs and it is therefore important that these influences are adequately accounted for in the design process.”

The Kamra tal-Periti in their preamble to an architecture policy entitled “The Urban Challenge” (2007) also refers to quality of life and the built environment. In this document – itself a clear indicator on the urgent requirement for national policy guidelines on architecture – architecture is understood to go beyond the physical development of our built environment and considered a cultural reference to sustainable development. The quality of the built environment is key to the success of the creative industries in Malta and in this regard must be viewed as capturing the spirit of the times, and regarded as an indicator of Maltese way of life.

The Policy is being published against the backdrop of Malta’s preparations for the organisation of the European Capital of Culture, which the country will host in 2018. The Decision establishing the European Capital of Culture states that this initiative is set up in order to highlight the richness and

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diversity of European cultures and the features they share, as well as to promote greater mutual understanding between European citizens. Moreover, the Annex to the same Decision stipulates that a Maltese locality will be designated with the title of European Capital of Culture for 2018 jointly with a city from The Netherlands. Hosting a European Capital of Culture requires the wholehearted involvement of both government and the people. Ownership of the project is crucial for it to be successful. The preparations required should enable the benefits of the project to last beyond the scope of 2018. The involvement of the community will need to be encouraged throughout the preparatory phase leading up to the final programme for 2018. Planning for the cultural infrastructure required (both physical and organisational) is an immediate concern and will form a fundamental part of the Maltese submission for the European Capital of Culture project. It is this well-researched, centered and co-ordinated planning exercise that will lead to the creation of a sustainable legacy for this project. Malta’s investment in this regard will provide a sound platform for an excellent and innovative cultural programme set within a European dimension.

The Cultural Policy is designed to shape public policy in its widest scope in addressing a number of cross-cutting priorities. The development of these priorities is a necessary step towards establishing a cultural policy which is sustainable in its implementation and relevant in its declared objectives. These cross-cutting priority areas are:

I. Democratisation of Culture Democracy entails recognising the potential for a valid social contribution by all, while empowering each individual to transform that potential into concrete action. The right of individuals to cultivate their
innovative selves and fulfill their potential is one of the main objectives of this cultural policy. This Policy values cultural diversity, fair and equitable socio-political access and active participation by all. Furthermore, this Policy encourages active public consultation, transparent and accountable management of public cultural resources supported by a well-structured public dialogue on issues of public cultural interest, wherein all the members of society are encouraged to take an active role in the formulation of decisions.

II. Reinventing Cultural Education A rethinking of the links between the role of education and that of culture needs to be undertaken. In today’s world, knowledge and access to information has a direct bearing on success. Cultural resources, such as knowledge, creativity and design, are replacing natural resources as the primary raw material of economic growth, establishing themselves as the crucial sources of added value. Education is the key factor that is central in bringing out each individual’s capacity to produce such added value. Individuals from a very early age must be given access to appreciate culture in all its forms. This Policy stresses the need to establish a formal educational setup, including the necessary infrastructure, aimed at tackling the formative and life-long learning needs of tomorrow’s cultural and creative professionals.

III. Highlighting the Benefits of Diversity The increasing diversity of cultures and identities which make up Maltese society should be viewed as a key contributor to Malta’s success in its social and economic interaction with the rest of globalised society. This Policy builds on the existence, recognition and promotion of diversity in all its forms, be it gender, age, social background, ethnicity, ability, religion, or sexual orientation, among others.
IV. Interpreting and Developing a Multifaceted Cultural Identity
The promotion of cultural heritage is centred on the peoples’ appropriation of and engagement with Malta’s cultural heritage; once again, education and access to knowledge of cultural assets is pivotal in ensuring that cultural heritage is considered a privileged and essential factor of our multifaceted identity. To ensure such promotion is achieved, cultural management, interpretation and programming should be raised to the highest standards, based on the professional input of expert knowledge. The structures providing for the formation and life-long learning of professionals in all fields of the cultural sector need to be further supported and enhanced. The use of technology to preserve heritage in all its forms, to disseminate cultural information to the widest possible public, including through online means, and to create new works is a key priority.

V. Incentivising and Sustaining the Economy of Culture
The contribution of culture to the economy, both in terms of job creation and in generating added value, needs to be continuously assessed and monitored. Gaps in the creative economy infrastructure need to be identified and addressed. This Policy will strive to enhance Malta’s competitive advantage based on the activity of the cultural and creative industries. These have the potential to generate better job opportunities and socio-economic activity. Simultaneously, this Policy recognises the need to provide adequate training resources, improve routes to market and access to finance, while safeguarding intellectual property rights, with a view to enhancing the professionalism and international exposure of the cultural sector.

VI. International Cooperation
Building international cultural bridges helps in the promotion of diversity, dialogue and cooperation in cultural activities and in enhancing the
professionalism of the sector. Bilateral and multilateral cultural agreements need to be backed up with the necessary material resources in order to transform cultural diplomacy into an effective tool in support of cultural development. The mobility of cultural collections, works of art, artists and cultural professionals are key areas in which public and private investment in international cultural cooperation should be encouraged.

VII. Monitoring and Research The dynamic character of knowledge and society makes it necessary to continuously monitor, analyse and rethink the cultural domain. Base-line data, new interpretations, indicators and comparable statistics are to be produced and disseminated. Furthermore, an analytic, discursive and research environment needs to be nurtured, and participation in local and international fora and studies encouraged.

The successful implementation of this Policy depends on the development of strategies by the relevant cultural organisations, whose remit includes a legal responsibility to implement, monitor and evaluate the strategies. The role of this Policy is neither to determine the substance of each of these strategies, nor to delineate specific initiatives, but to provide horizontal principles applicable to all cultural strands. These principles will provide a framework for enabling the fulfilment and delivery of Policy objectives once these principles are translated into actions on the ground. It is also the Policy’s role to ensure that, in line with government policy as a whole, these deliverables translate into concrete benefits for society, in terms of the generation of fairly-distributed wealth and the creation of new and better jobs.
KEY POLICY ACTIONS:

1.1 Create a public forum to debate cultural policy and other specific issues of direct public cultural concern. Government shall support the setting up of three platforms (in the form of networks for ministries, cultural organisations and civil society) for the promotion of dialogue and discussion in the cultural sector. These platforms shall take the form of national seminars, meetings and networks.

1.2 The Ministry responsible for Culture shall develop multi-annual research plans in collaboration with the University of Malta and National Statistics Office with the aim of elaborating a longitudinal research and statistical base for the sector, focusing on cultural development, education, employment, and the sector’s economic contribution. This exercise shall also serve as a means of monitoring the development of the sector and of the impact resulting from the implementation of the relevant policy measures.

1.3 Build on the Inter-Ministerial Commission – European Capital of Culture to assist in establishing effective and sustainable structures, integrated within the wider national cultural governance framework, for the preparation and submission of a high-quality bid leading to a participative, inclusive and high-calibre programme for 2018.
FACILITATING CULTURAL DEVELOPMENT: GOVERNANCE
The Cultural Policy affirms that the arm’s length principle is to be adopted in cultural governance. Government shall appoint the governing boards of the public cultural agencies providing them with the requisite financial resources. These measures are required to enable organisations to perform their functions as prescribed by law. Cultural entities shall be active in cultural creation and heritage management, in collaboration with other public and private entities, and with voluntary organisations where relevant, in devising and implementing strategies in line with the National Cultural Policy.

This Policy affirms the need to ensure that transparent, publicly-known criteria for the selection of key decision makers and the distribution of resources in the cultural sector are enacted. This should result in the optimal use of expertise to deliver on policy, strategy targets and objectives, while maximising on the
available financial resources. Government shall also ensure that transparency and accountability guide the selection of programmes, projects and awards in the disbursement of public funds by ministries and agencies.

In the cultural governance framework, the Ministry responsible for Culture shall lead in:

a. the provision of policy, direction and advice on the arts, heritage, and audiovisuals (film, broadcasting and the media), in particular on issues affecting their cultural and creative content, as determined through consultation, including legislation, major policy proposals, and incentives and initiatives which have an impact on the sector;
b. the management and disbursement of funds to a number of arts, heritage and broadcasting organisations, and the monitoring of government and public interests in these organisations;
c. overseeing all aspects relating to tangible and intangible cultural heritage management; regulating issues pertaining to protection, conservation, exhibition and appreciation of heritage, including its accessibility through traditional, innovative and online means;
d. the provision of other negotiated services, including the preparation of contributions for public debate and discussion, the commissioning of studies and services and where relevant, the administration of incentives, grants and programmes which assist the Minister in discharging the Ministry’s portfolio obligations to Parliament;
e. the liaising with the relevant entities to ensure optimal communication, promotion, and dissemination of information and awareness about Malta’s culture.
Further to the above responsibilities, the three key applicable areas which this Cultural Policy focuses on are the Arts, Heritage, and Audiovisuals.

I. **The Arts**: This Policy aims at providing a framework for defining clearer roles in the arts sector. This will be established as follows:

a. The Ministry responsible for Culture as the policy leader, responsible for devising, implementing as well as evaluating policy implementation.

b. The Malta Council for Culture and the Arts (MCCA) as the central agency responsible for devising and for providing the necessary support for the implementation, monitoring and evaluation of the required national strategies in line with established policy lines, and as quality assurance regulator of the entities falling under its remit.

c. The core-funded cultural organisations as devisors and implementers of their own internal strategies in line with national strategies and as producers and front-line institutions in direct contact with artists and other non-governmental cultural managers and producers.
### Table: Governance Framework: The Arts

<table>
<thead>
<tr>
<th>Ministry responsible for Culture</th>
<th>Malta Council for Culture and the Arts</th>
<th>Core-funded Organisations (Govt.)</th>
<th>Independent Organisations and Creatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intergovernmental Coordination</td>
<td>Developing, monitoring, and evaluating National Arts Strategies</td>
<td>Designing Multi-Annual Cultural Programmes</td>
<td>Implementing commissioned cultural projects in line with multi-annual programmes. Independent creative activity</td>
</tr>
<tr>
<td>Ongoing Policy Consultation, Policy Formulation, Implementation, Monitoring and Revisions</td>
<td>Strategic Funding of Core-funded organisations and independent organisations and creatives</td>
<td>Negotiating cultural projects in line with Strategic Framework</td>
<td>Contributing creatively to government entities’ programmes</td>
</tr>
<tr>
<td>Enabling Agencies and ensuring transparency and accountability in their decisions and in resource distribution</td>
<td>Quality Assurance regulator of the entities falling under its remit</td>
<td>Integrate creatives in project development and implementation</td>
<td>Devise independent creative and innovative programmes and projects</td>
</tr>
<tr>
<td>National (Inter-ministerial) and International Coordination</td>
<td>Coordinate all Arts Stakeholders</td>
<td>Inter-agency Coordination</td>
<td>Creatives, NGOs, Communities and Civil Society</td>
</tr>
</tbody>
</table>
II. **Heritage:** This Policy aims at strengthening the structures that administer and manage cultural heritage, while undertaking an exercise of legislative clarification in order to ensure that this objective is achieved.

a. The Ministry responsible for Culture is the policy leader, and is responsible for overseeing, monitoring as well as evaluating actions in terms of both tangible and intangible heritage. The Cultural Heritage Act shall be amended to strengthen the ability of heritage institutions to fulfill their designated role.

b. The role of the Committee of Guarantee is pivotal in enabling coordination in culture heritage management and administration.

c. The Superintendence of Cultural Heritage is the regulator of the sector in terms of the Cultural Heritage Act.

d. Heritage Malta, Libraries Department, National Archives, cultural heritage NGOs, Local Councils, religious denominations and private owners are key stakeholders in the management and conservation of Malta’s heritage assets.

e. The Rehabilitations Projects Office, the Restoration Unit and the Project Design and Implementation Department within the Ministry for Resources and Rural Affairs together with the Grand Harbour Regeneration Corporation and the Palace Superintendent within the Ministry for Infrastructure, Transport and Communications are important partners in heritage management at national level.
Table – Governance Framework: Heritage

<table>
<thead>
<tr>
<th>Ministry responsible for Culture</th>
<th>Committee of Guarantee</th>
<th>Superintendence of Cultural Heritage, Religious Cultural Heritage Commissions</th>
<th>Heritage Malta, National Archives, Libraries, Local Councils, NGOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Consultation, Policy Formulation, Implementation, Monitoring and Revisions</td>
<td>Develop, monitor, and evaluate National Cultural Heritage Strategy</td>
<td>Contribute to National Cultural Heritage Strategy formulation, implementation, monitoring and evaluation</td>
<td>Fulfill operational duties in line with Cultural Heritage Act and its amendments.</td>
</tr>
<tr>
<td>Duties and responsibilities</td>
<td></td>
<td></td>
<td>Fulfill operational duties in line with the National Archives Act and the new Libraries legislation, including devising and implementing a national libraries strategy</td>
</tr>
<tr>
<td>National (Interministerial) and International Coordination</td>
<td>Coordinate Cultural Heritage Sector in line with Cultural Heritage Act and its amendments</td>
<td>Fulfill regulatory role in line with Cultural Heritage Act and its amendments</td>
<td>Devise and implement management plans in line with legal obligations and/or formal agreements (e.g. Guardianship Deeds).</td>
</tr>
<tr>
<td>Coordinate legislative clarification exercise</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
III. Audiovisuals: This Policy acknowledges the creative contribution of public and private audiovisual organisations and services to contemporary information society. While various aspects of the sector currently fall under the remit of a number of ministries and agencies, the ministry responsible for culture is committed to fulfilling the policy requirements for the audiovisuals sector.

In April 2010, the Audiovisual Media Services Directive was transposed into Maltese legislation. The new Directive covers all audiovisual media services, including traditional television (linear service) and video-on-demand (non-linear services). In Malta, the implementation of this new Directive should enable the development of services based on information, communication and audio-visual technologies.

Within the context of this Policy and of the wider European policy framework, Malta shall devise a national audiovisual strategy which shall address new and interactive media, film and cinema, and broadcasting. The aim of such a strategy is to identify a number of key priority areas to unleash cultural, social and economic benefits from this sector. This shall be enacted through the establishment of synergies with key entities and stakeholders, including Malta Enterprise, the Malta Film Commission, broadcasters, audiovisual companies and other local and international actors in the audiovisuals sector.
Table: Governance Framework: Audiovisuals

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Ministerial coordination</th>
<th>Broadcasting</th>
<th>Film</th>
<th>Audiovisuals Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministries responsible for culture, education, communication and IT, and finance and the economy</td>
<td>Broadcasting Authority, Public Broadcasting Services, broadcasters, audiovisual enterprises</td>
<td>Malta Film Commission, Exhibitors and festivals, audiovisual enterprises</td>
<td>University of Malta, MCAST</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Duties and responsibilities</th>
<th>Broadcasting Authority: Regulator on broadcasting legislation including the Audiovisual Media Services Directive</th>
<th>Malta Film Commission: Fulfill regulatory role in line with the Malta Film Commission Act</th>
<th>Provisional of various specialised audiovisual training at higher education, undergraduate and post-graduate level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Consultation, Policy Formulation, Implementation, Monitoring and Revisions, including inter-ministerial coordination on national, EU and international policy issues</td>
<td>Devising a strategy with clear targets for the development of the industry, including the development of the indigenous industry and the appropriate support schemes</td>
<td>Public Broadcasting Services: National broadcasting and provision of public broadcasting content</td>
<td></td>
</tr>
<tr>
<td>Coordination of Film Heritage initiatives, including digitisation.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*National Cultural Policy*
Duties and responsibilities

Broadcasters: provision of private broadcasting services and content

Audiovisual enterprises: development and provision of audiovisual content

Exhibitors and festivals: Promotion and organisation of film events with emphasis on Maltese and European works

Audiovisual enterprises: development and production of audiovisual products and services

Media literacy and film education

**Governance Partnerships**

In all the three areas above, the *creative output of creative producers and cultural operators* is intrinsic to the success of the respective policy measures and strategic initiatives. Enabling networking and collaborative partnerships among creative and cultural producers is one of the objectives of this Policy.

This Policy also encourages strategic partnerships such as public-private ones which respect the core of cultural initiatives, while supporting their long-term sustainability in the broadest and most comprehensive manner. In this regard, the Ministry responsible for Culture and its entities shall ensure that such partnerships reflect the principles of this Policy and are not undermined by purely commercial interests or counterproductive actions.
KEY POLICY ACTIONS:

2.1 To ensure the implementation of the arm’s length principle and of the principle of public accountability, government shall establish transparent, publicly-known criteria for the selection of key decision-makers in public cultural organisations.

2.2 The legal status of the key national entities operating in the fields of the arts, heritage, and audiovisuals needs to be clarified and amended where necessary, with a view to avoiding unnecessary overlaps, strengthening and maximising synergies and resources.

2.3 Develop creativity-oriented national strategies for the arts, heritage, audiovisuals, including appropriate funding schemes and support programmes, while ensuring that quality assurance, transparency and accountability principles are adhered to at all stages. In relation to cultural heritage, the current National Strategy for Cultural Heritage (published in December 2006) shall be assessed and its impact evaluated. A review of this Strategy, incorporating Libraries and Archives, shall be made in line with evaluation conclusions and with the emerging needs for the sector. For audiovisuals, the national strategy shall incorporate broadcasting, new media, creative online content, film and cinema.

2.4 Maximising investments in culture with a view to:
- improving management structures for public organisations, venues, sites, collections and projects;
- improving the education and training facilities related to cultural management and heritage conservation
- synergising efforts with the tourism authorities in areas of common interest and mutual benefit
- improving and extending the use of IT tools in cultural management and in the dissemination of knowledge, including the digitisation and online accessibility of cultural material, through synergies with IT stakeholders
- access and benefit from European and international funding support and networks, with an emphasis on collaborations with Mediterranean partners.
CREATIVE EDUCATION
Creativity is a great motivator because it makes people interested in what they are doing. Creativity gives hope that there can be a worthwhile idea. Creativity gives the possibility of some sort of achievement to everyone. Creativity makes life more fun and more interesting.

Edward De Bono

This Policy recognises that a democratic society enjoying high standards of living and which actively engages in a dynamic cultural life stems from a successful educational system which encourages all members of society to develop their creative potential, preparing them for a flexible working life and enabling them to participate actively in social interaction, cultural exchange and mutual cultural enrichment. It is acknowledged that Malta’s future cultural life has its roots in
today’s formal and informal education system. Strengthening creativity in education in the early years and creating clear and accessible channels for specialisation in cultural and artistic careers at secondary and tertiary levels is the principal objective of government for cultural development in the coming years.

Currently, the National Minimum Curriculum provides for children’s initial exposure to historical, cultural and aesthetic appreciation. It also provides basic engagement opportunities in artistic activities such as art, music, theatre and performance. The development of creativity during the first years of school needs to be nurtured and a way found to remove obstacles to furthering this creativity by adjusting the national educational policy. This multidisciplinary approach needs to be encouraged as students engage with learning throughout their lives within and beyond schooling.

A culture policy tackling creativity in education requires a threefold approach:

1. The provision of educational services which are animated, supported and interpreted through creative techniques, encouraging creative self-development and self-expression, and promoting creative intelligence in all its manifestations, both by educators and by pupils.

2. Opportunities for children to develop talent need to be supported with adequate resources, be they additional appropriately-trained teaching professionals, physical space and equipment, or any other enabling tools. Schools’ commitment towards a fully supportive education in creativity is the best means to positively influence parents’ attitudes towards this aspect of their children’s involvement in such formative activities.
3. *Life-long learning opportunities* shall provide continuous access to cultural education and appreciation for all age groups and social groups, both within formal and informal structures as well as in alternative spaces through innovative and stimulating programmes, including outreach programmes by cultural entities and NGOs. In the process of translating this vision into concrete actions, this Policy considers that the role currently being played by the School of Music, the School of Art and the Drama Centre, all of which are government-funded organs, shall be revisited and adapted to the future requirements of a professional creative class. Full-time courses offered by specialised institutions delivering courses targeting future professionals in film, theatre, dance, music, and the visual and plastic arts must be offered if Malta is to reach its creative potential.

Parallel to formal education, both government and the private sector provide a range of informal educational services, consisting mainly in foundation courses in the arts. The possibility for advancement in the various disciplines depends on the individual institutions and on the character of the individual disciplines; however, there is no coordinated approach to assisting students in synchronising their academic and artistic development. Formal educational services in the practice-based arts range from the sporadic to the non-existent.

This Policy aims at tackling these critical gaps in the formative process of local arts students by providing for the development of dedicated post-secondary structures, which cater for accredited diplomas and degrees in the performing arts (music, theatre and dance), in the visual arts, in film studies, and in creative writing. In parallel, existing courses in arts and cultural management
and in tangible and intangible heritage-related subjects shall be strengthened and coordinated for a more effective delivery.

Current and imminent developments within MCAST which promote educational services up to full degree levels for the fine arts and for the graphic arts shall be sustained and encouraged. The services currently being provided by the School of Music, the School of Art and the Drama Centre shall be upgraded, and the feasibility of having fully-fledged institutes for Film Studies, Performing Arts and Art and Design (Fine Arts, Graphics, Sculpture, Design, mixed media and others), offering diplomas and degree-level education under the MCAST umbrella (or any other appropriately equipped institution), shall be seriously studied and, wherever feasible, implemented. This Policy, therefore, encourages an intensive course-development and institution-consolidation programme, in replacement of the current situation in career development within the arts, which is fragmented in a few areas and non-existent in most. Tracer studies on past and future programmes shall be made to evaluate the success rate at which professionally trained cultural workers manage to integrate fruitfully into the labour market.

Malta still has a limited diversification in its higher education programmes. There are key weaknesses in the culture and arts specialisation offer and there is only limited use of creativity as a tool in teaching methods. While there may not be specialised academies for arts, audiovisuals, music and performance studies, current institution-building trends in the higher education sector – specifically through investment in the fine arts, graphic design and interactive media by the Institute of Arts and Design, MCAST, and in dance at University of Malta - provide important opportunities in these fields, and
the Policy and its measures shall provide all the necessary support for such developments.

The need to enhance professional educational programmes which complement the growth of the culture and creative sector is also reflected in a comparative EU report on culture. Whereas the EU's average of the education level of cultural workers reaching \textit{at most} secondary level is 11.5\%, in Malta it is 56.2\%; upper secondary education in the EU is 41.7\% and that in Malta is 19.1\%, and the cultural workers with tertiary education in Europe reaches 46.8\% whereas Malta has 24.7\% of cultural workers with a tertiary level of education.\footnote{Cultural Statistics (Luxembourg: Office for Official Publications of the European Communities, 2007), http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-77-07-296/EN/KS-77-07-296-EN.PDF, 14\textsuperscript{th} January 2011.}

Synergies between the University of Malta, MCAST and other higher educational institutions need to be strengthened, while enabling dynamic links with the world of work. Research in the arts, heritage and audiovisuals needs to be recognised as legitimate fields of activity in order to foster artistic excellence and contribute to Malta’s quality cultural output. The creation of a Performing Arts Academy has been mentioned in policy-oriented documents during the late 90s and early years of this decade. This Policy seeks to conduct proper assessments for its feasibility and long-term sustainability, as well as that of equivalent culture-related higher-education institutions in close collaboration with public and private stakeholders.
The text reads:

The diagram below provides a schematic presentation of the proposals envisaged by the National Cultural Policy in this field:

<table>
<thead>
<tr>
<th>Formal Education Level</th>
<th>Corresponding Educational Services (Proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Level</td>
<td>Primary and Secondary Schools supported by:</td>
</tr>
<tr>
<td>Secondary Level</td>
<td>- MCAST or equivalent (Film Studies Institute; Perform Arts Institute; Art and Design Institute through upgraded School of Art, School of Music, Drama Centre) evening/part-time courses</td>
</tr>
<tr>
<td>(O-Level/ Equivalent)</td>
<td>- Accredited Private Schools</td>
</tr>
<tr>
<td></td>
<td>- Accredited Private Tutors</td>
</tr>
<tr>
<td>Post-Secondary,</td>
<td>Diploma and Degree Accredited Institutions:</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>- MCAST or equivalent (Film Studies Institute; Perform Arts Institute; Art and Design Institute)</td>
</tr>
<tr>
<td>(Diploma, Bachelor’s</td>
<td>- University of Malta (Creative Writing, History of Art, Music, Theatre Studies, Media)</td>
</tr>
<tr>
<td>Degree)</td>
<td>- Accredited Private Schools</td>
</tr>
</tbody>
</table>

The ‘education for creativity’ policy targets are:
- Strengthening the role of creativity in education throughout the spectrum of subjects, supporting the flourishing of a creative environment in schools, promoting multilingualism as a means for achieving a culturally enriching education, providing tools to creative teachers, and engaging all students in creativity programmes.
— Shifting the attitude for arts education by government institutions from being amateur-oriented (part-time/evening courses) towards the provision of professional educational services, while ensuring that University enables the possibility for educators (teachers) in the various artistic sectors to specialise at postgraduate level. This should be aimed at bolstering the status of cultural professionals in society and, in turn, augmenting culture’s contribution to the economy through professional employment and quality standards in artistic production.

Professionally-qualified cultural practitioners shall be able to contribute to cultural, social and economic development either through independent/self-generated practice, through contributions to private or non-governmental organisations, and through the development and implementation of cultural programmes funded by government’s cultural entities, while also being able to further their studies and deepen their experiences on an international platform.

The need to invest more in the improvement of facilities and infrastructure for the arts and culture in the Maltese Islands is hereby being recognised. Government is therefore committed to pursuing investment through allocation of funding for the construction and/or restoration of venues to serve as cultural formation centres, promoting private-public partnerships wherever feasible, without undermining the cultural core of these initiatives the National Cultural Policy 2010 identifies hereunder the strengths and weaknesses of each cultural strand in the current scenario, with the aim of proposing, by means of an articulated policy statement, a vision for the development of each strand for the coming years.
Creative growth

The education system has a central role to play in starting to build a long-term, sustainable creative cycle in Malta. It also represents one of the most challenging aspects in instilling creativity within government institutions, in view of substantial resistance to the introduction of change.

Government policy recognises the right of children to be creators of art and to experience self-formation through the interpretation of heritage. Learning to develop skills through music, theatre and performance, dance, the visual arts, writing and, fundamentally, creative thinking should be pursued. Children should also be enabled to make full creative use of new media including filmmaking and the creation of digital content.

This Policy is being driven by a number of guiding principles highlighted in a series of national documents and international conventions on children’s access to culture. In 2008, the Office of the Commissioner for Children launched the ‘Manifesto for Children’, a publication aimed at highlighting the need to address children’s issues in various sectors, promoting their holistic development in the best way possible. The Manifesto states that “Culture is the birthright of every child, contributing towards their creativity and identity formation. They have a right to know, understand, and explore their culture in a creative way. Opportunities and accessibility to culture and the arts should continue to be built upon and provided for children, in order for them to not only learn about culture and the arts, but to enjoy it.” The Manifesto for Children also highlights the need

for further integration of culture in its broadest sense within the National Curriculum; and efforts to encourage cross-cultural understanding in the classroom and in recreational activities.

In addition, the United Nations Convention on the Rights of the Child\textsuperscript{14}, ratified by Malta in 1990, outlines the right of children to participate in cultural, artistic and other recreational activities, as well as giving them the right to freedom of expression, access to information and mass media, and education. The goals of education as outlined in this Convention include the right for each child to develop his/her personality, talents and abilities to the fullest\textsuperscript{15}. The recognition of children’s rights as participative members of a dynamic society needs to be transformed into concrete initiatives to involve them in art-in-progress programmes, embedding further the positive effects of creative processes during their formative years\textsuperscript{16}. The medium to long-term objective is the development of synergies between culture and education policies aimed at introducing a talent-development programme within schools, coupled with a programme aimed at sensitising school teachers to the fundamental role of a creativity-enabling education. The National Minimum Curriculum makes specific reference to the need for students to develop their creative thinking skills, their creative expression and problem-solving skills and their creative use of language and communication skills. It also highlights the need for schools and school administrations to


\textsuperscript{15} See Convention on the Rights of the Child, Articles 13, 17, 28, 29, and 31.

\textsuperscript{16} The European Council of Ministers conclusions on promoting a creative generation from the November 2009 meeting entitled Promoting a creative generation - developing the creativity and innovative capacity of children and young people through cultural expression and access to culture. http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/educ/111502.pdf, 14\textsuperscript{th} January 2011.
promote creativity throughout the curriculum and to assist through curriculum development to enable every child’s creative potential. On a more immediate level, cultural entities need to place child-oriented programmes at the core of their plans. The role of the Malta Council for Culture and the Arts as strategy-setter in culture and the arts is to provide coordination and guidance to cultural entities in identifying relevant programmes and projects. A parallel role shall be played by the relevant heritage agencies with regard to cultural heritage.

The role of the Ministry responsible for culture, as policy-maker in the areas of arts, heritage and audio-visuals, is to provide coordination and support to cultural entities in identifying relevant programmes and projects that encourage children’s growth through creative activity.

For this Policy to be successful there needs to be a strong level of cooperation between the educational system and culture. In the 2000 National Curriculum Conference\(^\text{17}\), a series of measures negatively affecting creativity in the Maltese educational system were identified. To counteract these deficiencies a number of standards were set with the aim of legitimising the creative exploration of culture. This Policy backs these initiatives and government shall work towards their realisation through full cooperation between the culture and education sector. These include:

1. Refreshing and reinvigorating the approach to the creative subjects in art, music, theatre and performance, and literature.
2. Rethinking the delivery of the curriculum in terms of creativity and creative thinking, with the objective of

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transforming learning into a stimulating and enjoyable experience.

The emphasis on creativity inside and outside school needs to be spread in an interdisciplinary manner, while measures need to promote creativity on three different levels within the formal, informal and non-formal educational milieu:

i. Developing a Creative Environment
ii. Promoting Creative Programmes
iii. Fostering Creative Teachers

In addition to the above, the development of intercultural competences and multilingualism, both in educational programmes addressed to children and young people and in the training of education and culture professionals is of direct relevance to the social and demographic changes taking place today in Maltese and international society.

Within the Maltese scenario, the scope of this Policy covers government, church and independent educational institutions.

This Policy also asserts the need for further collaboration with entities in the creative sector. Heritage Malta is developing an educational programme for school children. St James Cavalier Centre for Creativity has also increased its programming for schools, children and young people. Figures for 2009-2010 show that around 5,000 students participated in creativity programmes organised by St James Cavalier Centre for Creativity.

These programmes range from film, story-telling and literature programmes to theatre and music performances. The Manoel Theatre and the Malta Philharmonic Orchestra are also
committed to produce more theatrical and musical programmes for children. The Malta Council for Culture and the Arts is dedicated to work in synergy with these and other organisations in order to develop exciting programmes for children and young people in all cultural programming.

Even though creative growth is often linked to children and young people, this Policy also acknowledges the importance of creativity as a life-long process. In the past years, government-run programmes supporting life-long learning initiatives such as evening classes and short courses in various subjects linked to the arts, languages, crafts and design, among others, have continued to increase access to creative knowledge. Increased efforts shall be made towards introducing official accreditation in the courses offered, and in streamlining courses within the wider educational framework for students.

In addition, this Policy sustains the belief that the creative growth of each individual must also be developed through intellectual and artistic curiosity to experience and access culture. For this reason, this Policy shall ensure that audience development programmes, stimulating interest in participation in arts and cultural activities and events for all and inclusive of the appropriate marketing efforts, are integrated within the relevant strategies and funding programmes.

Furthermore, Local Councils, NGOs and local community groups play a crucial role in ensuring that the creative potential of a community at grassroots level is nurtured and sustained.

Therefore, the following policy measures are being established to stimulate creative growth:
I. Government shall undertake a creativity oriented review of existing education policies aimed at bringing children’s creativity to the fore, enabling its development and ensuring its recognition both inside and outside of the school system. This exercise should result in the formulation and implementation of educational programmes which promote creative and lateral thinking and which cater for all individuals, irrespective of background and age, including access to life-long learning opportunities. The teaching of art subjects must increase in frequency within these educational programmes. An embedded learning approach must be effected within the curriculum.

II. Upgrading existing facilities where art subjects are taught to children, enabling a creative and dynamic environment conducive to inspiring creativity and innovation in children.

III. Foster partnerships for creativity programmes among government entities, local councils, private enterprise, voluntary organisations and religious institutions. The cultural, social and economic benefits derived from such networks are to be reinforced. The partnerships shall be developed within the frameworks identified in the previous chapter and shall form the backbone of strategic collaborations between the various levels of stakeholders.

IV. Public and private cultural heritage entities, particularly museums and heritage site operators, are to consider children’s needs in the presentation of cultural heritage, installing access features and interactive interpretation facilities. Children have a right to be presented with stimulating interpretation which allows creative, manual and intellectual interaction with heritage material.

V. The Malta Council for Culture and the Arts shall ensure that creativity and innovation are an integral part of its national arts strategies. The cultural programmes developed by core-funded cultural entities shall integrate a multi-disciplinary,
interactive children’s programme which, wherever possible, is implemented in collaboration with similar entities and organisations. Financial resources and expertise need to be optimised and extensive coordination among all relevant entities shall ensure that the creative potential of all children is catered for by these programmes.

VI. Actively engage Local Councils in cultural development projects and enable all members of society to develop creative projects within their communities, with relevance to the local, national and international spheres. The potential for life-long learning opportunities and their ability to empower creativity at all ages should be maximised through improved information disseminating the existing offer. Investment in new life-long learning programmes for culture and the arts should also be one of the primary actions undertaken by local government, civil society organisations and other non-governmental actors in the community, to help enable access to all.

VII. Government shall ensure that urban and social regeneration projects are innovative and culturally-led while aiming to maximising economic, social and cultural potential for the resident communities. People’s history and values, their cultural interests and activities, the architecture they inhabit and the resources they require for a fulfilling life shall be recognised as the prevailing elements in shaping the nature and character of such projects. The role of cultural and creative industries, especially that of SMEs, should be emphasised within this context and economic benefits derived from such networks are to be reinforced. These partnerships shall be developed within the frameworks identified in the previous chapter (Cultural Governance), and shall form the backbone of strategic collaborations between the various levels of stakeholders.
KEY POLICY ACTIONS:

3.1 A permanent task group composed of education and culture policy experts shall be set up to focus on the integration of the arts, heritage and audiovisuals in the national curriculum, and on the creation and development of vocational and higher educational facilities and courses for the training of future professionals in the cultural and creative sectors.

3.2 Cultural programming targeting children and young people, either through their creative contribution or as audiences, shall form part of the core programming by public cultural organisations. These initiatives shall give priority to the needs and interests of children and young people in terms of physical and intellectual access, participation, interactivity and creativity, and shall be developed in partnership with professional creatives and cultural operators.

3.3 Government shall allocate resources towards initiatives that encourage partnerships between professional creatives, educators and students, with the aim of enhancing the creative environment in our schools and classrooms.

3.4 The Ministries responsible for culture and for education shall develop accreditation measures for cultural training programmes, including both public and private training institutions.

3.5 The ministry responsible for education in collaboration with the MCCA shall re-evaluate the strategic role of existing institutions (School of Art, Drama Centre, School of Music) in providing formal, professional and accredited training while supporting students during primary and secondary education.
3.6 Through the synergies and contributions of the University of Malta, MCAST and other relevant institutions, undergraduate and postgraduate (or equivalent) courses shall be developed to cater for the professional training in the practice-based arts and film, cultural management, cultural leadership, conservation and related areas. Wherever feasible, dedicated academies, institutes or schools shall be identified and equipped to support and foster the various specialisations, making use of existing expertise, contacts with prestigious institutions abroad and coordination between existing institutions.

3.7 Within the specific area of specialisation, a review of existing technical and infrastructural requirements shall be undertaken, including the identification of venues to serve as cultural formation centres. Synergies between related institutions shall be sought to ensure maximum use of resources to avoid overlapping investments. In all cases, the overall academic and administrative structures shall be supported in their capacity building needs, including technical training for staff.
Talented and creative people are not simply resources to programme theatres, interpret museums or animate streets but, more importantly, they are invaluable assets to the creative growth of our nation. With the creative economy, which is identified as one of the fastest emerging sectors in world trade and as an economic pillar in Vision 2015, Malta shall foster a creative environment that enables intellectual, artistic and economic growth.

While the ultimate aim of providing support for cultural development and enabling creativity is to improve the quality of life of all citizens, residents and visitors, it is also important to emphasise the economic advantages which accrue from such support. There are also multiple links between this Policy and
the headline targets of the EU 2020 Strategy\textsuperscript{18} namely to: 
I. Increase the employment rate of men and women aged between 20-64, especially youths, older workers and low skilled workers and the better integration of legal migrants; 
II. Improve the conditions for research and development; 
III. Reduce greenhouse gas emissions 
IV. Improve education levels, including by increasing the share of the population having completed tertiary or equivalent education; 
V. Promote social inclusion.

Research today indicates that the creative economy has the potential of generating income and jobs while at the same time endorsing social inclusion, cultural diversity and human development. A report published by the United Nations in 2008 provides empirical evidence that the creative industries which lie at the heart of the creative economy are among ‘the most dynamic emerging sectors in world trade’. The report states that in the period covering 2000-2005, trade in creative goods and services marked an increase at an average annual rate of 8.7 per cent. Between 1996 and 2005, creative services experienced a rapid export growth of 8.8 per cent annually. The positive trend which was felt on a global level is expected to continue into the next decade.\textsuperscript{19}

\textsuperscript{18} Communication from the Commission, Europe 2020 strategy, A strategy for smart, sustainable and inclusive growth. http://ec.europa.eu/eu2020/pdf/COMPLET\textsuperscript{2} 0EN\textsuperscript{20}BARROSO\textsuperscript{20}20007%20-%20Europe\textsuperscript{20}2020%20-%20EN%20version.pdf, 14\textsuperscript{th} January 2011.

The European Union had already recognised culture as being a catalyst for creativity in the framework of the Lisbon Strategy for growth and jobs. The KEA study carried out for the European Commission in 2006 indicates that cultural industries and the creative sector are substantially contributing to European GDP, growth and employment. Through the 2020 Strategy, the EU is establishing indicators in education, employment, research and development and social inclusion, towards which culture and creativity can contribute.

Creativity and innovation are essential assets for the world’s economy in the context of globalisation. The creative industries represent the crossroads of the arts, culture, education, business, social interaction and technological innovation. For the multifaceted nature of the culture and creative industries to evolve and produce results on a national level, it is crucial that strategic decisions are taken to enable inter-ministerial action.

The Creative Economy Working Group, established in January 2010 by the Ministry of Finance, the Economy and Investment in collaboration with the Ministry responsible for Culture, was set up to conduct extensive research on the cultural and creative industries (CCI) in Malta with the remit of developing a strategy for the creative economy. From advertising to architecture, graphic design to fashion, crafts to the performing arts and from the film servicing industry to published literary works, thousands of individuals in Malta are capitalising on their ideas and skills to produce a variety of creative experiences, goods and services. The creative workers are at the heart of the cultural

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and creative industries, yet they require the right economic, social and cultural environment to thrive and develop.

Talent itself is a great asset, however we must go beyond that to develop a sustainable sector. Our future creative entrepreneurs need the necessary educational structures, legal framework and investments to enhance their professional standing and that of their sectors. The current limitations of the local creative scene, often leading to a brain drain of young creative talent, need to be transformed into new opportunities for access to local and international markets.

Government cannot take on the role of a creative worker, however, through strategies, investment and initiatives; Government is committed to championing the creative economy. The Maltese economy increasingly depends on its ability to diversify its economy towards high value-added industries which can generate a higher rate of return than other industries. The Culture and Creative Industries (CCIs) offer great opportunities in this respect. However this requires a shift to quality in order to obtain the highest value added possible from the CCIs.

Economic indicators reveal that the cultural and creative industries in Malta contribute to around 4% of GDP with an annual growth of 3%. Some 4000 enterprises are operating in these sectors and employing 9000 individuals. These positive indicators give scope for further investigation in the strategic development of the sector.

Creative workers and cultural assets are the heart of CCIs. Through talent, skill, entrepreneurship and intellectual property rights (IPRs), the creative worker can generate new jobs and
companies and can also help mature industries re-tool for the future. The Working Group considers the creative economy as a set of knowledge-based economic activities (creativity and intellectual capital) that encompass the cycles of creation, production and distribution of creative goods and services, and which have the potential to generate economic growth, employment and development (social and cultural).

The pillars of the creative economy are the cultural and creative industries: **Heritage** (crafts, antiques, cultural sites, traditional festivals and celebrations) **Arts** (visual arts, music and performing arts), **Media** (publishing and audiovisuals) and **Creative Business Services** (design, software, architecture, advertising and cultural services). This classification should not detract from the three areas covered by this Policy (the arts, heritage and audiovisual sector), but is meant to facilitate comparative statistical and economic research, based on internationally recognised models.

Table: The Culture and Creative Industries within the framework of the Creative Economy
The Creative Economy Working Group has identified four strategic paths for the economic development of the cultural and creative industries, which also reflect the objectives of this Cultural Policy:

1. Shaping talent into professions
2. Assisting creative businesses find route to market
3. Promoting Malta as a hub of creative activity
4. Championing the sector through cohesive governance structures

The creative economy strategy is a unique opportunity to bridge cultural and economic policies that will lead the cultural and creative industries into their new role as pillars of the Maltese economy.

This economic and cultural growth cannot be sustained without ensuring the delivery of cultural works and processes at the highest level of excellence. Recent reviews and consultations with the sector have highlighted an absence of fora for critical debate in Malta, especially in terms of discussions on the quality and content of cultural products. This often leads to non-artistic criteria being used as the sole basis for evaluating the validity and social function of such works. The strengthening of professional artistic training, participative interaction with the international community in the various disciplines, as well as a more informed public critical analysis of cultural production in Malta can have a direct influence on the social evaluation of culture.

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In this context, classification systems shall be applied as guidance mechanisms for cultural producers and consumers including areas such as digital games, films and television, to further enhance the potential of producers to contribute actively to a dynamic and open society, while ensuring that the appropriate protection of children and vulnerable groups is enforced. To this effect, this Policy prioritises the need for the professional enhancement of the creative sector, coupled with a thorough review of the legal framework, to ensure that basic rights of freedom of expression by cultural producers are respected equally across all genres.

In order to produce opportunities for creative careers, a number of concrete measures are being identified and their implementation shall be pursued.

I. The enabling of culture and creative careers rests on the provision of high-calibre educational offers. During the coming years, government undertakes to provide access to undergraduate studies for culture and the arts by strengthening existing institutions and developing new structures where required, keeping in mind principles of long-term sustainability and synergy-building among all relevant institutions.

II. Resources need to be allocated to enable international exposure to students who wish to advance their studies in culture and the arts abroad. These should be coupled with appropriate incentives aimed at attracting back to Malta arts graduates from international educational institutions.

III. Promote capacity building in the cultural sector by investing in people and providing opportunities for access to knowledge, training and information. Innovative sources of
funding, including sponsorships and training schemes, should be developed and facilitated.

IV. Innovative ways of promoting job creation in the interface between the arts and health, and the arts and justice, among other sectors, shall be promoted.

V. New technologies shall be sought as crucial tools for artistic work and heritage conservation and interpretation in line with changing social demands.

VI. The qualitative assessment of regularly funded cultural organisations or independent artists as beneficiaries of public funding programmes needs to reflect principles guided by excellence.

VII. Even though cultural funding programmes and strategies need to establish their own priorities, this Policy will sustain a broad view of creativity and gives equal weighting to various styles, genres and media.

VIII. It is acknowledged that further efforts are required to secure basic social security recognition and benefits for professional artists. Government is thereby committed, to continue to investigate the provision of support structures through the social security system and tax incentives. Strong collaboration between the Ministry responsible for Culture and the Intellectual Property Office is required to identify any gaps in the enforcement of copyright issues as well as to increase awareness among practitioners and the general public in all the applicable areas of creative activity. Incentives should be established to encourage individuals to pursue professional careers in the arts and creative sectors thereby contributing to their overall quality and excellence.
In view of the above-mentioned principles, the National Cultural Policy identifies a number of priorities for the development of each cultural sector.

**Heritage and Museums**

A forward-looking vision for the heritage sector is needed in order to ensure the adoption of the latest techniques and the most updated knowledge in heritage conservation, while providing a fresh outlook on the past which appeals to all sections of the population, especially children and young people, as well as to international visitors to the Islands. An inventory which catalogues the heritage assets of the country is required for the facilitation of work of scholars, policy-makers and individual members of society. The fundamental cultural, historical and social significance of Malta’s intangible heritage, including crafts and gastronomy should be valorised by fostering it within a supportive framework which remains sensitive towards its fragility as well as to its cultural malleability and adaptability. The framework shall also take into account how this intangible heritage has evolved and can still evolve, and how it can reinvent itself. Furthermore, Government is committed to continuing its investment in the conservation and management structures of Malta’s patrimony.

Regulatory structures and technical requirements aimed at fulfilling the obligations of monitoring and enforcing heritage legislation shall be provided with continuous support. Operational structures managing museums and heritage sites are to provide appropriate interpretation and ancillary facilities, centred on the core historical dimension of the asset.
Interpretation should be historically sensitivity, but should also take into account 21st century visions for and expectations of presentation and appreciation of heritage.

Special attention to the value of these sites in sustaining a dynamic and open discussion on aspects of a historically-rooted national identity shall be given. Particular attention shall be paid to visitor centre layout with the aim of making people’s visits more appealing and rewarding. The strength of cultural tourism in Malta has provided our heritage sites with an international audience, whose needs must be catered for. However, this should not detract from the continuous importance these sites have for Maltese people and their identity.

It is recognised that the conservation of heritage assets is a long-term process which entails the coordination of financial aspects, education and training. Training in heritage conservation and management are important elements for a sector which must constantly balance the conservation needs of sensitive artefacts and sites with the pressures of a demanding national and international audience.

The National Cultural Policy recognises that the function of museums goes beyond that of a tourist attraction; they are essentially a gateway to past ways of life of Malta’s people, which should be physically and intellectually accessible to today’s public. Museums should diminish the borders of time and space and offer opportunities to individuals to explore each exhibit in a fascinating manner. It is therefore understood that the word ‘museums’ should not be solely synonymous with depositories of the past. This Policy aims at encouraging the exploration of the different and stimulating ways in which museums can
become more appealing to the public. It is committed to investing further in order to facilitate contemporary forms of exhibiting which encourage an active involvement of individuals through technology, innovation and imagination.

Libraries and Archives

The National Culture Policy recognises that access to records, documents and books in their physical or electronic forms is indispensable for the intellectual growth of the community. The strengthening of existing administrative structures shall be coupled with networking and empowering tools which investigate the potential of these cultural assets in fostering a reading public and in facilitating access, including through new technologies, to researchers and the general public to the depositaries’ riches.

Adequate infrastructure and conservation measures shall be undertaken within the framework of specific strategies to facilitate storage, cataloguing and physical and digital access to these resources, while international networking shall be enhanced and further encouraged.

While adequate support shall be provided to maximise the cultural contribution of the National Archives to Malta’s cultural life, a new Libraries Act shall ensure that the full range of needs which libraries can and should satisfy within a knowledge-based society are fulfilled. This should be followed by a clear strategy which integrates libraries into the cultural and intellectual life of Maltese society, in collaboration with governmental and independent bodies which work in the same field and share the same objectives.
Visual and Plastic Arts

This Policy emphasises two key areas of intervention in this category, namely:

– The provision (through joint government and private sector financing, wherever possible) of adequate infrastructure: workshops, exhibition, public encounter and artist residency spaces.
– The development of adequate educational facilities, at least up to undergraduate level, supported by the necessary material and human resources.

Policy also acknowledges the untenable gap in the exposition of Maltese modern and contemporary art, and considers that focused synergies between the MCCA and Heritage Malta, together with all other relevant stakeholders and artists, should aim towards rectifying this situation. The implementation of policy in this area will be translated into concrete actions through the work of MCCA’s strategic planning. The potential for localities to provide artist-in-residency facilities needs to be taken into consideration within this context.

Literature and Publishing

Policy shall provide concrete recognition to literary activity in Malta, particularly through the development of support structures for writers, translators, publishers and distributors. This includes support for the creative use of the Maltese language within a range of artistic contexts such as theatre and film, the translation of original Maltese texts into other languages, and the publication of books by Maltese authors abroad, as well as of the translation of foreign works into the
Maltese language. Government entities such as the MCCA, the National Book Council and Il-Kunsill Nazzjonali tal-Ilsien Malti, as well as NGOs working in the literary field, are key actors and stakeholders in this area. Infrastructural and administrative frameworks shall be developed further to provide professional support structures to enable them to fulfil their role at a national level.

A residency programme for writers and literary translators shall be established, while attention to the development of creative writing techniques, through formal and informal education course provisions, and to cultural research and cultural journalism shall be catered for. Measures in support of independent and proactive journalism based on principles of public value also need to be concretely adopted. The linguistic quality within journalism and broadcasting is another important facet of the same issue. Within a wider context, the support for multilingualism shall be developed beyond the strict curriculum requirements of the educational system. The contribution that libraries can provide in this regard shall be highlighted when the review of libraries’ role is undertaken.

**Performing Arts**

The Policy envisages the promotion of educational facilities and the provision of spaces for artists’ formation as well as the elaboration of public encounters through events that are accessible, participatory, innovative, culturally diverse and supportive of the cultural development of Maltese performers. These incentives should be based on the centrality of creative collaborations within the framework of a dynamic and diverse community.
Therefore, this Policy prioritises the continued fostering of professionalism within the music, theatre and dance sectors as core contributors to Malta’s cultural development, including their potential to enrich Malta’s international creative showcase.

The Policy shall also investigate, through strategies developed by the appropriate organisations, the development of the performing arts beyond the strictly artistic sphere, with a view to their potential within other spheres such as health, justice and community programmes. Educational facilities need to be further developed within a formal educational framework. Empowerment measures for community-level action need to be enacted, particularly in support of Local Council and local community organisations.

In terms of freedom of expression, legislation shall be reviewed in order to ensure that the classification of works reflects the maturity of a 21st century public in a contemporary society. In terms of the provision of adequate performance space, Malta needs a versatile, dedicated space which can accommodate workshop areas, and largescale dance, theatrical and musical productions with adequate backstage areas and facilities. This, and all other performing and visual arts infrastructural projects, should be developed within the wider framework of major urban redevelopment measures, with sensitivity towards community and residents’ needs.

**Audiovisuals**

The audiovisual sector is a significant cultural industry that now plays a very important cultural and economic role in
Malta. Considerable investment has been made during the past decade or so both by government as well as by the private sector, mainly in terms of the film servicing industry, broadcasting and new media technologies and other associated areas of the audiovisual sector.

Investment in training professionals in this industry has lagged behind, although recent initiatives spearheaded by MCAST have managed to tap significant European funding for training facilities such as editing suites, video facilities, camera equipment, 3D Graphics software and related items. This complements past and current investments made by the Centre for Communication Technology at the University of Malta. By bringing together the key stakeholders in the sector, government shall ensure that educational and training provision for the sector is strengthened and reflect current developments in the industry and in the relevant supportive technology.

The fostering of the Maltese film industry remains high among the cultural priorities of government, and functions as a necessary complement to the support structures aimed at attracting foreign large-scale audiovisual productions. In August 2008, the first Malta Film Fund was launched with the aim of encouraging the development of indigenous films. These projects can contribute significantly to the creative output and in the exposition of Malta-based creative projects within the international film and documentary circuit.

Cultural, social and economic considerations shall continue to determine the strategic and comprehensive allocation of the funding support for the sector. The multifaceted nature of the audiovisual sector implies that a concerted collaborative effort between various stakeholders is crucial.
The public broadcaster shall have the necessary tools to fulfil its public role, while adopting transparency and good governance measures at all levels, including in the funding criteria for Public Service Obligation and in relation to issues of state aid. The legal and financial framework within which the public broadcaster operates needs to be amended with a view to ensuring high quality output based on criteria which fully address the cultural and social needs of the audience and respect the quality standards of the industry.

Investment in national audiovisual heritage, be it publicly broadcasted material of historical and cultural value, film heritage and other audiovisual material held publicly and privately, shall ensure that national archival digitisation and accessibility needs are addressed.

The initiatives detailed above must be implemented within the structuring framework of a strategy for the sector, taking into account the contributions of key stakeholders such as Malta Enterprise, the Malta Film Commission, public and private broadcasters, and audiovisual companies, and based on the legislative framework of the new Audiovisual Media Services Directive.

**Architecture**

Nurturing creativity at a young age whilst ensuring that University courses reflect today’s realities and the pursuit of excellence, will ensure that the responsibility carried by architects in Malta will result in a commitment to quality and value in architectural and urban design and in an increased awareness of a contemporary and sustainable Maltese urban landscape.
The proposal for the creation of a Centre of Architecture and the Built Environment in Malta by Kamra tal-Periti is an important measure to be encouraged as recommended by the Kamra tal-Periti. The main objective of such a centre, which would be similar to others existing in most EU Member States, would be to bring architecture and urban planning issues closer to the general public and at the same time advance the profession and contribute to an improved design process.

The creation of architecture centres across Europe came about as a result of a Resolution by the Council of the European Union in February 2000 on architectural quality in urban and rural environments. This called on the European Commission to ensure that architectural quality and the specific nature of architectural service are taken into consideration in all its policies, measures and programmes.

In accordance with these objectives, the Centre’s main remit shall be to foster better appreciation of our built heritage and to promote more sustainable development in future years. It should assist in raising the awareness of the importance of good design and quality in our built environment from both an economic and environmental point of view.
KEY POLICY ACTIONS:

4.1 Map the economic contribution of the cultural and creative industries and devise a creative economy strategy in consultation with industry.

4.2 National cultural organisations shall champion creative excellence in their cultural management and programming through continuous professional development of their human resources. They shall also explore, develop and enact measures to promote capacity building within an interdisciplinary context, particularly in the interfaces with health, justice, education and other areas.

4.3 Develop dedicated funding mechanisms to assist the non-governmental/private sector in its capacity building for creativity and innovation.

4.4 In cultural heritage management, the development of catalogues of collections and the population of the Cultural Heritage Inventory Management System shall remain a priority, in coordination with the Ministry’s efforts to increase the digital online access to cultural material and information.

4.5 In the conservation and interpretation interventions by heritage agencies (both public and non-governmental), support shall be provided to initiatives which couple historical sensitivity with innovative and interactive methods of interpretation. The contribution that heritage sites can provide to the national economy shall not detract from the value these sites have for the Maltese population. The potential for heritage venues to assist, through events, exhibitions and other methods, in the exploration and investigation of national identity within an increasingly multi-cultural mix of communities shall be given priority.

4.6 The value of heritage sites, intangible heritage, including crafts and gastronomy, and the arts as tourism experiences, shall be strengthened through improved synergies with the tourism authorities and tourism operators, including dedicated measures aimed at specific niche markets within the context of an increasing trend for individual travelers.
4.7 Draft and adopt Management Plans for each of the three sites in Malta that are inscribed on the UNESCO World Heritage List.

4.8 Transform public libraries into multimedia, community learning centres relevant to contemporary cultural and social life.

4.9 Support the National Archives in identifying appropriate physical and digital storage facilities, and in strengthening and increasing the awareness of the cultural role of archives, including through measures to increase online accessibility to catalogued material. Coordination between the National Archives and other public cultural agencies and venues shall be sought in the effort to build specialised archival deposits of historical and cultural material.

4.10 Incentivise creative research and innovation through the provision of spaces for training and experimentation.

4.11 The Ministry, in collaboration with the MCCA, Heritage Malta and the University of Malta, shall identify a site and shall implement necessary work to open museum space for modern and contemporary art. The possibility of developing this space adjacent to the institutions mentioned above shall be considered in order to maximise on the benefits for the formation of new artists.

4.12 Artist residency programmes shall be developed and supported as part of the mainstream arts programme in Malta, providing for encounters and collaborations between local and foreign artists. This shall be done in collaboration with NGOs and local councils, and shall cater for a range of cultural activities by the various pertinent institutions (for writers, translators, actors, directors, dancers, musicians, curators, new media artists and others).

4.13 The MCCA in consultation with the Ministries of Culture and Finance shall develop an action plan dedicated to the promotion of the status of the
artist. This shall consider issues of social security, tax incentives and other areas which are conducive to creating a culture of professionalism within the arts. The above bodies shall also coordinate with the government entities responsible for Intellectual Property matters in order to strengthen the safeguards provided by intellectual property rights, as well as to ensure that the redistribution mechanisms arising from the collection of royalties of artworks are fully functional.

4.14 Public and private entities contributing to the advancement of literary activity shall coordinate their efforts in the promotion of Maltese literature locally and abroad. This shall also include the exploration of a support structure for writers, translators and publishers of Maltese literature, measures to increase the readership base in Malta, coordination with the entities responsible for libraries, support for the participation in international book fairs, development of dedicated writer/translators residency programmes, and the provision of administrative and infrastructural frameworks for the support of literary organisations.

4.15 In conjunction with the aforementioned measures, channels shall be sought to further develop creative writing courses, as well as provide support for journalists and broadcasters in the field of cultural journalism, independent journalism, and sensitivity and awareness of intercultural issues.

4.16 In terms of freedom of expression, the Ministry responsible for culture shall initiate the process of updating Maltese legislation in this regard to make it reflect 21st century reality. This will commence by placing the responsibility of the classification board within the Ministry responsible for culture.

4.17 The Ministry and the pertinent entities shall work together to identify and propose a major project aimed at accommodating a large-scale and versatile performance space within the wider context of major urban redevelopment measures.
4.18 Present a national showcase of the best artistic and creative work produced in Malta and Gozo to attract international producers, curators and agents to assist artists in gaining access to international markets.

4.19 The Ministry shall bring together all stakeholders of the audiovisual industry to develop a framework strategy for the audiovisual sector, taking into consideration issues pertaining to broadcasting, state aid, training, capacity building, film and cinema.

4.20 The Ministry shall continue to coordinate its efforts with the Malta Film Commission in the implementation of the Malta Film Fund for the development of Maltese film and documentaries. The possibility for diversifying the funding sources for this fund, including building links with broadcasters, international co-productions, and the channeling of revenues from international films in Malta shall be explored.

4.21 Support the foundation of a Centre of Architecture and the Built Environment, within the context of a national architectural strategy, to bring architecture and urban planning issues closer to the general public and at the same time advance the profession and contribute to an improved design process.
AN INCLUSIVE CULTURE
This Policy embraces and aims to implement a succession of principles and values that have been defined by the international community to enshrine the citizen’s right to culture.

In adherence to a number of UN international conventions, European Council conclusions and Council of Europe declarations, Malta deems culture a fundamental right which should be enjoyed by all individuals, irrespective of their differences. Access to and participation in culture are a prerequisite for an inclusive society and, more generally, for a society that is dynamically animated through individual and community action. Access to culture empowers people and enables them to enjoy, participate in and contribute to the development of their society, not just for their own personal well-being, but for the enrichment of the whole community.
The Universal Declaration of Human Rights encompasses the fundamental right to culture, inviting all societies to promote participation in cultural life which is in turn a vital element for the exercise of active citizenship and social cohesion. Article 2.1 of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), to which Malta is a signatory, states:

‘Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed.’ 22

The Council of Europe declares that a relationship with culture has to be built and promoted by strengthening democracy, human rights and the rule of law. The role of culture as a catalyst for democracy is becoming more widely recognised. The Council of Europe is also alert to the increasing pressures of globalisation, interdependence and diversity and is committed to promoting diverse cultural expressions emanating from traditional and contemporary stimuli.

While itself founded on a diversity of cultures and peoples, the European Union has become increasingly engaged in actively promoting the very concept of “Europeanness” as a unity of diverse and creatively interacting social and cultural entities. The prospects for European social and economic development and cohesion are thus interlinked with the right to artistic expression, and the right of all citizens to have access to cultural expressions and heritage.

A United Nations report in the field of cultural rights\textsuperscript{23}, identified the following priorities:

- Cultural rights in globalisation and development processes
- Media pluralism, information technologies and cultural rights
- Cultural rights within the education system
- Freedom of scientific research and creative activity, and the right to benefit from scientific progress and access to cultural heritage
- A gendered perspective on cultural rights
- Cultural rights of persons with disabilities
- Cultural rights of non-nationals, in particular migrant workers and members of their families

Another important international instrument embraced by this Policy is the United Nations Convention on the Rights of Persons with Disabilities\textsuperscript{24}. This Convention declares:

1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:
   a) Enjoy access to cultural materials in accessible formats;
   b) Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;
   c) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas,


libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.

3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.

An inclusive culture contributes to a society which is more ethical and fair in its endeavours. Cultural rights which stand at the core of the concept of ‘fair culture’ need to be safeguarded and endorsed holistically. Maltese society has an obligation to place such rights on a horizontal platform with other human rights which are fundamental for the nation’s identity; giving a sense of belonging, self-esteem and social and intellectual well-being. Development entails looking at culture as a central element among other core human elements, which encompass the economic, social, political, spiritual and ideological realms.

For society to be inclusive, different facets of social life need to be explored. This may even be done by taking cultural routes in areas which *prima facie* may seem to have non-cultural
objectives, such as educational achievement, economic growth, environmental protection, health promotion, and tourist satisfaction.

When a fair, equitable culture is encouraged, people have the possibility of realising their full potential through an inclusive social setting which promotes the creative individual as the main asset of society. The democratisation of culture entails the availability and accessibility of culture and the arts at community and national level.

UNESCO has stressed the importance of the dynamic nature of culture and its significance for the construction of individual and national identities. ‘If culture is the matrix in which the identity of a society is made and remade, then development is the full name for that process of making and remaking’.25

Development is synonymous with participation. This leads in turn to the empowerment of people. Throughout Europe efforts are being invested in minimising the divide between governments and the grass-roots. When individuals are consulted and actively involved on matters affecting society, both their sense of responsibility and that of ownership are increased. A plan for action or a policy will succeed if stakeholders commit to it. When culture is viewed not as the remote task of the few, but as a core element in the life of all members of the community, then self-confidence, creativity and assertiveness are secured.

In view of the above, a number of key interventions are being identified with the aim of ensuring inclusivity as a core feature of cultural policy.

I. Cultural Inclusion
Cultural inclusion involves social, physical, intellectual and economic accessibility. In close collaboration with the National Commission for Persons with Disability, the Malta Federation of Organisations Persons with Disability, and the National Commission for the Promotion of Equality, this Policy supports initiatives that aim to overcome discrimination or exclusion and improving access for all.

II. Empowerment at all levels of the community
Malta’s diversity of cultural expression is rooted in community art and voluntary activity. NGOs, local councils and cultural societies are key players in the thriving cultural life of local communities. These organisations can become important partners in making this Policy relevant within our communities. Special recognition of the wealth of cultural resources at the local level needs to be coupled with appropriate resource allocation and capacity-building in this area.

III. Incentives and access for all
Accessing culture may often be hindered by the purchasing power of audiences. However, a large part of the public may feel excluded from certain cultural manifestations for cultural rather than economic reasons. The various agencies shall create audience development programmes specifically targeting new audiences.

IV. A Culture of Dialogue
This Policy recognises the need to foster a culture of dialogue in
heritage and the arts at civil society level, promoting initiatives which improve the interpretative and critical role of academics, journalists, critics and the general public in airing their views, elaborating their critical judgement, and in entering into constructive multi-lateral dialogue. The development of such fora, including the use of online platforms for the enabling of ongoing cultural conversations, needs to be maximised.

V. Intercultural Dialogue

Intercultural dialogue implies a contemporary communicative process between people who do not seek to suppress identity, homogenise identities or impose a dominant culture. The democratisation of intercultural dialogue calls for a knowledgeable understanding of one’s culture and that of other cultures through creative projects which reach out to, and are developed within, different communities.

The Policy acknowledges the work being carried out by NGOs and by local and foreign communities to develop cultural programmes in Malta, providing opportunities for the mobility of artists and collections, improving the exposure and understanding of different cultures and enabling a platform for intercultural dialogue. Government recognises the important role played by NGOs working in the field of migrant integration and other organisations led by members of diverse cultural communities in Malta, as leaders in the promotion and enrichment of cultural diversity and intercultural dialogue. Projects and artistic initiatives of this kind need to be recognised, supported and integrated within the various cultural and arts strategies and programmes at the level of central government, local government, and in the operations of core-funded organisations.
Cultural participation by individuals and communities of different cultures and ethnic groups should not be limited to cultural events alone but fostered also through any opportunities to help promote intercultural dialogue.

VI. Culture-led Regeneration

The principle of culture-led regeneration embraced in this Policy has important ramifications for the promotion and consolidation of an inclusive culture. Malta’s urban heartland around Grand Harbour is the setting for some of the richest concentrations of built heritage in the country. It is also the setting for a heterogeneous mix of different social groups. This presents both a challenge and an opportunity. The culture-led regeneration of urban environments may serve as a catalyst to facilitate the reintegration of marginalised communities, and the promotion of access to culture as well as to the discovery and promotion of talent in underprivileged environments, to make direct and tangible contributions to a fairer society.
KEY POLICY ACTIONS:

5.1 Enforce measures to improve access wherever possible, in cultural sites and venues and in facilitating the provision of services for persons with disability, in close collaboration with the National Commission for Persons with Disability.

5.2 Establish funding streams to support creativity-oriented programmes that provide opportunities for disadvantaged groups to actively contribute to the cultural life of the community.

5.3 Define a programme of initiatives to facilitate access to culture in schools, hospitals, correctional facilities, and other spaces not necessarily associated with culture.

5.4 The Broadcasting Authority and Public Broadcasting Services shall actively support initiatives to fully realise the potential of the media to improve access to culture.

5.5 Provide training to empower local authorities and community leaders to become catalysts for the cultural enrichment and fulfillment of the community at local level.

5.6 Support the establishment of a Community Cultural Support Network, bringing together cultural entities, Local Councils, NGOs and community support agencies to facilitate capacity building, to promote creativity, social inclusion and cultural accessibility, and to maximise resources.

5.7 Conduct a review of cultural operations and events that are publicly funded, to assess existing outreach and audience development measures, and define outreach criteria for event selection or public funding.

5.8 Develop conventional as well as digital fora, such as magazines, journals and blogs, to foster public dialogue on culture and to disseminate the results of new research on contemporary cultural issues.

5.9 Support and promote initiatives to promote diversity in cultural expression, intercultural dialogue and migrant integration.

5.10 Support the development of a civil society platform for the screening of policies and the promotion of initiatives for intercultural dialogue.

5.11 Prioritize the inclusion of, and relevance to, local underprivileged communities in the culture-led regeneration of urban environments.
The Mediterranean region has always been a meeting place for different cultures and civilizations. Be it through exchange, conflict or co-existence, the history of the region is a constant reminder of the diversity that shaped and shapes its cultures. Malta’s culture, in fact, is clearly a result of all the influences the Island has been exposed to, and that the inhabitants have adopted, assimilated or adapted. This geographical positioning puts Malta in the unique position of bridging European and other Mediterranean cultures.

‘Any culture is born in mixing, in interaction, in confrontation. Conversely, it is in isolation that civilisations dies’.

Octavio Paz
The identities that shape our various communities are in constant flux and cannot be seen as fixed and isolated components. The cultural interactions based on the multitude of identities, through increased migration and mobility, merits prioritisation in the cultural policy which balances itself between the realms of inclusivity and cooperation.

The promotion of Malta’s culture portfolio has the potential to encourage a sense of belonging, intercultural understanding, tolerance and greater cooperation. Belonging is not limited to ties with one’s native country but is understood as the wider sense of actively participating in the life of your place of residence. Culture brings people together and empowers individuals to empathise with others. This policy outlines international cultural cooperation as a process that strengthens Malta’s political, economic and cultural ties with its neighbouring countries, resident communities and the Maltese diaspora through active dialogue.

The following policy objectives are being identified as key areas to be addressed through cultural diplomacy and links with the Maltese abroad:

I. Recognising the role of culture as a key contributor to international social and political dialogue.

II. Sustaining agreements for cultural exchanges through the provision of resources, both through national funds as well as through technical support to access funding from European and international institutions.

III. Strengthening existing networks and platforms providing access and exchange opportunities to local and international artists, collections and cultural manifestations.
IV. Promoting international cultural cooperation within the spirit of cultural diversity and intercultural dialogue as a cross-cutting government priority, with particular emphasis on educational programmes and formative exchanges and collaborations.

**Cultural Diplomacy**

International cultural cooperation entails inter-ministerial and multilateral efforts. Public institutions and official bodies should be encouraged to engage in European Union programmes in the fields of culture, education, research and development and should seek every opportunity to participate in working groups under the auspices of the European Union, the Council of Europe, and UNESCO, among others. Local Councils and entities have also been showing a commendable interest in twinning programmes of the European Union, aimed at facilitating cultural exchanges by civil society.

This Policy recognises the importance of improving cultural governance for international collaboration. The ministerial portfolios with the remits of both Culture and Foreign Affairs have a responsibility towards enabling international collaboration that supports exchanges by cultural actors and operators and which benefits civil society at large.\(^{26}\) The role of cultural diplomacy needs to be further elaborated jointly by these two branches of government, consolidating the allocation of resources and the required institutional capacity building, while defining concrete objectives within a clear operational framework. An agreement between the two Ministries shall define the structure to act as a designated focal point for cultural diplomacy, led by expertise in culture and diplomacy and geared

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\(^{26}\) A list of international, mainly bi-lateral, cultural agreements in force can be found in the Appendix.
towards the international promotion of Maltese culture and identity, aimed at providing a one-stop-shop for artists, cultural operators and government entities. It shall also coordinate all issues relating to:

– Devising and contributing towards bi-lateral or multilateral cultural collaboration agreements, negotiating the allocation of resources backing such agreements, and coordinating and monitoring their implementation.

– Developing and collaborating initiatives supporting the international mobility of artists and of collections.

– Building cultural links with the Maltese communities abroad.

– Facilitating the establishment of networks and international collaboration frameworks for culture with an active Maltese participation.

– Negotiating the allocation of a cultural diplomacy funds to bring the proposed measures to fruition.

Diplomatic networks provide an ideal platform for international exposure, with high-level contacts and potential for the promotion of Maltese culture abroad and reciprocally, of international cultural productions in Malta. Malta shall give priority to cultural collaboration with partners from the Mediterranean region, and shall contribute actively to the Euro-Mediterranean strategy on Culture within the framework of the agreement reached by the Euro-Med Ministers of Culture in Athens (May 2008).
In addition, various funding programmes and scholarship schemes managed independently by different public and private bodies support the mobility of cultural workers. Greater synergy between all stakeholders will help maximise the benefits accruing from these resources. This shall provide opportunities for cultural workers to establish their presence abroad as well as to increase the exposure of audiences in Malta to the international cultural scene. The same applies in the field of mobility of collections, where Heritage Malta, in collaboration with a number of embassies and international cultural institutes in Malta, promotes the mobility of important cultural collections, both through hosting international exhibitions in Malta and through the display of its collections abroad.

Linking up with international cultural networks ensures that Malta-based entities have an active role abroad while also remaining relevant, effective and up-to-date with innovative ways of operating locally. While promoting international collaboration for the non-governmental sector through the direct financial assistance provided by the Arts Fund and the Film Fund, this Policy aims at improving Malta’s performance within international networks at government and core-funded organisation level. Participation in and contribution to international organisations and networks with direct relevance to the development of culture and the arts in Malta and in the region shall take priority.

In order to consolidate the above initiatives into a cultural diplomacy programme, Government will establish a body with the remit to:

- Provide effective governance for cultural diplomacy;
- Coordinate the annual allocations made by a number of agencies and authorities towards assisting the mobility of artists
and other cultural workers, art works and heritage collections and ensure that these allocations are made in a transparent manner and devised in a way which maximises their benefits to the public;

- Link the allocation of these resources with cultural promotion programmes to be identified by the organisation responsible for cultural diplomacy, in consultation with Malta-based international cultural institutes and Maltese embassies abroad.

- Ensure that in promoting Malta’s culture abroad, equal emphasis and priority is given to excellence and to contemporary and innovative manifestation of Malta’s culture. This includes initiatives to distribute overseas artistic works of excellence, facilitate technical expertise and support the sub-titling of films and translations of literary works.

- Consolidate the three-way synergy – *culture, tourism, and international relations* to promote all aspects of Malta’s culture and heritage in order to promote a holistic, sustainable and forward-looking image of Maltese cultural life and activity.

- Develop a Cultural Ambassadors scheme which will publicly acknowledge the international achievements of Maltese artists and cultural workers.

- Develop clear criteria for the establishment of the scheme, to ensure the promotion of talent is on the basis of merit.

The implementation of the cultural diplomacy programme shall be guided by principles of excellence and innovation, whereby best practices in these areas are exchanged with international partners.
Maltese Diaspora

Thousands of citizens of direct Maltese descent are living in Australia, with scores of thousands of others based in the United Kingdom, Canada, New Zealand, the United States and other countries. The National Cultural Policy 2010 recognises the potential of Maltese communities abroad to contribute positively to Malta’s cultural sphere and will therefore seek to facilitate and encourage their active participation. It is acknowledged that the key actors in this field are the public entities and private organisations based in Malta and abroad that represent or work with these overseas Maltese communities. With Malta’s accession to the EU, a significant number of Maltese citizens are now living in European institution centres such as Brussels and Luxembourg. Many within this group are important contributors to Maltese cultural production and are also playing a significant role in promoting Maltese culture in their adopted countries.
Policy measures that encourage further cooperation with the Maltese diaspora include:

– Collaborating and coordinating action with relevant stakeholders including awareness-raising at a national level relating to the cultural significance of Maltese emigration.

– Coordinating action with the Maltese embassies in countries with large Maltese communities and ensuring that communication channels are opened for cultural exchange and mutual exposure.

The development of a governance body for cultural diplomacy as a key priority of this policy also envisages creating presences in countries with large Maltese communities. The Government has set in motion a number of initiatives, such as the creation of centres to serve as reference points for cultural exchange, development and learning.
KEY POLICY ACTIONS:

6.1 Develop cultural diplomacy, through the setting up of an arm’s-length governance body as a strategic vehicle for international relations with its diplomatic counterpart and engagement with the Maltese diaspora, to create opportunities through collaboration and participation.

6.2 Establish a structured network, led by the above-mentioned body which brings together the national cultural agencies and the representatives of international cultural organisations in Malta to develop cooperation projects and cultural exchanges and support the mobility of artists, cultural workers and collections, and projects by SMEs, NGOs and individuals in the cultural and creative sector.

6.3 Streamline funding channels aimed at the promotion of Maltese culture in the international scenario and at the exposure to international practices, courses and training while ensuring that the benefits from existing resources such as the Malta Arts Fund and the Malta Film Fund are maximised in a strategically meaningful and accountable manner.

6.4 Ensure full and active participation in key international cultural fora, especially those led by the Council of Europe and the United Nations (UNESCO), and screen the ratification and implementation of relevant international conventions and agreements.

6.5 Establish a cultural ambassador scheme, based on the principles of excellence and innovation in the respective field of activity, to promote new meritorious talent in Malta and internationally.
### Appendix 1 - Bilateral Cultural Agreements

<table>
<thead>
<tr>
<th>State</th>
<th>Signed</th>
<th>Entry into Force</th>
<th>Expiry/Renewal Mode</th>
<th>Notice of Termination</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALBANIA</td>
<td>4/02/'92</td>
<td>10/09/'92</td>
<td>Indefinite period</td>
<td>6 months’ notice</td>
</tr>
<tr>
<td>Cultural and Scientific Cooperation Agreement</td>
<td></td>
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<tr>
<td>ANGOLA</td>
<td>6/03/'85</td>
<td>N/A</td>
<td>Valid for 3 yrs &amp; automatically renewed for further periods of 1 yr</td>
<td>6 months’ notice</td>
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<tr>
<td>Agreement on Economic, Scientific, Technical and Cultural Cooperation between the Republic of Malta and the People’s Republic of Angola</td>
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</tr>
<tr>
<td>BOSNIA-HERZEGOVINA</td>
<td>16/10/'80</td>
<td>11/05/'83</td>
<td>Indefinite period</td>
<td>6 months’ notice</td>
</tr>
<tr>
<td>Cultural and Educational Cooperation Agreement</td>
<td></td>
<td></td>
<td>(Succeeded to from Yugoslavia in terms of Treaty no. 491 of 14/10/'95)</td>
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</tr>
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<td><strong>State</strong></td>
<td><strong>Signed</strong></td>
<td><strong>Entry into Force</strong></td>
<td><strong>Expiry/Renewal Mode</strong></td>
<td><strong>Notice of Termination</strong></td>
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<tr>
<td>BULGARIA</td>
<td>11/08/'80</td>
<td>30/01/'81</td>
<td>Indefinite period of validity</td>
<td>Effective</td>
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<td>Agreement on Exchanges and Co-operation in Education, Science, Culture, Sport and Tourism</td>
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<td>CANADA</td>
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<td>MoU on Audio Visual Relations</td>
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<tr>
<td>CHINA</td>
<td>22/02/09</td>
<td>22/02/09</td>
<td>Valid until 31/12/12</td>
<td>Automatic termination</td>
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<td>Programme of cultural exchanges (2009 – 2012)</td>
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<td>CROATIA</td>
<td>16/10/'80</td>
<td>11/05/'83</td>
<td>Indefinite period (new cultural agreement currently being negotiated)</td>
<td>6 months' notice (Succeeded to from Yugoslavia by Treaty no. 410 of 30/06/'92)</td>
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<td>Cultural and Educational Cooperation Agreement</td>
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<td>Not yet operative</td>
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<td>Agreement on Cultural, Educational and Scientific Cooperation</td>
<td>07/04/'10</td>
<td>02/06/'10</td>
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<td>CYPRUS</td>
<td>26/02/'91</td>
<td>06/11/'91</td>
<td>Indefinite period (Last Executive Programme expired on 31/12/'99)</td>
<td>6 months’ notice</td>
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<td>Cultural and Scientific Cooperation Agreement</td>
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<td>CZECH REP.</td>
<td>10/09/'79</td>
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<td>Valid for 5 yrs and prolonged for further period of 5 yrs</td>
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<tr>
<td>Agreement on Cultural Co-operation</td>
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<td>6 months’ notice</td>
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<td>Programme of Cooperation in the Field of Science, Education, Culture, Youth and Sport for the period 2009-2011</td>
<td>09/12/'08</td>
<td>01/01/'09</td>
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<tr>
<td>DPR KOREA</td>
<td>24/08/'84</td>
<td>24/08/'84</td>
<td>Valid for 5 yrs &amp; automatically renewed for further equal periods</td>
<td>6 months’ notice</td>
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<td>Cultural Cooperation Agreement</td>
<td>24/08/'84</td>
<td>24/08/'84</td>
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<td>EGYPT</td>
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<td>Cultural, Technical and Scientific Cooperation Agreement between the Government of Malta and the Government of the Arab Republic of Egypt</td>
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<td>Executive Programme 1999-2001</td>
<td>20/12/'99</td>
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<td>Valid for 3 yrs from date of signature &amp; remains provisionally in force until a new Programme is signed</td>
<td>Provisionally still in force by mutual agreement reached during political consultations held in Valletta on 13/05/02</td>
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<tr>
<td>FRANCE</td>
<td>14/02/'68</td>
<td>26/04/'68</td>
<td>Valid for 5 yrs &amp; tacitly renewed thereafter</td>
<td>6 months’ notice</td>
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<td>Cultural Cooperation Agreement</td>
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<td>26/04/'68</td>
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<tr>
<td>GEORGIA</td>
<td>21/05/'10</td>
<td>21/05/'10</td>
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<td>Agreement on Cooperation in the Fields of Education, Science and Culture</td>
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<td>GERMANY</td>
<td>27/02/'74</td>
<td>27/02/'74</td>
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<td>6 months’ notice</td>
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<td>GREECE</td>
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<td>HUNGARY</td>
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<td>20/02/'80</td>
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<td>1 yr notice</td>
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<td>Agreement on Cultural and Scientific Cooperation</td>
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<tr>
<td>INDIA</td>
<td>14/01/'92</td>
<td>11/01/'93</td>
<td>Valid for 5 yrs &amp; automatically renewed for further periods of 5 yrs</td>
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<td>Cultural Cooperation Agreement</td>
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<td>ISRAEL</td>
<td>22/02/'94</td>
<td>18/11/'94</td>
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<td>State</td>
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<td>Expiry/Renewal Mode</td>
<td>Notice of Termination</td>
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<tr>
<td>ITALY</td>
<td>28/07/'67</td>
<td>22/12/'67</td>
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<td>6 months’ notice</td>
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<td>Agreement on Cultural and Educational Cooperation between the Government of Malta and the Government of the Republic of Italy</td>
<td>19/12/'07</td>
<td>Awaiting ratification</td>
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<td>6 months’ notice</td>
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<td>25/02/'11</td>
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<td>KUWAIT</td>
<td>3/06/’77</td>
<td>17/04/’78</td>
<td>Valid for 5 yrs &amp; automatically renewed for further equal periods</td>
<td>1 yr notice</td>
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<tr>
<td>Cultural Agreement</td>
<td>26/02/’05</td>
<td>26/02/’05</td>
<td>Valid until 31/12/07</td>
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<tr>
<td>between the Government</td>
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<tr>
<td>of the Republic of</td>
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<tr>
<td>Malta and the Government</td>
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<tr>
<td>of the State of Kuwait</td>
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<td>Executive Programme</td>
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<td>on Education,</td>
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<td>Culture and Scientific</td>
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<tr>
<td>LIBYA</td>
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<tr>
<td>Cultural Agreement between the Government of Malta and the Government of Libya</td>
<td>5/10/’72</td>
<td>25/01/’73</td>
<td>Indefinite period</td>
<td>6 months’ notice</td>
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<td>Memorandum of Understanding on Cooperation in the Field of Cultural Heritage</td>
<td>14/02/’07</td>
<td>14/02/’07</td>
<td>Operative</td>
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<tr>
<td>Executive Programme in the field of Information and Culture 2007-2009</td>
<td>14/02/’07</td>
<td>14/02/’07</td>
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<td>MONTENEGRO</td>
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<tr>
<td>Agreement on Cultural and Educational Cooperation</td>
<td>16/10/’80</td>
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<td>N/A</td>
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<td>Entry into Force</td>
<td>Expiry/Renewal Mode</td>
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<tr>
<td>MOROCCO Cultural and Scientific Cooperation Agreement between the Government of the Republic of Malta and the Government of the Kingdom of Morocco</td>
<td>22/01/'76</td>
<td>22/01/'76</td>
<td>Valid for 5 yrs &amp; tacitly renewed thereafter</td>
<td>1 yr notice</td>
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<td>NETHERLANDS Agreements with MCCA in view of 2018: Maastricht Utrecht</td>
<td>18/09/'08</td>
<td>18/09/'08</td>
<td>Indefinite</td>
<td>2013 and possibly 2018</td>
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<td>POLAND</td>
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<td>Indefinite period</td>
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<td>PORTUGAL Cultural, Educational and Scientific Cooperation Agreement</td>
<td>9/10/'94</td>
<td>08/03/'07</td>
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<td>6 months’ notice</td>
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<td>Entry into Force</td>
<td>Expiry/Renewal Mode</td>
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<td>ROMANIA</td>
<td>5/09/’78</td>
<td>19/01/’79</td>
<td>Valid for 5 yrs &amp; tacitly renewed for further periods of 5 yrs</td>
<td>6 months’ notice</td>
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<tr>
<td>Agreement of Co-operation in the Field of Education, Science and Culture</td>
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<td>RUSSIAN FED.</td>
<td>9/06/’03</td>
<td>9/06/03</td>
<td>Indefinite period</td>
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<tr>
<td>Renegotiation of Agreement on Cooperation in the field of Cultural, Educational and Science</td>
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<td>SAUDI ARABIA</td>
<td>23/04/’06</td>
<td>6/07/’07</td>
<td>Valid for 5 yrs</td>
<td>6 months’ Notice</td>
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<td>General Agreement on Economic, Trade, Scientific, Technical, Cultural, Youth and Sports Areas on Cooperation between the Government of Malta and the Government of the Kingdom of Saudi Arabia</td>
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<td>State</td>
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<td>Expiry/Renewal Mode</td>
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<tr>
<td>SENEGAL</td>
<td>24/01/’79</td>
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<td>Agreement on Cultural Cooperation between the Government of the Republic of Malta and the Government of the Republic of Senegal</td>
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<td>SERBIA</td>
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<td>N/A</td>
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<td>Agreement on Cultural and Educational Cooperation</td>
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<td>SLOVAK REP.</td>
<td>10/09/’79</td>
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<td>Valid for 5 yrs and prolonged for further periods of 5 yrs</td>
<td>6 months’ notice (effective in terms of Succession of Treaty no. 600)</td>
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<td>Cultural Cooperation Agreement {between the Government of Malta and the Government of the former CSSR}</td>
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<td>SLOVENIA</td>
<td>20/03/’96</td>
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<td>(currently negotiating new cultural agreement for 2009 and beyond)</td>
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<td>TURKEY</td>
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### Appendix 2 - International Conventions

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<td>European Landscape Convention (Florence Convention 2000)</td>
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<td>Council of Europe Charter for Regional or Minority Languages (Strasbourg 5/11/1992)</td>
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<tr>
<td>Customs Convention concerning facilities for the importation of goods for display or use at exhibitions, fairs, meetings or similar events (Brussels 1962)</td>
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<td>11.05.1988*</td>
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<tr>
<td>Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (UNESCO Convention 1970)</td>
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<tr>
<td>UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (UNIDROIT 1995)</td>
<td>NO</td>
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<td>Convention concerning the protection of the world cultural and natural heritage (Paris 1972)</td>
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<td>14.11.1978**</td>
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<td>Convention on the Protection of the Underwater Cultural Heritage (Paris 2001)</td>
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<tr>
<td>Convention for the Safeguarding of the Intangible Cultural Heritage (Paris 2003)</td>
<td>NO</td>
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* Accession
** Acceptance
Appendix 3 - Public Cultural Entities in Malta and Gozo

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<tr>
<th>Name</th>
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</tr>
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<tbody>
<tr>
<td>Ministry Responsible for Culture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parliamentary Secretariat for Tourism, the</td>
<td>Auberge d'Italie, Merchants Street,</td>
<td>22915000</td>
<td><a href="http://www.opm.gov.mt">www.opm.gov.mt</a></td>
</tr>
<tr>
<td>Environment and Culture (Culture and Audio</td>
<td>Valletta</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visual Unit) within the Office of the Prime</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Core-funded Organisations - Heritage</td>
<td></td>
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<tr>
<td>Superintendence of Cultural Heritage</td>
<td>173, St. Christopher Street</td>
<td>21230711</td>
<td><a href="http://www.culturalheritage.gov.mt">www.culturalheritage.gov.mt</a></td>
</tr>
<tr>
<td></td>
<td>Valletta</td>
<td></td>
<td><a href="mailto:heritage.superintendence@gov.mt">heritage.superintendence@gov.mt</a></td>
</tr>
<tr>
<td>Heritage Malta</td>
<td>Heritage Malta</td>
<td>22954000</td>
<td><a href="http://www.heritagemalta.org">www.heritagemalta.org</a></td>
</tr>
<tr>
<td></td>
<td>Ex Royal Naval Hospital</td>
<td></td>
<td><a href="mailto:info@heritagemalta.com">info@heritagemalta.com</a></td>
</tr>
<tr>
<td></td>
<td>Marina Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kalkara KKR 9933</td>
<td></td>
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<tr>
<td></td>
<td>MALTA</td>
<td></td>
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</tr>
<tr>
<td>National Archives of Malta</td>
<td>‘Santo Spirito’, Hospital Street,</td>
<td>21459863</td>
<td><a href="http://www.nationalarchivs.gov.mt">www.nationalarchivs.gov.mt</a></td>
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<tr>
<td></td>
<td>Rabat RBT 1043</td>
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<td><a href="mailto:customercare.archives@gov.mt">customercare.archives@gov.mt</a></td>
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<td>Central Public Library</td>
<td>Joseph J Mangion Street, Floriana CMR</td>
<td>21240703/</td>
<td><a href="http://www.libraries.gov.mt/mpl">www.libraries.gov.mt/mpl</a></td>
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<tr>
<td></td>
<td>02</td>
<td>21243473</td>
<td><a href="mailto:customercare.cpl@gov.mt">customercare.cpl@gov.mt</a></td>
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<tr>
<td>Organisation</td>
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<td>--------------------------------------------------------</td>
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<tr>
<td>National Library of Malta</td>
<td>Old Treasury Street, Valletta CMR 02</td>
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<tr>
<td>Il-Kunsill Nazzjonali tal-Ktieb (National Book Council)</td>
<td>Central Public Library Joseph J. Mangion Street Floriana</td>
<td>21222654</td>
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<td>Malta Council for Culture and the Arts (MCCA)</td>
<td>23, Casa Gaspe, Republic Street, Valletta VLT 1116</td>
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<tr>
<td>St. James Cavalier Centre for Creativity</td>
<td>Castille Place Valletta VLT 1060</td>
<td>21223216</td>
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<td>Malta Philharmonic Orchestra</td>
<td>88, Old Mint Street, Valletta VLT 12</td>
<td>21244473/21238835</td>
<td><a href="http://www.maltaorchestra.com/info@maltacorchestra.com">www.maltaorchestra.com/info@maltacorchestra.com</a></td>
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<tr>
<td>Manoel Theatre</td>
<td>115, Old Theatre Street, Valletta VLT 1426</td>
<td>21222618</td>
<td><a href="http://www.teatrumanoel.com.mt/info@teatrumanoel.com.mt">www.teatrumanoel.com.mt/info@teatrumanoel.com.mt</a></td>
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<td><strong>Malta College of Arts, Science &amp; Technology (MCAST)</strong></td>
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<td><strong>MCAST - Institute of Art &amp; Design</strong></td>
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<td>artanddesign.asp</td>
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<tr>
<td><a href="mailto:adi@mcast.edu.mt">adi@mcast.edu.mt</a></td>
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<tr>
<td><strong>Johann Strauss School of Music</strong></td>
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<tr>
<td>74, Old Bakery Street</td>
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<tr>
<td>Valletta</td>
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<td>Primary Annexe, North Street, Valletta</td>
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<td>21 242549</td>
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<td>Mikelang Borg Drama Centre</td>
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<td><a href="mailto:malta.drama.centre@gov.mt">malta.drama.centre@gov.mt</a></td>
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<tr>
<td>Gozo Drama Centre</td>
<td>Racecourse Street, Nadur</td>
<td>21560472, 21556606, 21562433</td>
<td><a href="mailto:gozo.drama.centre@gov.mt">gozo.drama.centre@gov.mt</a></td>
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<tr>
<td>School of Art - Malta</td>
<td>Casa Brunet 106, Old Bakery Street, Valletta</td>
<td>21 234351</td>
<td><a href="mailto:malta.art.sch@gov.mt">malta.art.sch@gov.mt</a></td>
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<tr>
<td>School of Art - Gozo</td>
<td>Wistin Camilleri School of Fine Arts Mgarr Road Ghajnsielem Gozo GSM 01</td>
<td>21 551493</td>
<td><a href="mailto:gozo.art.sch@gov.mt">gozo.art.sch@gov.mt</a></td>
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Audiovisuals

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<td>Broadcasting Authority (OPM)</td>
<td>7, Mile End Road Hamrun HMR 1719</td>
<td>21221281, 21247908</td>
<td><a href="http://www.ba-malta.org">www.ba-malta.org</a> <a href="mailto:info@ba-malta.org">info@ba-malta.org</a></td>
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<tr>
<td>Public Broadcasting Services Ltd. (PBS)</td>
<td>75, Triq San Luqa, G’Mangia</td>
<td>21225051</td>
<td><a href="http://www.pbs.com.mt">www.pbs.com.mt</a> <a href="mailto:info@pbs.com.mt">info@pbs.com.mt</a></td>
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<tr>
<td>Education 22 (Public Educational Television Channel)</td>
<td>St. Luke Road, Gwardamanga, PTA 1024</td>
<td>21241714</td>
<td><a href="http://www.e22.com.mt">www.e22.com.mt</a> <a href="mailto:info@e22.com.mt">info@e22.com.mt</a></td>
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<td>Organisation</td>
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<td>Website</td>
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</tr>
<tr>
<td>Malta Film Commission (MFEI)</td>
<td>Malta Film Commission Caraffa Stores Cottonera Waterfront Vittoriosa BRG 1721</td>
<td>21809135</td>
<td><a href="http://www.mfc.com.mt">www.mfc.com.mt</a></td>
<td><a href="mailto:info@mfc.com.mt">info@mfc.com.mt</a></td>
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<tr>
<td>Other Entities</td>
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</tr>
<tr>
<td>Fondazzjoni Patrimonju Malti</td>
<td>Palazzo Bonici, 115 Old Theatre Street, Valletta VLT 1426</td>
<td>21250118/21231515</td>
<td><a href="http://www.patrimonju.org">www.patrimonju.org</a></td>
<td><a href="mailto:info@patrimonju.org">info@patrimonju.org</a></td>
</tr>
<tr>
<td>Malta Society of Arts, Manufactures and Commerce</td>
<td>Palazzo De la Salle, Republic Street, Valletta</td>
<td>21244339</td>
<td><a href="http://www.artsmalta.org">www.artsmalta.org</a></td>
<td><a href="mailto:events@artsmalta.org">events@artsmalta.org</a></td>
</tr>
<tr>
<td>Malta Crafts Council</td>
<td>c/o Commerce Division Lascaris, Valletta CMR 02</td>
<td>25690332</td>
<td><a href="http://www.mcc.gov.mt">www.mcc.gov.mt</a></td>
<td><a href="mailto:maltacrafts@gov.mt">maltacrafts@gov.mt</a></td>
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<td>Culture and EU Support</td>
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<tr>
<td>Culture Contact Point Malta</td>
<td>Auberge d’Italie, Merchants Street, Valletta</td>
<td>22915081</td>
<td><a href="http://www.culture.org.mt">www.culture.org.mt</a></td>
<td><a href="mailto:ccp@gov.mt">ccp@gov.mt</a></td>
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<tr>
<td>Media Desk Malta</td>
<td>Auberge d’Italie, Merchants Street, Valletta</td>
<td>22915054/7</td>
<td><a href="http://www.media.org.mt">www.media.org.mt</a></td>
<td><a href="mailto:mediadesk@gov.mt">mediadesk@gov.mt</a></td>
</tr>
<tr>
<td>European Union Programmes Agency</td>
<td>36, Old Mint Street Valletta VLT1514</td>
<td>2558 6130</td>
<td><a href="http://www.eupa.org.mt">www.eupa.org.mt</a></td>
<td><a href="mailto:eupa@gov.mt">eupa@gov.mt</a></td>
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<tr>
<td>Planning and Priorities Coordination Division (OPM)</td>
<td>12, St. Paul’s Street, Valletta.</td>
<td>22001142</td>
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</table>
Appendix 4 - European audiovisual and cultural legislation

The following is a list of EU legislations binding Maltese law in relation to audiovisual and cultural affairs:


- Council Regulation 391/92 of 9 December 1992 on the export of cultural goods


Appendix 5 - Cultural Legislation in Malta

Introduction

“Cultural policy should not be seen as the domain of government only but is lodged in many environments and agencies of the state and also civil society and different constituencies”\(^1\)

Cultural policy has various branches whilst having similar underpinning sources. In turn the social, economic, political and intellectual development of such sources leave a tangible or an intangible impact, which at times may not be waived, during the implementation of the cultural policy.

The involvement of a range of legislations, regulations, directives, conventions and forums promote the interaction between the different decision-makers of the various organizations involved in encouraging, administering, distributing, managing and supervising cultural institutions.

Legislation tries to seek a balance between economic efficiency and enabling the cultural sector to perform its role as seamlessly as possible. Culture gives every person a sense of identity on a personal, regional and national level whilst encompassing equally influential issues on an international level.

Globalization within the sphere of cultural industries requires that the framework of national legislation be compatible with the complementary legal framework across the world. It is becoming apparent that international agendas relating to

\(^1\) Recognizing Culture; A series of briefing papers on culture and development, 2001 Published in partnership by Comedia; the Department of Canadian Heritage and UNESCO with support from the World Bank.
securing benefits and encouraging development in the wake of culture activity will be fruitless in the long-term unless the possibilities of cultural co-ordination is not also placed on the forefront of the national agenda.

The extensive legislation enacted during the past decade demonstrates Government’s determination to devolve power to the different dedicated entities responsible for cultural heritage and creative expression, while maintaining the overall responsibility for the advancement of cultural activity in Malta.

**General Legislation in relation to Culture.**

**Constitution of Malta.**
The supreme law of Malta is the Constitution of Malta, which supersedes any national law which might be inconsistent with it. It is pertinent to mention that the two main obligations within the realm of culture which the State is required to put into practice when implementing legislation are contained in the Declaration of Principles (Chapter II of the Constitution of Malta):

**Article 8:** “*The State shall promote the development of culture and scientific and technical research*” and  
**Article 9:** “*The State shall safeguard the landscape and the historical and artistic patrimony of the nation.*”

These declarations validate the provision of legislation placing culture at the apex of the State’s priorities.
Cultural Heritage in Malta

The Cultural Heritage Act, Act VI of 2002, was enacted “to make provision in place of the Antiquities (Protection) Act, Cap. 54 for the superintendence, conservation and management of cultural heritage in Malta and for matters ancillary thereto or connected therewith.”

The legislation provided for the set up of particular organs of the state, which would have distinct functions in protecting cultural heritage and subsequently succeed the former role of the Department of Museums. The first legal entity established by the Cultural Heritage Act, was that of the Superintendence of Cultural Heritage, whereby its legal and judicial representation is vested in the Superintendent. To this effect Article 7 provides that:

“There shall be Superintendence of Cultural Heritage, under the responsibility and management of the Superintendent of Cultural Heritage. The mission of the Superintendence is to fulfill the duties of the State to ensure the protection and accessibility of Cultural Heritage as defined in the Act.”

The second entity established by the Cultural Heritage Act is that of the Operating Agency responsible for conservation and management. Article 8, provides that:

“There shall be an operating agency hereinafter in this Act referred to as the Agency to be called “Heritage Malta”. The mission of the Agency is to ensure that those elements of the cultural heritage entrusted to it are protected and made accessible to the public as defined in this Act.”

The third and separate entity set up by the Cultural Heritage
Act is that of the Committee of Guarantee whose function is to co-ordinate the work of the other entities, whilst also acting as a bridge between the entities so as to encourage collaboration between the Operating Agency, the Superintendence, NGOs, the Local Councils.

Furthermore, according to Article 16 the Minister is to annually convene a National Forum for Cultural Heritage inviting the participation of the Superintendence, the Operating Agency, the Restoration Centre, the Committee of Guarantee, the Catholic Cultural Heritage Commissions, any other Government departments and entities, the Mayors of each Local Council or their representative, non-Governmental organizations registered with the Superintendence as organizations aiming at the protection of the cultural heritage, the University of Malta, other educational institutions, specialists, consultants, representatives of the commercial sector, and any other parties registering their interest in writing with the Minister. The Forum discusses the state of cultural heritage in general, following a hearing report prepared by the Superintendent. The proceedings of the Forum are then published and transmitted to the Minister and to the Committee of Guarantee.

The Malta Centre for Restoration was another entity, which was set up by the Minister of Education together with the University of Malta at Bighi first in 1999 and then re-confirmed in the Cultural Heritage Act of 2002. The restoration centre was a separate entity having its own legal and juridical personality but following the enactment of Act II of 2005, the Centre was abolished and its responsibilities assigned to the Board of the Operating Agency.
Malta Council for Culture and the Arts
The Malta Council for the Culture and the Arts (MCCA) was established in 2002 to substitute the activities of the former Department of Culture by virtue of Act V of 2002.

The MCCA was essentially set up to fulfill three main functions:-
  o to promote Malta’s culture through all forms of creative expression
  o to increase the accessibility of the public to the arts, and
  o to enhance Malta’s cultural manifestations locally and abroad.

These functions have been translated into a list of duties established by law. The MCCA is also authorized and obliged to advance funds allocated by Government for the management, administration and operational requirements of the following government entities:
  1. Fondazzjoni Patrimonju Malti
  2. Malta Society of Arts, Manufactures and Commerce
  3. Manoel Theatre (Management Committee)
  4. Mediterranean Conference Centre
  5. Malta Philharmonic Orchestra (formerly National Orchestra)
  6. Centre for Creativity at St. James Cavalier

Intellectual Property Legislation
Intellectual Property has long been given legal recognition in Malta. Indeed, Chapter 196 of the Laws of Malta – The Copyright Act (1970) was the relative national legislation on the matter that replaced the United Kingdom’s Copyright Act of 1911 which prior to Malta’s Independence was the relative law that regulated matters of copyright and neighbouring rights. Chapter 196 was later on replaced by a new body of legislation under the same title: Copyright Act, Chapter 415 of the Laws of Malta, enacted by Act XIII of 2000.
The most recent Copyright Act (Chapter 41) is in line with Malta’s international obligations adopted through the signing and ratification of several international conventions as well as the respective European Directives dealing with the matter.

The Act establishes that artistic works, audiovisual works, databases, literary works and musical works are automatically granted copyright without the necessity of registration of such works. Such proprietary rights granted to the creators of artistic works are thus considered to form the basis for these works’ fundamental contribution to cultural activity. The right to monetary gain for such artistic creations implies that the underlying moral duty of the author and incentivises him to make such works accessibility to the society and thus increase the national cultural development.

**Intellectual Property Rights (cross-border measures) Act**, Act VIII of 2000 was enacted to establish measures relating to the importation into Malta and the exportation and re-exportation from Malta of goods in contravention of the intellectual property right.

The **Trademarks Act**, Act XVI of 2000 amended in 2003, 2006 and 2007 was enacted to protect trademarks duly registered. The Act defines trademark to include “any sign capable of being represented graphically which is capable of distinguishing goods or services of one undertaking from those of other undertakings. A trademark may, in particular, consist of works (including person names), figurative elements, letters, numerals or the shape of goods or their packaging.” Although Trademarks’ primary utility is in matters to do with commerce and industry, the artistic feature of a Trademark may have an immediate relation to the National culture, since by virtue of
the Act, National symbols and emblems are protected from being registered as the property of any person.

**Patents and Designs Act**, Act XVII of 2000 authorizes provision for the registration and regulation of patents and designs. Thus, such innovative inventions which fall within the realm of this Act are considered susceptible of industrial application are therefore patentable. By virtue of the Act, inventions, whether of products or of processes, which are novel, have inventive step and are capable of industrial application, may be patented. The Act also establishes the Design right which protects the whole or a part of a product resulting from the features of, in particular, the lines, contours, colours, shape, texture and, or materials of the product itself and, or its ornamentation.

The Act provides intellectual property rights-owners with remedies in securing the obtaining of evidence in preparation for and during proceedings in which they are safeguarding their rights. Therefore the Act provides remedies for evidence collection and preservation, precautionary measures for the safeguarding of one’s rights, and a number of measures one may request the Court to order in its decision

**Article 298 of the Criminal Code**
(Chapter 9 of the Laws of Malta)
When it comes to the Criminal law offence against intellectual property rights, some Acts, such as the Patent and Designs Act, contain specific provisions for criminal action (Part XV of the Act). In turn, the Criminal Code, (Chapter 9 of the Laws of Malta) makes provision to protect various Intellectual Property rights and provides for a number of criminal sanctions including
imprisonment for a term not exceeding one year for the violation of copyright at a commercial level, and therefore for people who for gain and by way of trade carries out a number of identified acts. The Code also makes reference to intellectual property rights when making provision for commercial or industrial fraud, and thus condemns anyone guilty of the following illegal actions to imprisonment for a term from four months to one year:

- forging or altering, without the consent of the owner, the name, mark or any other distinctive device of any intellectual work or any industrial product, or knowingly making use of any such name, mark or device forged or altered, without the consent of the owner, even though by others;
- forging or altering, without the consent of the owner, any design or model of manufacture, or knowingly makes use of any such design or model forged or altered;
- knowingly making use of any mark, device, signboard or emblem bearing an indication calculated to deceive a purchaser as to the nature of the goods, or selling any goods with any such mark, device or emblem; o putting on the market any goods in respect of which a distinctive trade mark has been registered, after removing the trade mark; o applying a false trade description to any goods;
- knowingly putting into circulation, selling or keeping for sale or importing for any purpose of trade, any goods bearing a fraudulent imitation of any mark, device or emblem;
- knowingly making, keeping or transfering to any person, any die, block machine or other instrument for the purpose of forging, or of being used for forging, a trade mark.
Artists’ Resale Right Regulations
The Artists’ Resale Rights Regulation was enacted on the 14th August 2006 and establishes that the author of a work of art in which copyright subsists shall have a right, known as the resale right, to a royalty on any sale of the work which is a resale subsequent to the first transfer of ownership by the author. This right is unalienable and cannot be waived, even in advance.

Social Security Act (Chapter 318 of the Laws of Malta)
All persons in employment or who are self-occupied or self-employed fall within the framework of the general legislation for social security. Thus, every person who has attained the age of sixteen but not yet retired shall be insured under the Act as either of the above. By implication, the corresponding social security schemes for the respective workers applies and in turn entitles such persons to a pension, sickness benefits and social assistance.

Income Tax Act (Chapter 123 of the Laws of Malta)
The Donations (National Heritage) Rules 2006 as amended by LN 409 of 2007 establishes that a company may claim an income tax deduction where, in any year of assessment, a donation of not less than two thousand and three hundred and twenty euros (2,320) is made in cash or in the form of any other asset, excluding immovable property, to any of the following:

(a) The Superintendent of Cultural Heritage;
(b) Heritage Malta;
(c) Fondazzjoni Patrimonju Malti;
(d) Non-Government cultural heritage organizations,
Recent subsidiary legislation enacted by virtue of LN 429 of 2010 establishes that an income tax deduction on Royalties derived from patent rules.

The Donations (Sports and Culture) Rules, 2008 establishes that if during year of assessment, a company proves to the satisfaction of the Commissioner that it has made a cash donation to the Arts Fund or a cash donation to a non-profit making cultural organisation approved by the Arts Fund, such donation may be claimed as a deduction against income for the year of assessment in which it was made, provided that a certificate is issued in this respect by the relative organisation. The total deduction that can be claimed by a company in any year of assessment shall be the lesser of the expense actually incurred or 50,000 euro. In the case that a company proves to the satisfaction of the Commissioner that it has made a cash donation or provided a scholarship to a bona fide artiste who is ordinarily resident in Malta, such expense may be claimed as a deduction against income for the year of assessment in which it is made provided that the said artiste is not in any way related to the donor company. In this case the total deduction claimed by a company in any year of assessment shall be the lesser of the expense actually incurred or 18,600 euro.

The Donations (Sports and Culture) Rules, 2008 establishes that if during year of assessment, a company proves to the satisfaction of the Commissioner that it has made a cash donation to the Arts Fund or a cash donation to a non-profit making cultural organisation approved by the Arts Fund, such donation may be claimed as a deduction against income for the year of assessment in which it was made, provided that a certificate is issued in this respect by the relative organisation. The total deduction that
can be claimed by a company in any year of assessment shall be the lesser of the expense actually incurred or 50,000 euro. In the case that a company proves to the satisfaction of the Commissioner that it has made a cash donation or provided a scholarship to a bona fide artiste who is ordinarily resident in Malta, such expense may be claimed as a deduction against income for the year of assessment in which it is made provided that the said artiste is not in any way related to the donor company. In this case the total deduction claimed by a company in any year of assessment shall be the lesser of the expense actually incurred or 18,600 euro.

Fiscal incentives and tax credits

Value Added Tax Act and incentives
(Chapter 406 of the Laws of Malta)

The Value Added Tax Act, Act XXIII of 1989 makes provision for the imposition of a value added tax. It is pertinent to note that in Malta the standard rate of VAT is chargeable at 18%.

- VAT exempt without credit for rental of space and arts education

In 2008, a new measure was implemented regarding the reduction of VAT on the rental of space. As described below this measure was changed from a reduction of 5% as announced in the budget to an exemption without credit.
Exempt from tax:

a. the supplies to which Part One or Part Two of the Fifth Schedule applies;
b. the intra-community acquisitions to which Part Three of the Fifth Schedule applies;
c. the importations to which Part Four of the Fifth Schedule applies.

Part One of the Fifth Schedule deals with exempt with credit supplies – which include food and pharmaceuticals. VAT is not charged but it is recovered. Part Two deals with supplies which are exempt without credit. These include, inter alia:

- the letting of immovable property – excluding the letting of property by a limited liability company to a person registered under article 10 (i.e. VAT registered) for the purpose of the economic activity of that other person;
  - Part Five of the Schedule defines the "Letting of immovable property" to include:
    • the provision of any accommodation under any title in immovable property and any other form of supply of the use of immovable property;
    • an emphyteutical grant for a period not exceeding 50 years;
    • the letting of space for artistic and cultural activities.
- cultural services - The supply of such cultural services and goods closely linked thereto as may be approved by the Minister;
- services by non-profit making organisations to their members;
- education – any training in the arts which is provided by an organisation accredited by the Register for the Accreditation in the Training of the Arts. (This was carried out by Legal Notice 445/2007 published on 28/12/2007.)
This means that the person providing such services does not charge VAT, however this also means that such person providing these services cannot claim back any VAT expenses incurred on supplies made to him/her.

The supply of cultural services and goods closely linked thereto is subject to approval by the Minister responsible for finance, to be exempt without credit supplies. In addition to this provision, it is also argued that education in the arts can also fall under “Cultural and religious services” as contained in article 4 of the same Part, “4. (2) The supply of such cultural services and goods closely linked thereto as may be approved by the Minister.”

- VAT on entrance tickets and works of art reduced from 18% to 5%

The Eight Schedule lists the different rates of VAT. Admissions to museums, art exhibitions, concerts and theatres are subject to VAT at the reduced rate of 5% as oppose to the standard rate of 18%.

The tax chargeable on every taxable supply specified in the Eighth Schedule shall be at such rate or rates, not being higher than eighteen per cent or lower than five per cent of the taxable value of the supply, as specified in that Schedule.

The tax chargeable on every taxable importation as may be specified in the Eighth Schedule shall be at such rate or rates, not being higher than eighteen per cent or lower than five per cent of the taxable value of the importation, as may specified in that Schedule.

The VAT Act in Part Two of the Fourteenth Schedule also caters for special cases whereby VAT is reduced to 5% in the case of Second-hand goods, works of art, collectors’ items and antiques, whereby “Works of art” include:
(a) pictures, collages, paintings and drawings executed by
the artist by hand excluding industrial drawings, hand
decorated manufactured articles and theatrical scenery;
(b) original engravings executed by hand by the artist;
(c) original sculptures and statuary, sculpture casts the
production of which is limited to eight copies;
(d) tapestries and wall textiles made by hand and limited to
not more than eight copies of each;
(e) individual pieces of ceramics signed by the artist;

Financial Incentives for the Audiovisual Industry

Productions filming in Malta before 31 December 2012 are
eligible for the principal regulations set out in Legal Notice
37/2008 (and amended in accordance with Legal Notice 50/2010).

The incentives are in the form of a cash grant given to eligible
productions on the qualifying expenditure incurred in Malta.
Up to 22% of the eligible expenditure can be obtained as a
cash rebate by a qualifying production company once filming
is complete.

Feature film and television productions, mini-series, animation
and documentaries are all eligible for the incentives, provided
that they are at least partially produced in Malta.

Tax credit for creative enterprises
This incentive aims to support creative businesses whose
economic performance is directly linked to the creative talent
of those involved in the business. Further support is provided
to help the development of creative communities in artistic
zones thus sustaining the development of said zones and
interdisciplinary creative cluster developments.
Undertakings including self-employed involved in the creative industry may benefit through this incentive which will be in the form of a tax credit. The aid will be calculated as a percentage of the eligible costs incurred by these undertakings in the development of their creative endeavours.

Malta Enterprise may approve a tax credit equivalent to 60% of the eligible expenditure up to a maximum of €25,000. Costs related to the development and publication of creative work are eligible for aid under this incentive. Such costs must be incurred by the applicant between the 1st January 2010 and the 31st December 2012 (both dates included).

The incentive provides additional benefits related to creative work undertaken in following creative zones:

- Strait Street, Valletta
- Biċċerija Area, Valletta
- Is-Suq, Valletta
- Savina Square, Rabat, Gozo
- Arch. Saver Cassar Street, Rabat, Gozo
- Saint Mary Street, Rabat, Gozo
- The Collachio Area, Birgu

Percent for creativity

Furthermore, Budget 2008 speech announced that “0.25 per cent of the expenditure in projects of a capital or infrastructural nature must be spent on works of art, infrastructure connected with the creative spheres or on other creative projects.”
National Archives Act (Chapter 339 of the Laws of Malta)
National Archives Act, Act V of 2005, was enacted to replace the former National Archives Act, Act VI of 1990. “The National Archivist and the National Archives Council are duty bound to conserve, maintain and safeguard that part of Heritage which has been recorded or documented.”

The National Archives, a government entity, under the responsibility of the National Archivist are intended to preserve the collective memory of the Maltese nation through the protection and accessibility of all public archives. All archives and documentary material recorded by public entities are considered part of Malta’s heritage. This Act was innovative since the preservation of such material was not previously within the remit of the authorities who are entrusted with the protection of the other parts of the heritage. Through the enactment of this Act such documentation is now kept in libraries and specialized archives.

The obligation for the compilation of a National Register of Archives automatically entails necessary research that goes beyond the norm of keeping documents in public possession.

Public Libraries Ordinance (Chapter 92 of the Laws of Malta)
The Public Libraries Ordinance of 1937 is outdated and needs to be amended to reflect the current situation so as to be able to fulfill its function to safeguard the manuscripts and public records conserved in such libraries, and to provide for a modern network of public libraries which can serve as community learning and knowledge hubs equipped with multimedia resources and staffed by professional librarians. The Ordinance applies to the National Library of Malta and the Gozo Public
Library. The Local Councils’ Public Libraries Development Committee currently coordinates the administration of local and regional libraries.

In its capacity as a National Library, the mission of the Bibliotheca as it is more commonly known, is to catalogue and preserve manuscripts and all printed books, as well as periodicals and journals issued in Malta. Act II of 1925 instituting the Legal Deposit imposed on all Maltese authors and editors publishing in Malta or abroad, the obligation to deposit two free copies of each of their publications, one at the National Library of Malta and the other at the Gozo Public Library. For this reason, the National Library has become the main source of Melitenia with the function for placing the written heritage of Malta at the disposal of researchers and the general public.

Maltese Language Act (Chapter 470 of the Laws of Malta)
The Maltese Language Act, Act V of 2004 which came into force on the 14th April, 2005 was enacted to “establish the National Council for the Maltese Language of Malta in order to promote the National language and to provide the necessary means to achieve this aim.”

The Act provides for the setting up of a National Council and Commissions to observe that the Maltese language is used properly and safeguard it from the degradation of its orthography and grammar. The Council is obliged to establish the correct manner of writing words and phrases which enter the Maltese Language from other tongues. Language is conceived as a living tradition, which is continuously being renewed whilst simultaneously retaining its own characteristics.
Malta Crafts Council Act (Chapter 421 of the Laws of Malta)
The Malta Crafts Council Act, Act XXI of 2000 was enacted “to make provision for the encouragement, promotion and regulation of crafts and craftsmen, in particular crafts forming part of Malta’s historical heritage, for the setting up a national crafts council to be called the Malta Crafts Council and for matters ancillary to or connected therewith.”

The Act defines craft to include “an art, skill or trade declared by the Minister responsible of industry to be a craft for the purpose of this Act and practiced by a person or persons in the manufacture of artefacts and other products and generally requiring in their manufacturing a greater input of human skill than machinery.”

Public Theatres Regulations
The Public Theatres Regulations was enacted as far back as the 26th July, 1899. These regulations lay down certain procedural norms that need to be observed by theatres in possession of a licence for the building to be declared as such.

Cinema Projectionists (Licence) Regulations
The Cinema Projectionists (Licence) Regulations was enacted by virtue of Legal Notice 138 of 1996 and came in force of the 1st March, 1997. These Regulations stipulate that a cinema projectionist, that is, “a person who operates cinema projection equipment for the running of shows at which members of the public may attend against payment of an admission fee” would require a certificate of competency issued by the Employment and Training Corporation in the calling of cinema projectionists.
Subsidiary legislation 10.17 Cinema and Stage Regulations

The Cinema and Stage Regulations were enacted on the 28th September, 1937. It is relevant to note that regulation 42 establishes the set up of the Board of Film and Stage Classification. The remit of the Board is to classify films and stage productions on the basis of guidelines drawn up by the Board based on the following criteria:

(a) the standards of morality, decency and propriety generally accepted by reasonable adults; and
(b) the literary, artistic or educational merit, if any, of the production; and
(c) the general character of the production including whether it is of medical, legal or scientific character; and
(d) the person or class of persons to whom it is intended or by whom the production is likely to be viewed.

With regards to the classification of films, regulation 45 states that the classifiers shall report to the Commissioner of Police “whether having regard, in their discretion, to public morality, decency or propriety, or to the public interest, the film to which the application refers may or may not be passed for exhibition with or without any suppressed parts, and shall classify such film into one of the following six categories, namely:

(i) ‘U’ - UNIVERSAL. Suitable for all.
(ii) ‘PG’ - PARENTAL GUIDANCE. Some scenes are unsuitable for young children and the guidance of parents or guardians is deemed necessary.
(iii) ‘12’ - Suitable only for persons of twelve years and over.
(iv) ‘14’ - Suitable only for persons of fourteen years and over.
(v) ‘16’ - Suitable only for persons of sixteen years and over.
(vi) ‘18’ - Suitable only for persons of eighteen years and over.
As regards theatre and stage productions, Article 64 (1) maintains that the classification of such works shall be consistent with the above criteria, while Article 64 (2) states that “any person who, in any place to which the public is admitted, whether against payment or not, presents any dramatic or other stage productions (a) without having previously obtained a certificate from one of the classifiers appointed under this regulation stating that, having regard to public morality, decency or propriety, or the public interest, it is suitable for presentation to the public; or (b) otherwise than in accordance with any directions given to him by any such classifier as aforesaid, shall be guilty of an offence against these Regulations.”

Local Councils Act (CAP 363)  Section IV Article 33 (n), (o), (p)
(n) safeguard local identity and for this purpose take the necessary initiatives to safeguard the local historical and cultural heritage, traditions and folklore;

(o) in the framework of regulations made by the Minister, extend assistance to artists, musicians and sports persons from their locality in order that they may develop their talents;

(p) organise cultural activities that promote the locality in every possible way;

Malta Policy for Local Governance mentions the need to establish sustainable localities through the undertaking of, amongst others, cultural and creative initiatives which involve the local communities.
General National Legislation in relation to Culture:

General Relevant Legislation

Constitution of Malta, Chapter 1 of the Laws of Malta

Criminal Code, Chapter 9 of the Laws of Malta

Code of Police Laws, Chapter 10 of the Laws of Malta

Income Tax Act, Chapter 123 of the Laws of Malta

Press Act, Chapter 248 of the Laws of Malta

Social Security Act, Chapter 318 of the Laws of Malta

Business Promotion Act, Chapter 325 of the Laws of Malta

Small Enterprises (Threshold Levels) Regulations, L.N. 325.03

Business Promotion Regulations, L.N. 325.06

State Aid Monitoring Regulations, L.N. 325.07

Value Added Tax Act, Chapter 406 of the Laws of Malta

Malta Enterprise Act, Chapter 463 of the Laws of Malta
The Arts

Malta Council for Culture and the Arts, Chapter 444 of the Laws of Malta

Public Theatres Regulations, L.N. 10.02

Cinema and Stage Regulations, L.N. 10.17

Cinema Projectionists (Licence) Regulations, L.N. 10.41

Cinema and Stage Regulations, L.N. 10.17

Intellectual Property Rights (cross-border measures) Act, Chapter 414 of the Laws of Malta

Enforcement of Intellectual Property Rights (Regulation) Act, Chapter 488 of the Laws of Malta

Copyright Act, Chapter 415 of the Laws of Malta

Artists’ Resale Right Regulations, L.N. 415.03

Trademarks Act, Chapter 416 of the Laws of Malta

Patents and Designs Act, Chapter 417 of the Laws of Malta

Malta Crafts Council Act, Chapter 421 of the Laws of Malta

Registration of Craftsmen Entrepreneurs (Malta Crafts Council) Regulations, L.N. 421.01

Maltese Language Act, Chapter 470 of the Laws of Malta
Libraries and Archives

National Archives Act, Chapter 477 of the Laws of Malta

Public Libraries Ordinance, Chapter 92 of the Laws of Malta

Gozo Public Library Regulations L.N. 92.01

Committee of Management of Gozo Public Library Rules, L.N. 92.02

National Malta Library Regulations, L.N. 92.03

Committee of Management of Malta Public Library Rules, L.N. 92.04

Application of the Public Libraries Ordinance Order, L.N. 92.05

Malta Public Library Regulations, L.N. 92.06

Fees for Copies of Manuscripts Regulations, L.N. 92.07

National Library (Photocopying and Microfilming Fees) Regulations, L.N. 92.08
Cultural Heritage

Culture Heritage Act, Chapter 445 of the Laws of Malta

Protection of Antiquities Regulations, L.N. 445.01

National Museums, Sites and Collections (Admission Fees) Regulations L.N. 445.05
Donations (National Heritage) Rules, L.N. 123.96

National Museums and Monuments (Comprehensive Admission Tickets) Act, Chapter 298 of the Laws of Malta

Public Curators Act, Chapter 299 of the Laws of Malta

Periti Act, Chapter 390 of the Laws of Malta

Audiovisuals and New Media

Broadcasting Act, Chapter 350 of the Laws of Malta

Electronic Communications (Regulation) Act, Chapter 399 of the Laws of Malta

Malta Film Commission Act, Chapter 478 of the Laws of Malta