

This document contains the categories of documents held by the Malta Competition and Consumer Affairs Authority (MCCAA). For each entity within the MCCAA, two sub-categories will be provided as follows:

1: General description of the categories of documents MCCAA holds (including exempt documents)

2: Description of all manuals and similar types of documents which contain policies, principles, rules or guidelines in accordance with which decisions or recommendations are made in respect of members of the public (including bodies corporate and employees of the public authority in their personal capacity)

For clarification purposes, "*document*" within the meaning of the Freedom of Information Act (Chapter 496 of the Laws of Malta) *means any article that is held by a public authority and on which information has been recorded in whatever form, including electronic data, images, scale models and other visual representations, and audio or video recordings, regardless of whether the information can be read, seen, heard or retrieved with or without the aid of any other article or device;*

Office for Competition as duly set up in terms of the Malta Competition and Consumer Affairs Authority Act (Chapter 510 of the Laws of Malta)

1:

- Case files on each complaint submitted to the Office in terms of the relevant provisions of the Competition Act (Chapter 379 of the Laws of Malta)
- File regarding each concentration notification submitted in terms of the relevant provisions of the Control of Concentrations Regulations (Chapter 379.08 of the Laws of Malta).
- Files on sector inquiries conducted by the Office in terms of the relevant provisions of the Competition Act

It must be noted that the abovementioned may contain business secrets or confidential information and may not be divulged to third parties. The Office usually publishes a non-confidential version of the decision on MCCAA's website.

2:

Manuals are available to all MCCAA employees through the shared drive i.e P drive available on each employee's laptop- these manuals are mainly DAKAR software manuals that regulate the internal software system installed on employee's laptops as well as quality manuals (vide section on quality).

Office for Consumer Affairs as duly set up in terms of the Malta Competition and Consumer Affairs Authority Act:

1:

- Email correspondence related to consumer queries about their legal rights
- Files relative to World Consumer Rights Day activities, l-Għażla Magazine
- Files relative to booked TV Programmes
- Press Releases issued by the Office for Consumer Affairs
- Documents related to conferences organised by the Office for Consumer Affairs
- Soft copy of information leaflets text
- E-mails: general and specific with regard to consumer protection issues, legislation, EU matters, enquiries, requests for advice, pending courts cases, administrative investigations and administrative proceedings.
- Files: relative to Courts cases (Courts of Magistrates) /Appeals including cases pending before the Appeals Tribunal and related documents and follow-ups in matters dealt with at the Office for Consumer Affairs including post-Consumer Claims Tribunal decisions.
- Files relative to different investigations and enforcement actions
- Files relative to EU dossiers which include Malta Position and the relative transpositions/implementation where applicable
- Files relative to complaints on price indication and unfair commercial practices
- Email correspondence on consumer queries
- Email correspondence relative to investigations, enforcement action and complaints
- Forms and the relative data collected following outside inspections including price indications lists and data with regard to vegetable hawkers, supermarkets, corner shops and other retail outlets in all localities; data on specific exercises carried out including village feasts, beach kiosks and other events
- Forms and the relative data collected with regard to price monitoring exercises
- Forms and the relative data collected in other specific exercises such as the Detergents exercise, dual quality and Maltese bread exercises
- Hard copy of inspection forms used by part-time inspectors which include data as follows: date of inspection, outlet name, address, VAT No, name and surname of outlet representative, ID No. and signature
- Warning letters and data base on verbal and written warnings
- Guidance for Service Providers on Article 9(a) of the Services (Internal Market) Act (Chapter 500 of the Laws of Malta)
- Soft copy of all correspondence and related documents, such as emails, instruction notes, background and briefing notes and evidence documents used in enforcement actions.

2:

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Standards and Metrology Institute as duly set up in terms of the Malta Competition and Consumer Affairs Authority Act:

1:

- Regulations and Acts such as the Metrology Act and its subsidiary legislation and amendments- these are all publicly available via the MJCL portal.
- Minutes of Technical committees (mainly in standardisation)
- National and European Standards and Guides (copyright protected)
- Reports on audits and inspections
- Statistics on test results
- Statistics on customer satisfaction
- Email correspondence to clients on policies, procedures on services being offered.
- Contracts and agreements with clients (mostly of commercial nature)
- Memorandum of Understanding with public and private entities
- Terms and Conditions of services offered
- Service and Contract Agreements (mainly of commercial nature)
- Application Forms
- Pricing schedules
- Quality Manuals

2:

Manuals are available to all MCCA employees through the shared drive i.e P drive available on each employee's laptop- these manuals are mainly DAKAR software manuals that regulate the internal software system installed on employee's laptops as well as quality manuals (vide section on quality).

Technical Regulations Division as duly set up in terms of the Malta Competition and Consumer Affairs Authority Act:

1:

The answer will be categorised according to the products, chemicals, objects or otherwise which falls within the Technical Regulation Division's (TRD) legal responsibility:

Lifts:

- Registration Form for New Lifts together with Declaration of Conformity.
- Registration Form for Existing Lifts.
- Application Form for the approval of lifts that do not conform to schedule 1 section 2.2 of the Lifts Regulations 2016 together with the Architect's Declaration Letter, Building Layout and Notary's Declaration.
- Application Form for Authorised Conformity Assessment Bodies.
- Guidance Notes for Lift Installers

Biocides

- Application form/E-form
- Product Safety Data Sheet (SDS)
- SDSs of hazardous substances contained in the product
- Product label/s

-Evidence that the active substance/s in the product originate from an approved supplier found on the Article 95 list of BPR 528/2012

Explosive Precursors

- Personal information for issuing of licenses
- Notifications of suspicious transactions

Medical Devices

- Free Sales certificates: Declaration of Conformity (DOC)
- Class I registration: DOC + Application form
- IVD manufacturer and devices registration: DOCs + application form (including registered place of business of manufacturer)

F-gases

- Technicians license card: application form (personal information) + 2 passport photos

Plant Protection Products:

For zonal applications:

- Duly filled application form including details on the applicant and product
- Draft completeness check of the dossier
- Draft Registration Report

For CMS applications:

- Duly filled application form including details on the applicant and product
- Authorisation document from zonal rapporteur member state
- A list of studies for data protection in Malta.
- A formal statement that the Plant Protection Product (PPP) is identical to that authorised by the reference Member State
- A Safety Data Sheet (SDS) for the product in accordance with Regulation 1272/2008/EC
- An SDS for each active substance and co-formulant in accordance with Regulation 1272/2008/EC
- Labelling (Original/English/Maltese)

For mutual recognition applications:

- Duly filled application form including details on the applicant and product
- A Free Sales Certificate / Marketing Authorisation from an EU competent authority
- A formal statement that the Plant Protection Product is identical to that authorised by the reference Member State
- A signed document with detailed chemical composition of the PPP
- A list of studies for data protection in Malta.
- A Safety Data Sheet (SDS) for the product in accordance with Regulation 1272/2008/EC

- An SDS for each active substance and co-formulant in accordance with Regulation 1272/2008/EC
- Labelling (Original/English/Maltese)

For parallel import applications (commercial use/own use):

- Duly filled application form including details on the applicant and product
- A Safety Data Sheet (SDS) for the product in accordance with Regulation 1272/2008/EC
- Labelling (Original/English/Maltese)
- Filled in application form with personal information for the issuing of a licence for professional users of PPPs
- Guidelines for Non-Professional Users of Pesticides
- Guidelines for Integrated Pest Management

Food supplements and Foods for Special Medical Purposes

- Declaration Form
- Notification Form
- Product Label
- Food Supplements Guidance

Conformity Assessment Notification to become a Notified Body:

- Application form for Conformity Assessment Bodies
- Proof of Tax Observance;
- Document from a Court registry and/or Court records;
- Balance sheets for the last three years;
- Certificate stating that the body is not bankrupt, in liquidation, being wound up, in official receivership, in bankruptcy proceedings or in a similar situation arising from legal provisions;
- Certificate stating that the body is not in proceedings for bankruptcy, official receivership, creditor arrangements or other similar proceeding under legal provisions;
- A recent certificate of conduct issued by the Police or other competent authority not earlier than 6 months from the date of application of the managing director, company secretary or equivalent in other cases and/or authorised signatory;
- Accreditation Certificate
- CVs of personnel
- Copy of Insurance Policy

Chemicals

- Safety Data Sheet
- Label of product

In all the above cases TRD stores the respective legislation, including the documents/comments during consultation stage, proof of payment and emails received. With

respect to queries TRD might need further documents like the Declaration of Conformity, product dossier, lab reports in order to reply to the operator's queries.

2:

Internal Procedures are in place for the following:

Lifts

-Collection of Registration Certificates of Lifts Procedure

Food supplements

-Notification of food supplements

Please note that these are merely internal procedures and not decision making per se.

Quality Unit within MCCA:

1:

- Quality documents such as the Quality Manual, Interested Parties and Internal & External Issues which describe the Quality Management System of the MCCA
- Quality Internal Audit Programme in which the internal audit schedule, plan, title, objective, scope, criteria and auditor(s) for the applicable functions, processes and areas of the MCCA are established.
- Quality Internal Audit Reports and the associated Confidentiality and Non-Disclosure Agreement for the quality internal audits identified in the Quality Internal Audit Programme.
- Internal Correct Action / Change Request Forms and Non-Conformity Reports emerging from Quality Internal Audits, Management Reviews, implementation of established procedures, customer reports, third-party assessments and identification of nonconforming services.

2:

- Quality Policy, which includes the vision, mission, strategic direction and framework for the quality objectives of the MCCA.
- IT Policies on the acceptable use of technology, CCTV surveillance cameras, internet and email usage, saving of business data and use of portable smart media and storage devices.
- System procedures to ensure standardisation in how the Standards and Metrology Institute operates.
- System procedures to ensure standardisation in how the Technical Regulations Division operates.
- System procedures to ensure standardisation in how the Office of Consumer Affairs operates.
- System procedures to ensure standardisation in the administrative work carried out by the Administration of the MCCA.

- Forms to collect information related to the operations of the Standards and Metrology Institute.
- Forms to collect information related to the operations of the Technical Regulations Division.
- Forms to collect information related to the operations of the Office of Consumer Affairs.
- Forms to collect information related to the administrative work carried out by the Administration of the MCCA.
- Technical Guides to provide guidelines on the regulatory aspects related to the installation of lifts, food supplements and cosmetics.

Human Resources Unit within MCCA:

1:

- Personal Files of Employees
- Recruitment Files
- Training Files

2:

- Existing Collective Agreement
- Public Service Management Code
- Directives
- Overtime Policy

It must be noted that Grievances and Case Files are not kept in the Human Resources Department. Files related to grievance issues are stored at the Grievances Board (not MCCA).

Audit Unit within MCCA:

1:

- Documents related to samples chosen for audit examination depending on the audit being carried out;
- Audit plans for each year showing the audit examinations to be held within the different sections and departments of the Authority;
- Email correspondence with officers requesting information and other audit queries related to each audit examination;
- Manuals, Circulars and other documents including laws and regulations issued throughout the Public Service and MCCA, which are used as reference for audit examinations
- Internal Audit Reports for each audit carried out so far.

2:

- General Financial Regulations;
- Public Service Management Code;
- Public Procurement Regulations;

- Manual for Transport and Travel of the Public Service;
- MCCAA Circulars;
- Public Service/Public Sector related circulars;
- MCCAA Internal Audit Manual;
- Terms of Reference – MCCAA Audit Committee;
- International Standards of Auditing;
- MCCAA Internal Audit Charter
- MCCAA Quality Internal Audit procedures;
- MCCAA Internal Audit Procedures;

Finance Unit within MCCAA:

1:

-Finance, payroll and travel related documentation which consist of the below:

- Invoices,
- Bank statements
- Travel files
- Payroll information
- Accounting journals and adjustments
- Tax and VAT documents
- Receipts and cheque copies
- Contracts
- Quotes
- MoAs

2:

- Collective Agreements (prior and existing)
- Travel and Transport Government policy
- Procurement Policy and relevant legislation

Aside from the abovementioned documents pertaining to the relevant Units/Divisions within MCCAA, it must be noted that MCCAA premises are CCTV monitored, and CCTV footages are stored and retained for a period of seven days.