



Sworn Declaration on the availability of the land for the farmer

Today, I (Name & Surname), _____

ID _____ on _____, of _____, 20_____

Declare that:

I am working the land registered in the IACS system and known by the number(s):

As attached in the plan/s in **Annex A**.

I further declare that:

- I have a valid right that allows me to work this land.
- I have the management of the work of this agricultural land.
- I occupy the agricultural land by a valid right, because: **(Choose one answer only)**;
 - (i)** I am the owner and farmer and I am providing a: **(S)**
 Contract or Will or Others [specify] _____
 - (ii)** I am the tenant and I lease from the:
 - Private owner, and I am providing a lease document **(P)***
 - Government, and I am providing a lease document **(G)***
 - Church, and I am providing a lease document **(M)***
 - Others (specify) _____*
 - (iii)** I have an emphyteusis to work the land and I am presenting the annex to this oath as proof. **(C)**
 - (iv)** I have a commodatum to work the land and I am providing a sworn declaration through Annex B1 according to the case. **(K)**
 - (v)** I work the land under a precarious title and I am providing a sworn declaration through Annex B1. **(T)**
 - (vi)** I have another type of right as described below and I am presenting Annex B1 or B2 or the annex to this oath as proof. **(O)**



I declare that I am aware of the provisions of the Agricultural Land Protection Regulations (Subsidiary Legislation 639.13) as in force from time to time, which among other things oblige that all agricultural land be registered in the national agricultural land register held by the Ministry responsible for agriculture. I understand and acknowledge that, notwithstanding this declaration or any registration carried out for subsidy purposes or agricultural use, the obligation for the land to be registered according to the said Regulation remains applicable.

I bind myself to inform the Directorate when my right expires and if this occurs, I bind myself to refund the funds I received from the time that right expired.

I bind myself to indemnify the Directorate in case anyone makes any claim against it or claims any right, including the right to damages, because of the registration which I requested to be made in my favour or which I am keeping registered in my favour with the Directorate.

I declare that there are no pending proceedings in Court or before any other judicial authority regarding the field(s) shown in this declaration, including but not limited to proceedings initiated on the basis of claims made by me or by others, and insofar as they may relate to this declaration in a manner that could influence it, and I particularly also declare that there is no proceeding affecting the person who works or manages the field(s) and their work and management.

The declarant is aware that this declaration is being made under oath and that any false, incorrect, or misleading declaration made herein constitutes an offence of perjury and/or false declaration according to the Criminal Code of Malta and may lead to criminal prosecution as well as further legal action against the declarant.

This form and any administrative act carried out by the Directorate of Agriculture neither recognise nor grant any right over the relevant land and are without prejudice to the rights of third parties.

This Oath has been signed on

_____, ta' _____, 20_____
[day] [month] [year]

Name and Surname of the farmer		Stamp and signature of the Commissioner for Oaths in this box only.
ID Card number of the farmer		
Farmer's signature		



Data Protection Policy

The Directorate of Agriculture carries out its functions in accordance with applicable laws and best practices. Pursuant to Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter the General Data Protection Regulation or “the Regulation”), the Directorate hereby provides you with the following information:

- The “Controller” is the Department for Rural Affairs and may be contacted at the Centre for Agricultural Research and Innovation, Ghammieri, Marsa, Malta or by email at saviour.debono-grech@gov.mt;
- The Data Protection Officer may be contacted at the Department for Rural Affairs, Centre for Agricultural Research and Innovation, Ghammieri, Marsa, Malta or by email at dataprotectionrad.mafa@gov.mt;
- The purpose of processing your personal data is to implement measures under the Common Agricultural Policy in accordance with Title III of the Treaty on the Functioning of the European Union and related European and national laws; more specific policies depend on the measures concerned and may be stipulated further below in this document;
- Except in cases of dispute where your personal data may be shared with other disputing parties, the recipient of your personal data is the Directorate of Agriculture within the Ministry for Agriculture, Fisheries, and Animal Rights. The category of recipients of your personal data includes public authorities, including EU institutions, bodies, offices, and agencies;
- Your personal data will be retained for the maximum period required or permitted by law to satisfy the declared purposes and any legal obligations and/or claims that may arise from your relationship with the Directorate.

Your rights as a data subject in relation to the processing of your personal data are:

- The right to receive a copy of your personal data being processed, including information related to processing activities.
- The right to request rectification of personal data you believe is inaccurate. You also have the right to obtain completion of personal data you believe is incomplete.
- The right to request erasure of your personal data in certain circumstances.
- The right to request restriction of processing of your personal data in certain circumstances.
- The right to data portability of the personal data you provided to us.
- The right to object to the processing of your personal data if we are processing your information on the basis of our public tasks or legitimate interests.
- The right not to be subject to a decision based solely on automated processing, including profiling.
- The right to withdraw your consent at any time, where applicable.

Requests to exercise your rights are free of charge and should preferably be made in writing and sent to the Data Protection Officer of the Department for Rural Affairs. Your identification details such as ID number, name, and surname must be submitted with the request for identity verification purposes. Where the controller has reasonable doubts concerning your identity, you may be requested to provide additional information necessary to confirm it. The Department for Rural Affairs aims to respond to the request as soon as possible, without undue delay and no later than one (1) month from receipt of the request.

The rights exercised by the data subject may be limited or restricted where necessary, in accordance with applicable law.

The personal data you are providing to us is a contractual and/or legal requirement related to your rights and obligations in relation to the Directorate and its responsibilities.

By submitting this application/request you declare that you understand and accept that the Directorate will process personal data relating to you for the specific purpose of processing this application/request, in accordance with the law. In order for your application/request to be processed, you must provide your personal data for the declared purposes and for any reasonable and/or legally necessary purpose to satisfy the stated objectives. Failure to provide this data may result in the inability to process your application/request, without prejudice to any other consequence under the law.

The processing of personal data will be carried out in accordance with the General Data Protection Regulation and the Data Protection Act.



ANNEX A

Plan/s issued by IACS

ANNEX B1 – SWORN DECLARATION ON PERMISSION FROM THE TITLE HOLDER

Today, I (Name and Surname), _____

ID _____ on _____, of _____, 20_____

Declare that:

I am working the land registered in the IACS system and known by the number(s):

and this is being done with the permission of the legal holder of the title, who is

Name and Surname of the Title Holder

This declaration is being made because the said permission was granted through a verbal agreement and therefore there is no written proof or other documentation that can be produced to evidence or confirm this permission.

The declarant is aware that this declaration is being made under oath and that any false, incorrect, or misleading declaration made herein constitutes an offence of perjury and/or false declaration according to the Criminal Code of Malta, and may lead to criminal prosecution as well as further legal action against the declarant.

This Oath has been signed on

_____, of _____, 20_____

[day] [month] [year]

Name and Surname of farmer		Stamp and signature of the Commissioner for Oaths in this box only.
ID Card Number of the farmer		
Farmer's signature		



ANNEX B2 – SWORN DECLARATION ON OCCUPATION AND LACK OF TITLE DOCUMENTATION

Today, I (Name and Surname), _____

ID _____ on _____, of _____, 20 _____

Declare that:

I am working the land registered in the IACS system and known by the number(s):

I declare that the said land was passed on to me through continuous use and possession within my family over several generations. I further declare that I have no legal documentation proving or evidencing that I am the legal holder of the title to the said land, since the said possession and occupation were never formalised by a legal act or written document over time.

This declaration is being made to explain and clarify the lack of formal documentation regarding the title of the said land.

The declarant is aware that this declaration is being made under oath and that any false, incorrect, or misleading declaration made herein constitutes an offence of perjury and/or false declaration according to the Criminal Code of Malta and may lead to criminal prosecution as well as further legal action against the declarant.

This Oath has been signed on

_____, of _____, 20 _____
[day] [month] [year]

Name and Surname of farmer		Stamp and signature of the Commissioner for Oaths in this box only.
ID Card Number of the farmer		
Farmer's signature		