


Memorandum of Understanding
between the National Statistics Office and
the Environment and Resources Authority
as an “Other National Authority”

List of abbreviations

EC	European Commission
ERA	Environment and Resources Authority
NSO	National Statistics Office
MOU	Memorandum of Understanding
MSA	Malta Statistics Authority
ONA	Other National Authority



21

Memorandum of Understanding entered into on the 1st of October 2024 between the National Statistics Office hereinafter referred to as “NSO” and represented by Mr Etienne Caruana; and the Environment and Resources Authority as an “Other National Authority” (ONA) hereinafter referred to as “ERA” and represented by Mr Kevin Mercieca.

Individually hereinafter referred to as "Party" and collectively as the "Parties".

Preamble



Official statistics in Malta are regulated by the MSA Act and a number of EU Regulations in the field of Statistics. The NSO is set up by the MSA (Chapter 422 of the Laws of Malta) and is responsible for the preparation of methodological and technical bases, data collection, compilation, publishing, and dissemination of data on a national basis and to Eurostat.

The NSO coordinates the statistical activities of all other national authorities that develop, produce, and disseminate European statistics. They act in this regard as the sole contact point for Eurostat on statistical matters. Legislation and well defined and established procedures are in place for implementing the coordination role at both national and European levels.

In collecting data, NSO relies heavily on administrative data sources. Regulation (EU) 2015/759 of the European Parliament and of the Council of 29 April 2015 amending Regulation (EC) No 223/2009 on European statistics which introduces article 17a, gives National Statistical Institutes and ONAs the right of access to administrative data, promptly and free of charge. This introduction puts greater emphasis on the importance that administrative data is made available for statistical purposes. The efficient access to administrative data ensures that the production of statistics is relevant, reliable, comparable, and less burdensome on respondents.

The ERA is the competent authority in Malta, established under the Environment Protection Act (Chapter 549 of the Laws of Malta), responsible to collect, hold and make publicly accessible environmental information under the Environment Protection Act, including *inter alia* official statistics related to waste management. The close and well-functioning cooperation between NSO and the ERA is essential for the effective use of administrative data and for the continuous quality assurance. Therefore, in line with article 4 of Regulation (EC) No 223/2009, the ERA shall be recognised as an ONA in Malta. The ERA will provide the NSO with the data listed in Schedules I, II and III of this MOU, and as a recognised ONA, will lead the collection, analysis, and delivery of waste-related statistics in Malta as per Article 2 of this MOU.

The NSO and ERA will ensure that information shared by virtue of this MOU will only be used for statistical purposes; and will not be shown, disseminated, and published in a way that persons and/or undertakings are identifiable.



Responsibilities and Functions of the ERA as an ONA

1. The ERA is part of the National Statistical System, and for the statistics sent directly to Eurostat, is bound by Regulation (EC) 223/2009 and by the European Statistics Code of Practice.
2. The ERA shall collect and transmit to Eurostat the following official statistics related to waste in accordance with the respective legislation:

Waste Shipment Regulation	Regulation (EC) No 1013/2006 on shipments of waste.
Waste Batteries and Accumulators	Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and Commission Regulation (EU) 493/2012.
Municipal waste recycled	Directive 2008/98/EC on waste and Commission Implementing Decision 2019/1004/EC.
Construction and demolition waste	Directive 2008/98/EC on waste.
Food waste	Directive 2008/98/EC on waste, Commission delegated decision (EU) 2019/1597, and Commission implementing decision (EU) 2019/2000.
Waste Oils	Directive 2008/98/EC on waste and Commission Implementing Decision (EU) 2019/1004.
Municipal waste landfilled	Directive 1999/31/EC and Commission Implementing Decision 2019/1885/EC.
End-of-life vehicles	Directive 2000/53/EC on end-of life vehicles.
Packaging waste	Council Directive 94/62/EC on packaging and packaging waste.
Lightweight plastic carrier bags	Directive 94/62/EC on packaging and packaging waste and Commission Implementing Decision (EU) 2018/896.
Waste Electrical and Electronic Equipment	Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE).
Plastic own resources	Council Regulation (EU, Euratom) 2021/770 on the calculation of the own resource based on plastic packaging waste that is not recycled, on the methods and procedure for making available that own resource, on the measures to meet cash requirements, and on certain aspects of the own resource based on gross national income.



1A

3. The ERA shall collect and keep records related to waste and transmit the data to the NSO as per Schedules I, II and III annexed to this MOU and according to the frequency of delivery as stipulated in the same Schedules.
4. The ERA recognises its obligations to provide the NSO with information as requested.
5. Whenever delays in delivery are foreseen, the ERA shall inform the NSO within the shortest reasonable time.
6. If necessary, data shall be transferred to NSO in the most secure way possible. The secure submission of data shall be through One Drive, which is provided by MITA to government e-mail users.
7. NSO shall ensure that all data provided will be securely kept and accessible only on a need-to-know basis to officers of statistics who require the data to perform their tasks.
8. No transferring of data that falls outside the scope of this MOU, or without prior agreement by both Parties, shall be allowed.
9. The ERA shall inform NSO of changes that transpire from revisions, updates and reviewing of the data being provided to Eurostat and/or NSO when such changes are significant and may affect the quality of the data being produced.
10. Should the ERA change the compilation procedures and/or relevant definitions, wherever material, to the extent that they affect the quality or relevance of the data, this should be communicated, in writing, to NSO within the shortest reasonable time.
11. The ERA commits itself to provide clear definitions for the variables used, and time dimensions, whenever these are not comparable with definitions of the NSO and inform the NSO accordingly.
12. A list of variables including their definitions, used in the collection of data and transmitted to the NSO, are found in Schedules I, II and III. Should NSO need to change, amend, or update the list of variables, the ERA is to be informed as soon as practicable, and reasonable time is to be allowed for the necessary changes to take place.
13. The ERA shall publish a calendar of its dissemination products of official statistics, covering six months, when related to the topics referred to in Article 2 of this MOU.
14. The ERA shall publish the dissemination products referred to in Article 13 of this MOU, according to the date scheduled in the release calendar.



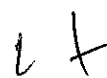
17

15. Should the ERA not be in a position to publish its scheduled dissemination products referred to in Article 13 of this MOU, by the calendar date set, the ERA shall inform the NSO as soon as it becomes aware of this eventuality. The ERA is to adjust the calendar and publish a note accordingly.
16. The ERA shall publish the quality reports as instructed by Eurostat, on the official statistics transmitted to Eurostat, listed in Article 2 of this MOU, within 1 month from the date of data transmission to Eurostat.
17. The NSO may review the integrity, confidentiality, quality, handling, and security of the official statistics transmitted to Eurostat and used in the dissemination products referred to in Article 13 of this MOU.
18. The NSO shall continue assisting the ERA with improving the quality of its statistics covered by this MOU in so far as resources permit.
19. During the processing of the data provided by the ERA as listed in Schedules I, II and III NSO staff may identify quality issues in the data which are of relevance to the ERA. To allow sharing of this identifiable information to the ERA, officers at the ERA handling the data shall take the Oath of Secrecy according to the Malta Statistics Authority Act (Chapter 422 of the Laws of Malta).
20. This MOU does not preclude collaboration between the NSO and the ERA on topics that fall outside the scope of this MOU.

Coordination

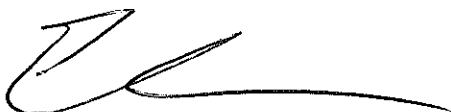
21. While this MOU specifies some key coordinating procedures, it presumes continuing inter-institutional cooperation to complement these efforts. Therefore, the Parties agree to cooperate and coordinate their efforts to the greatest extent possible to ensure the implementation of this MOU.
22. The contact point at NSO is Mr Ronald Tanti, Head of Unit Environment, Agriculture and Fisheries Statistics, email: ronald.tanti@gov.mt, Tel: 2599 7333;
23. The contact point at ERA is Mr Sergio Tartaglia, Team Manager Information Resources, email: IR@era.org.mt, Tel: 2292 3575.
24. Notification of any change in contact points may be made in writing without the necessity of amending this MOU, but records shall be kept of the change in nominee and effective date so as to ensure the smooth running of this MOU.

General



25. This MOU is valid for 12 calendar months starting from the date of signature of the MOU. Three months before expiration, the Parties shall initiate the process of reviewing and renewing this MOU.
26. The Parties agree that changes to this MOU may be needed to respond to emerging issues. This MOU can be updated, revised, or amended in writing as needed and subject to the mutual written consent of both Parties. Any update, revision or amendment shall be made by virtue of a written addendum that shall be annexed to this MOU.
27. Without prejudice to the obligations of both Parties to fulfil their obligations in particular the reporting obligations under both the National and EU legislation, this MOU may be terminated by the appropriate authority of either Party. Notice of termination of this MOU shall be made in writing and is to be received by the other Party at least ten (10) working days prior to the termination of the MOU.
28. This MOU shall be governed and construed in accordance with the Laws of Malta.
29. The Parties shall endeavour to make every effort possible to settle amicably all disputes, controversies or claims arising out of or in relation to any of the provisions of this MOU. Failing an amicable solution, such disputes shall be subject to the jurisdiction of the Maltese Courts of Law.
30. If any provision of this MOU shall in whole or in part be held to any extent to be illegal or unenforceable under the laws of Malta, such provision shall to that extent be deemed not to form part of this MOU and the enforceability of the remainder of this MOU shall not be affected.

Signatures



Mr Etienne Caruana
Director General
National Statistics Office



Mr Kevin Mercieca
Chief Executive Officer
Environment and Resources Authority

Schedule I – Data requested from ERA by NSO

Data on waste exports

Frequency of delivery: As early as possible from the date of request, within six months wherever possible.

List of variables:

Variable name	Definition
• <i>Green list waste exports – EWC code – annual</i>	6-digit EWC code for each different waste type that is exported
• <i>Green list waste exports – Final waste treatment operations – annual</i>	R and D code for each different waste type that is exported
• <i>Green list waste exports – Country of destination – annual</i>	Country of destination for each different waste type that is exported
• <i>Green list waste exports – Amount – annual</i>	Amount of waste exported for each different waste type - Tonnes
• <i>Hazardous waste exports – EWC code – annual</i>	6-digit EWC code for each different waste type that is exported
• <i>Hazardous waste exports – Final waste treatment operations – annual</i>	R and D code for each different waste type that is exported



17

- *Hazardous waste exports – Country of destination – annual* Country of destination for each different waste type that is exported
- *Hazardous waste exports – Amount – annual* Amount of waste exported for each different waste type - Tonnes



14

Schedule II - Data requested from ERA by NSO

National waste inventory

Frequency of delivery:

- Municipal waste data: By the end of October (t+10)
- All data covered by the inventory: First version by the end of January (t+13)
- All data covered by the inventory: Final version by the end of May (t+17)

List of variables:

Variable name	Definition
• <i>EWC code - annual</i>	6-digit EWC code for each different waste type that is recorded under waste generation or treatment
• <i>Waste treatment operations – annual</i>	R and D codes for each different waste type that is recorded under waste treatment
• <i>Origin of waste - annual</i>	Origin of the generated waste among three major groupings: municipal (MW), commercial and industrial (C&I), and construction and demolition (CDW)
• <i>Location of waste treatment - annual</i>	Location of waste treatment should specify if the treatment has taken place in Malta or abroad
• <i>Waste generation - annual</i>	Amount of generated waste per EWC code – Tonnes
• <i>Waste treated – annual</i>	Amount of waste treated classified by EWC code and R and D codes – Tonnes
• <i>Reconciliation of waste generation and treatment records</i>	Amount of waste entering pre-treatment and final treatment facilities in Malta and outputs (where applicable) of such waste following treatment, by EWC code - Tonnes



Schedule III - Data requested from ERA by NSO

Data on inert waste treatment facilities

Frequency of delivery:

- First version: by the end of November (t+11)
- Final version: by the end of January (t+13)

List of variables

Variable name	Definition
• <i>Quarry identification number</i>	List of quarries where inert waste treatment takes place irrespective of whether these are covered by an active permit or not.
• <i>Input of waste into inert waste treatment facilities - annual</i>	Input of waste by waste type (construction and demolition, excavation, asphalt/tarmac waste, soil) into inert waste treatment facilities. (Inert waste refers to waste that does not undergo any significant physical, chemical, or biological transformations. Inert waste will not dissolve, burn, or otherwise chemically react, biodegrade or adversely affect other matter with which it comes into contact, in a way likely to give rise to environmental pollution or harm human health) – Tonnes
• <i>Output of treated construction and demolition material from inert waste treatment facilities – annual</i>	Output of treated (by crushing, sieving, screening) construction and demolition material from inert waste management facilities for use in road works, <i>torba</i> , concrete and backfilling - Tonnes
• <i>Output of treated excavation material from inert waste treatment facilities – annual</i>	Output of treated (by crushing, sieving, screening) excavation material from inert waste management facilities for use in road works, <i>torba</i> , concrete and backfilling – Tonnes
• <i>Backfilling of construction and demolition waste in inert waste</i>	Backfilling of construction and demolition waste in inert waste treatment facilities. (Backfilling means a recovery operation where suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping and where the waste is a substitute for non-waste materials) – Tonnes



treatment facilities
– annual

- *Backfilling of excavation waste in inert waste treatment facilities – annual* Backfilling of excavation waste in inert waste treatment facilities. (Backfilling means a recovery operation where suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping and where the waste is a substitute for non-waste materials) – Tonnes
- *Output of non-inert waste from inert waste treatment facilities – annual* Output of non-inert waste from inert waste treatment facilities. (Non-inert waste refers to waste that does not have the properties of inert waste) – Tonnes
- *Recycling of waste in inert waste treatment facilities – annual* Recycling of waste (mainly by crushing and screening) in inert waste treatment facilities – Tonnes
- *Other waste treatment in inert waste treatment facilities - annual* Waste undergoing other treatment operations (including storage) in inert waste treatment facilities – Tonnes

