



SEAT AGREEMENT
BETWEEN THE GOVERNMENT OF MALTA AND
THE EUROPEAN ASYLUM SUPPORT OFFICE

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The Government of Malta, hereinafter referred to as “the Government” and the European Asylum Support Office, hereinafter referred to as “EASO”, “the Support Office” or “the Office”:

Having regard to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010, establishing a European Asylum Support Office¹, hereinafter referred to as “the EASO Regulation”, in particular Article 53 thereof;

Having regard to the Protocol on the Privileges and Immunities of the European Union, hereinafter referred to as “the Protocol”, and in particular Article 18 thereof;

Having regard to the Staff Regulations of officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities and the rules adopted jointly by the Union’s institutions for the purpose of the application of those Staff Regulations and Conditions of Employment.

Whereas:

1. The Decision of the Representatives of the Governments of the Member States of 25 February 2010 provides that the European Asylum Support Office shall have its seat at Valletta Harbour.
2. Article 39 of the EASO Regulation specifies that the Protocol shall apply to the Office.
3. Article 38 of the EASO Regulation specifies that the Staff Regulations of officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities and the rules adopted jointly by the Union’s institutions for the purpose of the application of those Staff Regulations and Conditions of Employment shall be applicable to the staff of the Support Office, including the Executive Director.
4. Further provisions are needed for the implementation of certain Articles of the Protocol and for additional matters.

Have agreed as follows:

¹ OJL 132,29.5.2010, p.11

Article 1

Definitions

For the purposes of this Agreement and of the application of the Protocol between the Support Office and the Government the following definitions shall apply:

- a) all references to the Union in the Protocol shall be read as references to the Support Office;
- b) all references to the officials and other servants of the Union shall be read as references to officials and other servants of the Support Office;
- c) with the exceptions of Articles 6, 12, 14 and 15 of the Protocol, references to the Council and the Commission therein shall be read as references to the Management Board of the Support Office;
- d) staff of the Support Office shall be made up of the following categories:
 - i) Statutory staff subject to the Staff Regulations of Officials of the European Communities or to the conditions of employment of other servants of the European Communities:
 - Officials;
 - Temporary staff;
 - Contract agents;
 - Auxiliary staff.
 - ii) External staff:
 - Seconded national experts (SNEs);
 - Experts on contract entrusted with studies, etc.

Article 2

Legal Capacity

The Support Office is a body of the European Union and has legal personality in accordance with Article 40 of the EASO Regulation. It shall enjoy the most extensive legal capacity accorded to legal persons under Maltese law. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.

Article 3

Inviolability

The premises, buildings, archives and data centres of the Support Office shall, without prejudice to Article 45 of the EASO Regulation, be inviolable in accordance with Articles 1 and 2 of the Protocol. They shall be exempt from search, requisition, confiscation or appropriation.

Article 4

Facilitations for Communication

1. The Support Office may install and use its own telecommunication systems. These should, however, include the necessary means to ensure the protection and confidentiality of personal data in accordance with European Union law.
2. The Maltese authorities shall, if requested, provide assistance to the Support Office in its dealings with service providers with regard to the installation and use of such systems.
3. The Government of Malta allows the same privileges of communications of the Support Office as are recognised for diplomatic representations in Malta.

Article 5

Security of the Agency

1. The Support Office shall be responsible for security and the maintenance of order within the premises of the Support Office. It shall also be responsible for compliance with Union law and Maltese laws that are applicable to it, subject to the Protocol and this Agreement.
2. For the purpose of exercising the responsibility incumbent upon it by virtue of paragraph 1, the Support Office shall take all measures as it deems necessary and shall, in particular, issue the necessary internal rules. It may withhold access to its premises from persons considered undesirable and have them removed therefrom.
3. The carrying and use of firearms or other security equipment shall be subject to Maltese law.

Article 6

Assistance and Cooperation in Security Matters

1. Persons authorised under Maltese law to maintain security and order may enter the seat of the Support Office only at the request or authorisation of the authorities of the Support Office, who shall in such event give them the assistance required. However, the Support Office's authorities shall be presumed to consent to access in the event of a fire or other emergency warranting immediate measures of protection.
2. The competent Maltese authorities shall exercise due diligence to ensure that the tranquillity of the seat of the Support Office is not disturbed by any person or group of persons attempting unauthorised entry into or creating disturbances in the immediate vicinity of the seat of the Support Office.

3. The Support Office and the competent Maltese authorities shall closely cooperate regarding the interrelation of effective security within and in the immediate vicinity outside the seat of the Agency.
4. The competent Maltese authorities may be called on by the Support Office to take such measures as may be needed to restore law and order within the premises of the Support Office.
5. The Support Office, in the establishment of its internal security rules and procedures, shall consult with the relevant Maltese authorities with a view to achieving the most effective and efficient of security functions.
6. The Support Office and the Maltese authorities shall notify each other of all matters relating to the security of persons and seat of the Agency. They shall, in particular, notify each other of the name and status of any authority responsible for security matters. Where necessary they may create formalised co-ordination arrangements for this purpose.

Article 7

Fiscal and Customs Treatment of the Support Office (Articles 3 and 4 of the Protocol)

1. The Support Office shall be exempt from all direct taxes in respect of its premises, with the exception of those constituting payments for services rendered.
2. The Support Office shall be exempted from indirect taxes on the supply of goods and services. Such exemption shall apply on a refund basis on the value of such goods or services that amounts to no less than EUR240 including tax, per invoice in the case of purchases made by the Support Office.
3. Notwithstanding paragraph 1, the Support Office is also exempt from direct and indirect taxes on the consumption of electricity and gas or any type of fuel consumed with regard to the use of its premises.
4. The Support Office is exempt from any duties and any import restrictions on vehicles intended for the official use of the Support Office and on spare parts of the same. A vehicle is exempted from car tax on the same conditions as provided for vehicles used and owned by the institutions of the European Union in Malta. Fuel and lubricants required for the said vehicles are free of customs duties and taxes.
5. The amount of value added tax from which the Support Office is exempt shall only arise from repayments requested by the Support Office from the relevant authorities. Requests for repayment shall be addressed annually by the Support Office to the Ministry of Finance of Malta, accompanied by the original

suppliers' invoices. The Maltese authorities shall make repayment within six months of the receipt of the request.

6. The Government of Malta reserves the possibility to transfer from the method of reimbursement of value added tax to direct tax-exemption without any amendment to this Agreement.

Article 8

Further Application of Articles 11 to 15 of the Protocol

1. The statutory staff and the external staff of the Support Office as defined in Article 1(d) shall be exempted from national taxes on salaries, wages and emoluments paid by the Support Office, in accordance with Article 12(2) of the Protocol.
2. The exemption from national taxes on salaries, wages and emoluments paid by the Support Office, which officials and other servants enjoy under Article 12(2) of the Protocol, applies also to all those who receive a retirement, invalidity or survivor's pension paid by the Support Office and to all those who receive an allowance on conditions foreseen in Article 2 of Regulation No 549/69.
3. Without prejudice to the provisions of Articles 11 to 15 of the Protocol, the statutory staff of the Support Office shall enjoy the following privileges and immunities in Malta:
 - a) immunity from jurisdiction as regards acts carried out by them in their official capacity, including their spoken and written statements. The immunity shall continue after cessation of their functions;
 - b) exemption from regulations restricting immigration and formalities for the registration of foreigners. This exemption applies also to their spouses and dependent family members;
 - c) the right to import from their last country of residence or from the country of which they are nationals, free of any duties and without prohibitions or restrictions, in respect of initial establishment, within two years of taking up their appointments with the Support Office and in a maximum of two shipments, personal and household effects, including vehicles purchased under market conditions in the country in question; a vehicle is free of car tax on the conditions provided for temporary tax-free use of a foreign registered vehicle or vehicles imported as removals which shall be registered under a special series;
 - d) the right to get a reimbursement of VAT on the purchase of personal and household effects regarding purchases when they first take up their post,

for a period of one year starting from their appointment by the Support Office and within two years after they take up their duties in the Support Office. Preconditions are that the price including tax of a single item is not less than EUR116. A list of the effects that are subject to such exemption and those that are not covered is contained in Annex I to this Agreement;

- e) the right to export, during a period of three years as from the date of cessation of functions at the Support Office, without prohibitions or restrictions, personal and household effects, including vehicles they use and which are in their possession.
4. The Ministry of Foreign Affairs of Malta or any other Maltese authority that may be designated, shall issue residence permits to family members of the staff of the Support Office, in conformity with Directive 2004/38/EC.
5. As to the experts or other persons the Support Office invites to cooperate, the Maltese authorities shall take every necessary measure to facilitate their entry into Malta, their residence and departure. Should visas or permits be required, the applications will be processed as promptly as possible. Assistance in transit will be provided by the Maltese authorities if necessary.
6. a) The provisions of paragraph 3(c) of this Article shall not apply to local staff working at the Support Office or to persons who have been ordinarily resident in Malta in the period immediately preceding the date of taking up their appointment with the Support Office;
- b) The provisions of paragraph 3(c) of this Article shall not apply to persons who have resided in Malta for a minimum of two years within a period of five years immediately preceding the date of taking up their appointment with the Support Office. However, such persons, if they will be transferring their residence to Malta in order to take up their appointment with the Support Office, and do not fall under the provisions of paragraph 6(a) of this Article, shall be entitled to import their personal and household effects from their country of residence or from the country of which they are nationals other than Malta. However, where such effects include a vehicle that was purchased under market conditions in the said country of residence or nationality, the conditions laid down in Article 19(3)(i) of the Motor Vehicles Registration and Licensing Act (Cap 368) and in Regulation 4 of the Exemption from Motor Vehicles Registration Tax Rules (LN 196 of 2009) shall apply to the importation of the said vehicle;
- c) The provisions of paragraph 3(c) of this Article shall not apply to Maltese citizens. However, such persons, if they will be transferring their residence to Malta in order to take up their appointment with the Support Office and do not fall under the provisions of paragraphs 6(a) or 6(b) of this Article

shall be entitled to import their personal and household effects from their country of residence. However, where such effects include a vehicle that was purchased under market conditions in their country of residence, the conditions laid down in Article 19(3)(i) of the Motor Vehicles Registration and Licensing Act (Cap 368) and in Regulation 4 of the Exemption from Motor Vehicles Registration Tax Rules (LN 196 of 2009) shall apply to the importation of the said vehicle;

- d) The provisions of paragraph 3(d) of this Article shall not apply: (i) to Maltese citizens and, (ii) to local staff working at the Support Office, and (iii) to persons who have been ordinarily resident in Malta in the period immediately preceding the date of taking up their appointment with the Support Office, and (iv) to persons who have resided in Malta for a minimum of two years within a period of five years immediately preceding the date of taking up their appointment with the Support Office.
7. Without prejudice to the privileges and immunities granted under this Article, the Executive Director, his/her spouse and dependent family members forming part of his/her household, shall enjoy, while in Malta, the privileges and immunities, exemptions and facilities accorded to officials of comparable rank of diplomatic missions.

The provisions of this paragraph shall not apply if the Executive Director, his/her spouse or dependent family members forming part of his/her household: (i) are Maltese citizens; (ii) have been ordinarily resident in Malta in the period immediately preceding the date of the appointment of the Executive Director; (iii) have resided in Malta for a minimum of two years within a period of five years immediately preceding the date of the appointment of the Executive Director.

Article 9

Purpose of the Privileges and Immunities

1. The privileges and immunities under this Agreement are granted in the interest of the Support Office and the Union not for the personal benefit of the individuals themselves.
2. Without prejudice to the privileges and immunities granted in accordance with the Protocol and this Agreement, the staff of the Support Office shall observe the laws and regulations of Malta.
3. The Support Office shall be required to waive the immunity accorded to an official or other servant wherever it considers that the waiver of such immunity is not contrary to the interests of the European Union.

Article 10

Multilingual, European-oriented Schooling

1. In conformity with Article 53 of the EASO Regulation, the Government jointly with the Support Office shall undertake to find the best possible solution for multilingual, European-oriented schooling for the children of the staff of the Support Office. The Government and the Support Office shall have as their goal the signature of agreements between the European School Board and one or more international schools in Malta by June 2013.
2. The Government and the Support Office shall explore the feasibility of setting up an accredited European School in Malta.
3. The situation shall be regularly reviewed jointly between the Support Office and the Government.

Article 11

Appropriate Transport Connections

1. In conformity with Article 53 of the EASO Regulation, the Government and the Support Office undertake to enter discussions with relevant stakeholders on the provision of appropriate transport connections.
2. The situation shall be regularly reviewed jointly between the Support Office and the Government.

Article 12

Notification or Appointments

The Support Office shall inform the Protocol and Consular Services Directorate of the Ministry of Foreign Affairs of Malta when a member of the staff of the Support Office takes up or relinquishes duties. Each year, the Support Office shall send a list of the names and addresses of all members of its staff to the Protocol and Consular Services Directorate.

Article 13

Identity Cards

The staff of the Support Office and their family members shall be issued, at their request, with an identity card issued by the Ministry of Foreign Affairs of Malta, or any other Maltese authority that may be designated from time to time, identifying them as such. This shall be issued for identification purposes only.

Article 14

Social Security

1. The Support Office shall be exempt from all compulsory contributions to social security schemes in Malta in respect of the staff at the Agency.
2. The Support Office shall organise social security coverage according to the Regulations and Rules applicable to officials and other servants of the European Communities.

Article 15

Settlement of Disputes

All disputes between the Support Office and Government relating to the application of this Agreement shall be settled amicably by direct negotiations. In the event of failure to settle a dispute amicably, the dispute shall be referred at the request of the Support Office or the Government to the Court of Justice of the European Union.

Article 16

Seat of the Support Office

1. The Seat of the Support Office which it shall use for its official business is understood as the buildings, installations and land used by the Support Office which are described as such in this Article.
2. The Government is placing Block A, of the Centre in Xatt L-Ghassara tal-Gheneb, Marsa, in Valletta Harbour at the disposal of the Support Office to serve as its Seat.
3. The premises shall be regulated by a lease agreement signed with the Authority of Transport in Malta. The Support Office shall occupy and use the premises in accordance with the said lease agreement. The Government agrees to ensure, in so far as it is within its legal powers to do so, that the terms of the agreement are fully complied with, in order to safeguard the interests of the Support Office in implementing its mandate.
4. The Government will cover the lease costs (rent, maintenance costs, and deposit) of the first floor, second floor and third floor of the EASO premises for the first three years of operation starting from 18 June 2011.
5. The Government shall install at its cost, on a once-only basis, the required partitioning and ICT wiring in the ground floor, first floor, second floor of the EASO premises.

6. Should an extension of the EASO premises be deemed necessary at a future date, the Support Office should formally submit a request to the Government at least eighteen months prior to the foreseen extension. The Government undertakes to examine the possibilities for such an extension.
7. The Support Office accepts the premises being placed at its disposal by the Government.

Article 17

Institutional Support

1. The Government will provide full institutional support for the work of the Support Office.
2. The Support Office will make use of existing structures within the Ministry of Foreign Affairs to assist the staff of the Support Office where necessary and applicable, with regards to:
 - i) the issuing of residence permits in conformity with Directive 2004/38/EC;
 - ii) requests falling under Article 8(3)(c), (d) and (e) of this Agreement;
 - iii) the issuing of identity cards referred to in Article 13 of this Agreement.

Article 18

Start-up Support

1. The Government shall provide, on a once-only basis, office furniture, computers, telephone and data services for 12 persons.
2. The Government will provide one project coordinator for one year at its cost to help in the establishment of EASO and the settling-in of Support Office staff.
3. The Government will cover the costs of hiring the Mediterranean Conference Centre for the holding of all Management Board meetings held for a year starting from 8 July 2010 till 8 July 2011 and all Consultative Forum meetings held during the following two years.

Article 19

Amendments to this Agreement

This Agreement may be amended by mutual consent of the Government and the European Asylum Support Office. Such amendments shall enter into force in accordance with Article 20(1).

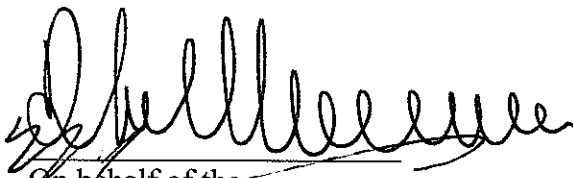
Article 20

Final Provisions

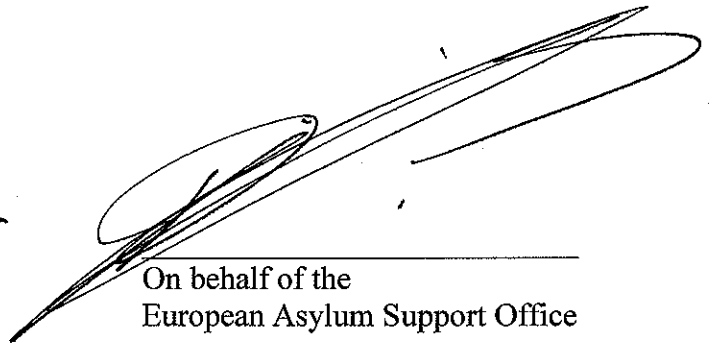
1. This Agreement shall enter into force on the twenty-sixth day following the date on which it is signed by the contracting parties.
2. Either contracting party can denounce this Agreement at any time with twelve months notice by means of written notification to the other contracting party.

IN WITNESS WHEREOF the respective representatives have signed two copies of this Agreement, in English and Maltese, both texts being equally authentic.

DONE at Brussels, this 24th day of May, Two Thousand and Eleven.



On behalf of the
Government of Malta



On behalf of the
European Asylum Support Office

ANNEX I
VAT-FREE PURCHASES
available to the statutory staff of
the European Asylum Support Office
(under Article 11(d) of the Protocol of 8 April 1965 on Privileges and Immunities)

A. List of items covered by the exemption
VAT tax exemptions shall apply only to the purchase in Malta or another European Union Member State of:

- new furniture (with the exception of kitchen, bathroom and garden furniture);
- household electrical goods²;
- a new motor vehicle (car or motorcycle);
- a bicycle³

intended for the personal use in Malta of a member of the statutory Staff of the European Asylum Support Office posted there.

B. List of items not covered by the exemption

- Foodstuffs in general, products containing alcohol, tobacco products, clothing and footwear, articles for hair care, beauty care products, toilet articles
- All kinds of objects and articles whose value is less than €116 excluding VAT
- DIY tools and materials (with the exception of lawnmowers)
- Spare and replacement parts
- Taps, nails, nuts and bolts, tools (screwdrivers, hammers, etc.)
- Maintenance products (wax, varnishes and paint)
- Jewellery, watches, cigarette lighters
- Gold and silver, or gold-, silver- or platinum-plated spoons, knives and forks, as well as cutlery sets and other gold, silver or platinum tableware

² Only one item of household electrical goods will be approved, as well as one computer and one television. Also, only one DVD player or Blu-Ray player may be purchased under the exemption. Exemption is accorded for either a television or a beamer (but not for both). An exemption may be authorised for a parabolic antenna and a receiver if they are purchased together.

³ Only pedal cycles without mechanical assistance (motorised or not) will be authorised. All accessories linked to the purchase of the cycle are accepted as long as they are included in the invoice for it (exemption: a saddle for a cycle may be purchased afterwards, even if it is not included in the cycle invoice).

- Books, films, video cassettes, audio cassettes, records, CDs, DVDs, MP3s, walkmans, discmans, MP3 players, portable DVD players, iPods, portable GPS devices, electronic diaries, programmes or software purchased separately from a computer
- Photographic equipment, video cameras and film equipment, projection screens (accepted if purchased with a beamer), projectors, darkroom equipment, photocopying equipment
- Sports articles, leisure articles, hobby articles
- Toys and games
- Crockery and decorative objects made of porcelain and crystal
- Musical instruments
- Amateur radio equipment
- Weapons of any kind
- Binoculars and telescopic sights, telescopes for astronomy, microscopes
- Measuring instruments (strain and pressure gauges, personal scales, etc.)
- Transformers, power generators
- Appliances for massage and body care, sun lamps
- Travelling and camping articles (caravans, trailers, tents, rucksacks, portable furniture and cooking equipment)
- Swimming pools
- Carpets of any kind
- Works of art, reproductions, collectibles
- Antique objects and furniture
- Telephones, mobile telephones, faxes and similar appliances
- Live animals, flowers and plants
- Extractor hoods
- Accessories both for goods authorised for exemption and those excluded
- Safes

- Refrigerated wine cabinets
- Kitchen and bathroom cabinets, sinks, sink cabinets and built-in furniture, wash-basin cabinets and built-in furniture with basin, ventilators with added air freshener device for kitchens and bathrooms.

Services are not exempt from tax. These include:

- building work, deliveries of movable property obviously for the construction, repair or maintenance of buildings and all services relating to buildings;
- the supply of food and drinks consumed outside the home, i.e. in hotels, restaurants, snack bars, cafés and other premises equipped for that purpose;
- accommodation in hotels or other establishments accommodating paying guests;
- telephone installations in the home, phone calls, cable-TV installation and services, connections to networks or any service provided electronically;
- services provided by travel agents;
- banking and financial operations; and
- the provision of services relating to goods whether or not exempt from VAT.



FTEHIM TAS-SEDE
BEJN IL-GVERN TA' MALTA U
L-UFFIĊĊJU EWROPEW TA' APPOĠĠ FIL-QASAM TAL-ASIL

FTEHIM TAS-SEDE BEJN IL-GVERN TA' MALTA U L-UFFIĊĊJU EWROPEW TA' APPOĠĠ FIL-QASAM TAL-ASIL

Il-Gvern ta' Malta, hawn iżjed 'il quddiem imsejjah "il-Gvern" u l-Uffiċċju Ewropew ta' Appoġġ fil-qasam tal-Asil, hawn iżjed 'il quddiem imsejjah "l-EASO", "l-Uffiċċju ta' Appoġġ" jew "l-Uffiċċju":

Wara li kkunsidraw ir-Regolament (UE) Nru. 439/2010 tal-Parlament Ewropew u tal-Kunsill tad-19 ta' Mejju 2010, li jistabbilixxi Uffiċċju Ewropew ta' Appoġġ fil-qasam ta' Asil¹, hawn iżjed 'il quddiem imsejjah "ir-Regolament EASO", u b'mod partikolari l-Artikolu 53 tiegħu;

Wara li kkunsidraw il-Protokoll dwar il-Privileġġi u l-Immunitajiet tal-Unjoni Ewropea, hawn iżjed 'il quddiem imsejjah "il-Protokoll", b' mod partikolari Artikolu 18 tiegħu;

Wara li kkunsidraw ir-Regolamenti tal-Persunal tal-Komunitajiet Ewropej u l-Kundizzjonijiet ta' Impjieg ta' Uffiċjali Ohra ta' dawn il-Komunitajiet u r-regoli adottati b'mod kongunt mill-istituzzjonijiet tal-Unjoni għall-finijiet tal-applikazzjoni ta' dawn ir-Regolamenti tal-Persunal u Kundizzjonijiet ta' Impjieg.

Billi:

1. Id-Deciżjoni tar-Rappreżentanti tal-Gvernijiet tal-Istati Membri tal-25 ta' Frar 2010 li ttipprovdi li l-Uffiċċju Ewropew ta' Appoġġ fil-qasam tal-Asil għandu jkollu s-sede tiegħu fil-Port tal-Belt Valletta.
2. L-Artikolu 39 tar-Regolament EASO jispeċifika li l-Protokoll għandu japplika għall-Uffiċċju.
3. L-Artikolu 38 tar-Regolament EASO jispeċifika li r-Regolamenti tal-Persunal tal-Komunitajiet Ewropej u l-Kundizzjonijiet ta' Impjieg ta' Uffiċjali Ohra ta' dawn il-Komunitajiet u r-regoli adottati b'mod kongunt mill-istituzzjonijiet tal-Unjoni għall-finijiet tal-applikazzjoni ta' dawn ir-Regolamenti tal-Persunal u Kundizzjonijiet ta' Impjieg għandhom japplikaw għall-persunal tal-Uffiċċju ta' Appoġġ, inkluż id-Direttur Eżekuttiv.
4. Disposizzjonijiet oħra huma meħtieġa għall-implimentazzjoni ta' ċerti Artikoli tal-Protokoll u għal materji addizzjonali.

Qablu fuq dan li ġej:

¹ OJL 132,29.5.2010, p.11

Artikolu 1

Tifsir

Ghall-finijiet ta' dan il-Ftehim u għall-applikazzjoni tal-Protokoll bejn l-Uffiċċju ta' Appoġġ u l-Gvern it-tifsir li ġej għandu japplika:

- a) kull referenza għall-Unjoni Ewropea fil-Protokoll għandha tinqara bhala referenza għall-Uffiċċju ta' Appoġġ;
- b) kull referenza għall-uffiċjali u impjegati oħra tal-Unjoni għandha tinqara bhala referenza għall-uffiċjali u impjegati oħra tal-Uffiċċju ta' Appoġġ;
- ċ) hliet għall-Artikoli 6, 12, 14 u 15 tal-Protokoll, referenzi għall-Kunsill u l-Kummissjoni fih għandhom jinqraw bhala referenza għall-Bord ta' Tmexxija tal-Uffiċċju ta' Appoġġ;
- d) persunal tal-Uffiċċju ta' Appoġġ għandu jkun magħmul minn dawn il-kategoriji li ġejjin:
 - i) Persunal Statutorju suġġett għar-Regolamenti tal-Persunal tal-Komunitajiet Ewropej jew għall-Kundizzjonijiet ta' Impjieg ta' Uffiċjali Oħra ta' dawn il-Komunitajiet:
 - Uffiċjali;
 - Persunal temporarju;
 - Aġenti kuntrattwali;
 - Persunal awżiljarju.
 - ii) Persunal minn barra:
 - Esperti nazzjonali sekondati (SNEs);
 - Esperti kuntrattwali fdati bi studji, eċċ.

Artikolu 2

Kapaċità Legali

L-Uffiċċju ta' Appoġġ huwa korp tal-Unjoni Ewropea u għandu personalità legali skont l-Artikolu 40 tar-Regolament EASO. Huwa għandu jkollu l-izjed kapaċità legali estensiva mogħtija lill-persuna legali taħt il-liġi ta' Malta. Hu jista', b'mod partikolari, jakkwista u jiddisponi minn proprjetà mobbli u immobbli u jieħu sehem fi proċedimenti legali.

Artikolu 3

Invjolaibilità

Il-fond, bini, arkivji u ċentri tad-data tal-Uffiċċju ta' Appoġġ għandhom, minghajr hsara għall-Artikolu 45 tar-Regolament EASO, ikunu invjolaabbli skont l-Artikoli 1 u 2 tal-

Protokoll. Huma għandhom ikunu eżentati minn tfittxija, rekwizzizzjoni, konfiska jew approprjazzjoni.

Artikolu 4

Facilitajiet ta' Komunikazzjoni

1. L-Uffiċċju ta' Appoġġ jista' jinstalla u juża s-sistemi ta' telekomunikazzjoni tiegħu. Dawn għandhom madanakollu, jinkludu l-mezzi meħtieġa biex jassiguraw il-protezzjoni u l-kunfidenzjalità ta' *data* personali skont il-liġi tal-Unjoni Ewropea.
2. L-awtoritajiet ta' Malta għandhom, kif meħtieġ, jipprovdu għajjnuna lill-Uffiċċju ta' Appoġġ fit-trattazzjonijiet tiegħu mal-provdituri tas-servizz għar-rigward tal-installazzjoni u użu ta' dawk is-sistemi.
3. Il-Gvern ta' Malta jippermetti l-istess privileġġi ta' komunikazzjoni tal-Uffiċċju ta' Appoġġ bħal dawk rikonoxxuti għal rapreżentazzjonijiet diplomatiċi f'Malta.

Artikolu 5

Sigurtà tal-Aġenzija

1. L-Uffiċċju ta' Appoġġ għandu jkun responsabbli għas-sigurtà u ż-żamma tal-ordni fi hdan il-fond tal-Uffiċċju ta' Appoġġ. Hu għandu ukoll ikun responsabbli għall-harsien tal-liġi tal-Unjoni u tal-ligijiet ta' Malta li huma applikabbli ghalih, soġġetti għall-Protokoll u dan il-Ftehim.
2. Għall-fini tat-tweqqif tar-responsabbiltà mogħtija lil bis-saħħa tal-paragrafu 1, l-Uffiċċju ta' Appoġġ għandu jieħu kull miżura li hu jqis neċessarja u għandu, b'mod partikolari, joħroġ ir-regoli interni meħtieġa. Hu jista' jirrifjuta l-aċċess għall-fond lil persuni kkunsidrati mhux mixtieqa u jkeċċihom minn hemm.
3. Il-garr u użu ta' armi tan-nar jew tagħmir ta' sigurtà ieħor għandu jkun suġġett għall-Liġi ta' Malta.

Artikolu 6

Għajjnuna u Koperazzjoni f'Materji ta' Sigurtà

1. Persuni awtorizzati taħt il-Liġi ta' Malta biex iżommu s-sigurtà u l-ordni jistgħu jidhlu fis-sede tal-Uffiċċju ta' Appoġġ biss fuq talba jew awtorizzazzjoni tal-awtoritajiet tal-Uffiċċju ta' Appoġġ, li għandhom, meta hekk isehh, jagħtu l-għajjnuna meħtieġa. Madanakollu l-Awtoritajiet tal-Uffiċċju ta' Appoġġ ikunu prezunti li qed jagħtu l-kunsens għall-aċċess fil-każ ta' nirien jew emerġenza oħra li tkun teħtieġ miżuri ta' protezzjoni minnufih.
2. L-awtoritajiet kompetenti ta' Malta għandhom jeżerċitaw id-dilġenza meħtieġa biex jiżguraw illi t-trankwillità tas-sede tal-Uffiċċju ta' Appoġġ ma tiġix mfixkla

minn xi persuna jew grupp ta' persuni li jippruvaw jidhlu b'mod mhux awtorizzat fil-lok jew johlqu tfixkil fil-qrib immedjat tas-sede tal-Uffiċċju ta' Appoġġ.

3. L-Uffiċċju ta' Appoġġ u l-awtoritajiet kompetenti ta' Malta għandhom jikkoperaw mill-viċin dwar l-interrelazzjoni ta' sigurtà effettiva fil-lok u fil-qrib immedjat barra mis-sede tal-Aġenzija.
4. L-awtoritajiet kompetenti ta' Malta jistgħu jissejhu mill-Uffiċċju ta' Appoġġ biex jieħdu dawk il-miżuri kif meħtieġ biex jistabbilixxu mill-ġdid il-liġi u l-ordni fi hdan il-fond tal-Uffiċċju ta' Appoġġ.
5. L-Uffiċċju ta' Appoġġ, fit-twaqqif tar-regoli tiegħu ta' sigurtà interna u proċeduri, għandu jikkonsulta mal-awtoritajiet rilevanti ta' Malta bil-ħsieb li jakkwista l-funzjonijiet ta' sigurtà l-iżjed effettivi u effiċjenti.
6. L-Uffiċċju ta' Appoġġ u l-awtoritajiet ta' Malta għandhom jgħarrfu lil xulxin fuq kull materja marbuta mas-sigurtà tal-persuni u s-sede tal-Aġenzija. Huma għandhom, b'mod partikolari, jgħarrfu lil xulxin bl-isem u l-istat ta' kull awtorita' responsabbli minn materji ta' sigurtà. Fejn meħtieġ huma jistgħu johlqu arrangamenti ta' kordinament formulati għal dan il-ghan.

Artikolu 7

Trattament Fiskali u Doganali tal-Uffiċċju ta' Appoġġ (Artikolu 3 u 4 tal-Protokoll)

1. L-Uffiċċju ta' Appoġġ għandu jkun eżentat mit-taxxi diretti kollha għar-rigward tal-fond tiegħu, ħlief għal dawk li jikkostitwixxu ħlas għal servizzi provduti.
2. L-Uffiċċju ta' Appoġġ għandu jkun eżentat minn taxxi indiretti fuq il-provvista ta' oġġetti u servizzi. Dik l-eżenzjoni għandha tapplika għal bażi ta' rifuzjoni fuq l-valur ta' dawk l-oġġetti u servizzi li jammonta għal mhux inqas minn EUR240 inkluż it-taxxa, għal kull fatturi fil-każ ta' xiri magħmul mill-Uffiċċju ta' Appoġġ.
3. Minkejja l-paragrafu 1, l-Uffiċċju ta' Appoġġ huwa wkoll eżentat minn taxxi diretti u indiretti fuq l-konsum ta' elettriku u gass jew kull tip ta' karburant kunsmat għar-rigward ta' użu tal-fond tiegħu.
4. L-Uffiċċju ta' Appoġġ huwa eżentat minn kull dazju u kull restrizzjoni ta' importazzjoni maħsuba għall-użu uffiċjali tal-Uffiċċju ta' Appoġġ u fuq *spare parts* tal-istess. Vettura hija eżentata minn taxxa fuq il-vetturi bl-istess kondizzjonijiet bħal dawk provduti għal vetturi użati jew proprjetà tal-istituzzjonijiet tal-Unjoni Ewropea f'Malta. Karburanti u lubrikanti meħtieġa għall-imsemmija vetturi huma hielsa minn dazju u taxxi.

5. L-ammont ta' taxxa fuq il-valur miżjud mil-liema l-Uffiċċju ta' Appoġġ huwa eżentat għandu joriġina biss minn hlasijiet mill-ġdid mitluba mill-Uffiċċju ta' Appoġġ mill-awtoritajiet rilevanti. Talbiet għall-hlasjiet mill-ġdid għandhom ikunu indirizzati kull sena mill-Uffiċċju ta' Appoġġ lill-Ministeru tal-Finanzi ta' Malta, flimkien mal-fatturi oriġinali tal-provdituri. L-awtoritajiet ta' Malta għandhom jagħmlu l-hlas mill-ġdid fi żmien sitt xhur mir-riċevuta tat-talba.
6. Il-Gvern ta' Malta jirriserva il-possibilità li jittrasferixxi mill-metodu ta' rimbors tat-taxxa fuq il-valur miżjud lil eżenzjoni fuq taxxa diretta mingħajr xi emenda għal dan il-Ftehim.

Artikolu 8

Applikazzjoni Ohra tal-Artikoli 11 sa 15 tal-Protokoll

1. Il-persunal statutorju u l-persunal minn barra l-Uffiċċju ta' Appoġġ kif imfisser fl-Artikolu 1(d) għandu jkun eżentat mit-taxxi nazzjonali fuq salarji, pagi u emolumenti mhallsa mill-Uffiċċju ta' Appoġġ skont l-Artikolu 12(2) tal-Protokoll.
2. L-eżenzjoni mit-taxxi nazzjonali fuq salarji, pagi u emolumenti mhallsa mill-Uffiċċju ta' Appoġġ skont l-Artikolu 12(2) tal-Protokoll, tapplika ukoll għal dawk kollha li jirċievu l-pensjoni tal-irtirar, tal-invalidità jew tar-romol imħallsa mill-Uffiċċju ta' Appoġġ u lil dawk kollha li jirċievu *allowance* fuq il-kundizzjonijiet stabbiliti fl-Artikolu 2 tar-Regolament Nru.549/69.
3. Mingħajr hsara għad-disposizzjonijiet tal-Artikoli 11 sa 15 tal-Protokoll, il-persunal statutorju tal-Uffiċċju ta' Appoġġ għandu jkollu il-privileġġi u immunitajiet li ġejjin f'Malta:
 - a) immunità minn ġurisdizzjoni għar-rigward ta' atti imwettqa minnhom fil-kapaċità uffiċjali tagħhom, inkluż l-istqarrijiet bil-fomm u bil-miktub tagħhom. L-immunità għandha tkompli wara t-tmiem tal-funzjonijiet tagħhom;
 - b) eżenzjoni minn regolamenti li jirrestringu l-immigrazzjoni u formalitajiet għar-registrazzjoni ta' barranin. Din l-eżenzjoni tapplika ukoll għall-konjuġi tagħhom u għall-membri tal-familja dipendenti fuqhom;
 - c) id-dritt ta' importazzjoni mill-aħħar pajjiż tagħhom ta' residenza jew mill-pajjiż li fih huma ċittadini, ħelsien minn kull dazju u mingħajr projbizzjonijiet jew restrizzjonijiet, għar-rigward tat-twaqqif inizzjali, fi żmien sentejn mill-hatra tagħhom mal-Uffiċċju ta' Appoġġ u f'massimu ta' żewġ shipments, affarijiet personali u tad-dar, inkluż vetturi mixtrija taht kundizzjonijiet tas-suq fil-pajjiż in kwistjoni; vettura hija hielsa mit-taxxa fuq il-vetturi bil-kundizzjonijiet provduti għall-użu temporanju hieles mit-taxxa ta' vettura jew vetturi importati registrati barra mill-pajjiż bħala tneħhija li għandhom jiġu registrati taht serie speċjali;

- d) id-dritt li jiehu rimbors tat-taxxa fuq il-valur miżjud fuq ix-xiri ta' hwejjeġ personali u tad-dar ghar-rigward ta' xiri għall-ewwel darba li jinhatru, għal perjodu ta' sena li jibda mill-hatra tagħhom mal-Uffiċċju ta' Appoġġ u fi żmien sentejn wara li jiġu nkarigati bid-doveri tagħhom fl-Uffiċċju ta' Appoġġ. Il-kundizzjonijiet minn qabel huma li l-prezz li jinkludi t-taxxa fuq oġġett wiehed ma jkunx inqas minn EUR116. Lista tal-hwejjeġ li huma sugġetti għal dik l-eżenzjoni u dawk li mhumiex koperti tinsab fl-Anness I ta' dan il-Ftehim;
- e) id-dritt li jesporta, matul il-perjodu ta' tliet snin mid-data ta' tmien tal-funzjonijiet fl-Uffiċċju ta' Appoġġ, mingħajr projbizzjonijiet jew restrizzjonijiet, hwejjeġ personali u tad-dar, inkluż vetturi li juża u li jkunu fil-pussess tiegħu.
4. Il-Ministeru tal-Affarijiet Barranin ta' Malta jew xi awtorità oħra ta' Malta li tista' tkun mahtura, għandu jorog permessi ta' residenza lill-membri tal-familja tal-persunal tal-Uffiċċju ta' Appoġġ, b' konformità mad-Direttiva 2004/38/EC.
5. Għar-rigward tal-esperti jew persuni oħra liema l-Uffiċċju ta' Appoġġ jistieden biex jikkoperaw, l-awtoritajiet Maltin għandhom jieħdu kull miżura meħtieġa biex jiffacilitaw id-dhul tagħhom f'Malta, ir-residenza u t-tluq tagħhom. Jekk ikunu meħtieġa visas jew permessi, l-applikazzjonijiet jiġu proċessati malajr kemm jista' jkun. Għajnuna fit-transitu għandha tiġi provduta mill-awtoritajiet ta' Malta kif meħtieġ.
6. a) Id-disposizzjonijiet tal-paragrafu 3(c) ta' dan l-Artikolu m'għandhomx japplikaw għal persunal lokali li jaħdem fl-Uffiċċju ta' Appoġġ jew għal persuni li jkunu ordinarjament residenti f'Malta fil-perjodu li jiġi minnufih qabel id-data tal-hatra tagħhom mal-Uffiċċju ta' Appoġġ;
- b) Id-disposizzjonijiet tal-paragrafu 3(c) ta' dan l-Artikolu m'għandhomx japplikaw għal persuni li kienu jirrisjedu Malta għall-perjodu ta' mill-inqas sentejn fi żmien hames snin li jiġu minnufih qabel id-data tal-hatra tagħhom mal-Uffiċċju ta' Appoġġ. Madanakollu, dawn il-persuni, jekk jittrasferixxu ir-residenza tagħhom għal Malta sabiex jinhatru mal-Uffiċċju ta' Appoġġ, u ma jkunux jaqgħu taħt id-disposizzjonijiet tal-paragrafu 6(a) ta' dan l-Artikolu, għandhom ikunu ntitolati li jimportaw il-hwejjeġ personali u tad-dar tagħhom mill-pajjiż ta' residenza tagħhom jew mill-pajjiż li fih huma ċittadini minn barra Malta. Madanakollu, meta dawk il-hwejjeġ jinkludu vettura li tkun inxtrat taħt il-kondizzjonijiet tas-suq fl-imsemmi pajjiż ta' residenza jew ta' ċittadinanza, il-kondizzjonijiet imniżżla fl-Artikolu 19(3)(i) tal-Att dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (Kap. 368) u fir-Regolament 4 tar-Regoli tal-2009 dwar Eżenzjoni mit-Taxxa tar-

Registrazzjoni ta' Vetturi bil-Mutur (A.L. 196 tal-2009) għandhom japplikaw għall-importazzjoni tal-imsemmija vettura;

c) Id-disposizzjonijiet tal-paragrafu 3(c) ta' dan l-Artikolu m'għandhomx japplikaw għal ċittadini ta' Malta. Madanakollu, dawk il-persuni, jekk jittrasferixxu ir-residenza tagħhom għal Malta sabiex jinhatru mal-Uffiċċju ta' Appoġġ u ma jkunux jaqgħu taħt id-disposizzjonijiet tal-paragrafu 6(a) jew 6(b) ta' dan l-Artikolu għandhom ikunu intitolati li jimportaw il-hwejjeġ personali u tad-dar tagħhom mill-pajjiż tar-residenza tagħhom. Madankollu, meta dawk il-hwejjeġ jinkludu vettura li tkun inxtrat taħt il-kondizzjonijiet tas-suq fl-imsemmi pajjiż ta' residenza jew ta' ċittadinanza, il-kondizzjonijiet imnizzla fl-Artikolu 19(3)(i) tal-Att dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (Kap. 368) u fir-Regolament 4 tar-Regoli tal-2009 dwar Eżenzjoni mit-Taxxa tar-Registrazzjoni ta' Vetturi bil-Mutur (A.L. 196 tal-2009) għandhom japplikaw għall-importazzjoni tal-imsemmija vettura;

d) Id-disposizzjonijiet tal-paragrafu 3(c) ta' dan l-Artikolu m'għandhomx japplikaw għal: (i) ċittadini ta' Malta u, (ii) persunal lokali li jahdem fl-Uffiċċju ta' Appoġġ, u (iii) persuni li jkunu ordinarjament residenti f'Malta fil-perjodu li jiġi minnufih qabel id-data tal-hatra tagħhom mal-Uffiċċju ta' Appoġġ, u (iv) persuni li jkunu residenti f'Malta għall-perjodu ta' mill-inqas sentejn fi żmien hames snin li jiġu minnufih qabel id-data tal-hatra tagħhom mal-Uffiċċju tal-Appoġġ.

7. Mingħajr hsara għall-privileġġi u l-immunitajiet mogħtija taħt dan l-Artikolu, id-Direttur Eżekuttiv, il-konjuġi tiegħu jew tagħha u l-membri tal-familja dipendenti fuqu jew fuqha li jiffurmaw parti mill-familja, għandu jkollhom, meta f'Malta, il-privileġġi u l-immunitajiet, eżenzjonijiet u faċilitajiet mogħtija lil uffiċjali ta' grad komparabbli ta' missjonijiet diplomatiċi.

Id-disposizzjonijiet ta' dan il-paragrafu m'għandhomx japplikaw jekk id-Direttur Eżekuttiv, il-konjuġi tiegħu jew tagħha jew membri tal-familja dipendenti fuqu jew fuqha li jiffurmaw parti mill-familja: (i) huma ċittadini ta' Malta; (ii) persuni li jkunu ordinarjament residenti f'Malta fil-perjodu li jiġi minnufih qabel id-data li jiehu l-hatra tiegħu jew tagħha bħala Direttur Eżekuttiv; (iii) jkunu residenti f'Malta għal ta' mill-inqas sentejn fi żmien hames snin li jiġu minnufih qabel id-data tal-hatra tiegħu jew tagħha bħala Direttur Eżekuttiv.

Artikolu 9

Finijiet ta' Privileġġi u Immunitajiet

1. Il-privileġġi u l-immunitajiet taħt dan il-Ftehim jingħataw fl-interess tal-Uffiċċju ta' Appoġġ u l-Unjoni u mhux għal benefiċċju personali tal-individwi nnfishom.

2. Minghajr ħsara għall-privileġġi u l-immunitajiet mogħtija skont il-Protokol u dan il-Ftehim, il-persunal tal-Uffiċċju ta' Appoġġ għandhom iħarsu l-ligijiet u r-regolamenti ta' Malta.
3. L-Uffiċċju ta' Appoġġ għandu jirtira l-immunità mogħtija lil uffiċjal jew impjegat iehor kull meta jikkonsidra illi l-irtirar ta' dik l-immunità ma tmurx kuntrajru għall-interessi tal-Unjoni Ewropea.

Artikolu 10

Skejjel Multilingwali u b'orjentazzjoni Ewropea

1. B'konformità mal-Artikolu 53 tar-Regolament EASO, il-Gvern ta' Malta flimkien mal-Uffiċċju ta' Appoġġ għandhom jagħmlu ħilithom sabiex isibu l-aħjar soluzzjoni għal skejjel tat-tfal tal-persunal tal-Uffiċċju ta' Appoġġ multilingwali u b'orjentazzjoni Ewropea. Il-Gvern ta' Malta u l-Uffiċċju ta' Appoġġ għandhom ikollhom bħala oġġettiv il-firma ta' ftehim bejn il-Bord tal-Iskola Ewropea u waħda jew iżjed skejjel internazzjonali f'Malta sa Ġunju 2013.
2. Il-Gvern ta' Malta u l-Uffiċċju ta' Appoġġ għandhom jesploraw il-fattibilità tat-twaqqif ta' Skola Ewropea akkreditata f' Malta.
3. Is-sitwazzjoni għandha tkun riveduta b'mod regolari bejn l-Uffiċċju ta' Appoġġ u l-Gvern ta' Malta.

Artikolu 11

Konnessjonijiet Xierqa tat-Trasport

1. B'konformità mal-Artikolu 53 tar-Regolament EASO, il-Gvern ta' Malta flimkien mal-Uffiċċju ta' Appoġġ għandhom jagħmlu ħilithom sabiex jidhlu f'diskussjonijiet mal-persuni li għandhom x'jaqsmu rilevanti fuq il-provvista ta' konnessjonijiet xierqa tat-transport.
2. Is-sitwazzjoni għandha tkun riveduta b' mod regolari bejn l-Uffiċċju ta' Appoġġ u l-Gvern ta' Malta.

Artikolu 12

Notifikazzjoni jew Ħatriet

L-Uffiċċju ta' Appoġġ għandu jgħarraf lid-Direttorat tal-Protokoll u s-Servizzi Konsolari fi ħdan il-Ministeru tal-Affarijiet Barranin ta' Malta meta membru mill-persunal tal-Uffiċċju ta' Appoġġ jiehu l-kariga jew iċedi l-kariga. Kull sena, l-Uffiċċju ta' Appoġġ għandu jibgħat lista tal-ismijiet u l-indirizzi tal-membri kollha tal-persunal tiegħu lid-Direttorat tal-Protokoll u s-Servizzi Konsolari.

Artikolu 13

Karti tal-Identità

Il-persunal tal-Uffiċċju ta' Appoġġ u l-membri tal-familja tagħhom għandu jinħarġilhom, fuq talba tagħhom, flimkien ma' karta tal-identità maħruġa mill-Ministeru tal-Affarijiet Barranin, jew xi awtorità ta' Malta oħra li tista' tkun maħtura li tiddentifikhom bħala hekk. Din għandha tinhareġ biss għall-finijiet ta' identifikazzjoni.

Artikolu 14

Sigurtà Soċjali

1. L-Uffiċċju ta' Appoġġ għandu jkun eżentat mill-kontribuzzjonijiet obligatorji kollha għal skemi ta' sigurtà soċjali f'Malta għar-rigward tal-persunal tal-Uffiċċju ta' Appoġġ.
2. L-Uffiċċju ta' Appoġġ għandu jorganizza kopertura ta' sigurtà soċjali skont ir-Regolamenti u r-Regoli applikabbli għal uffiċċjali u impjegati oħra tal-Komunitajiet Ewropej.

Artikolu 15

Rizoluzzjoni tat-Tilwim

Kull tilwim bejn l-Uffiċċju ta' Appoġġ u l-Gvern marbut mal-applikazzjoni ta' dan il-Ftehim għandu jiġi riżolt b'mod amikevoli permezz ta' negozjati diretti. Fil-każ ta' nuqqas ta' riżoluzzjoni ta' tilwima amikevoli, it-tilwima għandha tiġi riferita fuq talba tal-Uffiċċju ta' Appoġġ jew tal-Gvern lill-Qorti tal-Gustizzja tal-Unjoni Ewropea.

Artikolu 16

Sede tal-Uffiċċju ta' Appoġġ

1. Is-Sede tal-Uffiċċju ta' Appoġġ li hu juża għan-negozju uffiċċjali huwa miftiehem bħala l-bini, installazzjonijiet u art uzata mill-Uffiċċju ta' Appoġġ kif huma hekk deskritti f'dan l-Artikolu.
2. Il-Gvern qieghed ipoġġi Blokk A, taċ-Ċentru fix-Xatt *L-Għassara tal-Għeneb*, Marsa, fil-port tal-Belt Valletta għad-disposizzjoni tal-Uffiċċju ta' Appoġġ biex iservi bħala s-Sede tiegħu.
3. Il-fond għandu jkun regolat permezz ta' ftehim ta' kirja ffirmat mal-Awtorità tat-Trasport ta' Malta. L-Uffiċċju ta' Appoġġ għandu jokkupa u juża l-fond skont l-imsemmi ftehim ta' kirja. Il-Gvern qieghed jaqbel li jiżgura, sakemm hu jkun fi hdan is-setgħat legali tiegħu li jagħmel hekk, illi t-termini tal-ftehim jitharsu b'mod sħiħ, sabiex jissalvagwardja l-interessi tal-Uffiċċju ta' Appoġġ fl-implimentazzjoni tiegħu tal-mandat.

4. Il-Gvern ser ikopri l-ispejjeż tal-kirja (kera, spejjeż ta' manteniment u depożitu) tal-ewwel sular, tat-tieni sular u t-tielet sular tal-fond tal-EASO għall-ewwel tliet snin ta' hidma li jibdew mit-18 ta' Ġunju 2011.
5. Il-Gvern għandu jinstalla bi spejjeż tiegħu, għal darba waħda biss, il-qsim meħtieġ u l-ICT wiring fit-terran, fl-ewwel sular u fit-tieni sular tal-fond tal-EASO.
6. Jekk jitqies li jkun meħtieġ estensjoni tal-fond tal-EASO fil-futur, l-Uffiċċju ta' Appoġġ għandu jipprezenta talba formali lill-Gvern mill-inqas tmintax il-xhar qabel l-estensjoni maħsuba. Il-Gvern jiehu responsabilità li jeżamina il-possibiltajiet għal dik l-estensjoni.
7. L-Uffiċċju ta' Appoġġ jaċċetta l-fond imqiegħed għad-disposizzjoni tiegħu mill-Gvern.

Artikolu 17

Appoġġ Istituzzjonali

1. Il-Gvern għandu jipprovdi appoġġ shiħ istituzzjonali għax-xogħol tal-Uffiċċju ta' Appoġġ.
2. L-Uffiċċju ta' Appoġġ għandu jagħmel użu mill-istrutturi eżistenti fi hdan il-Ministeru tal-Affarijiet Barranin biex jassisti il-persunal tal-Uffiċċju ta' Appoġġ fejn meħtieġ u applikabbli, għar-rigward ta':
 - (i) hruġ ta' permessi ta' residenza b'konformità mad-Direttiva 2004/38/EC;
 - (ii) talbiet li jaqgħu taħt l-Artikolu 8(3)(c), (d) and (e) ta' dan il-Ftehim;
 - (iii) hruġ ta' karti ta' identità msemija fl-Artikolu 13 ta' dan il-Ftehim.

Artikolu 18

Appoġġ Inizzjali

1. Il-Gvern għandu jipprovdi, għal darba waħda biss, għamara tal-uffiċċju, kompjuters, servizzi tat-telefon u d-data għal tnaix-il persuna.
2. Il-Gvern għandu jipprovdi koordinatur ta' proġett wiehed għal sena waħda fuq spejjeż tiegħu biex jgħin fit-twaqqif tal-EASO u biex il-persunal tal-Uffiċċju ta' Appoġġ jidraw.
3. Il-Gvern għandu jkopri l-ispejjeż tal-kirja taċ-Ċentru tal-Mediterran għal Konferenzi biex isiru l-laqgħat kollha tal-Bord ta' Tmexxija għal sena li tibda mit-8 ta' Lulju 2010 sat-8 ta' Lulju 2011 u l-laqgħat kollha tal-Forum Konsultattiv li jsiru fis-sentejn ta' wara.

Artikolu 19

Emendi ta' dan il-Ftehim

Dan il-Ftehim jista' jigi emendat bil-kunsens reċiproku tal-Gvern u l-Uffiċċju Ewropew ta' Appoġġ fil-qasam tal-Asil. Dawn l-emendi għandhom jidhlu fis-sehħ skont l-Artikolu 20(1).

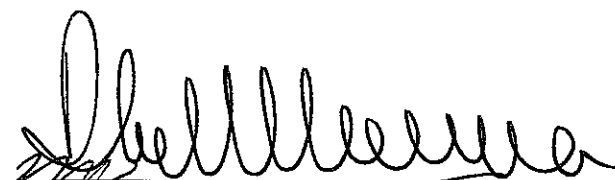
Artikolu 20

Disposizzjonijiet Finali

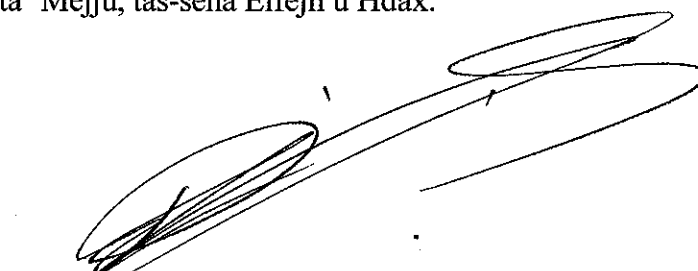
1. Dan il-Ftehim għandu jidhol fis-sehħ sitta u għoxrin gurnata wara li jkun gie ffirmat mill-partijiet kontraenti.
2. Kull wiehed mill-partijiet kontraenti jista' jiddinunzja dan il-Ftehim f'kull hin b'avviż ta' tnax-il xahar permezz ta' notifika bil-miktub lill-parti kontraenti l-oħra.

Ir-rappreżentanti rispettivi ffirmaw żewġ kopji ta' dan il-Ftehim bħala xhieda tiegħu, bl-Ingliż u l-Malti, b'kull wiehed minn dawn it-testi awtentiku ndaqs.

MAGHMUL fi Brussell, illum l-24 gurnata ta' Mejju, tas-sena Elfejn u Hdax.



F'isem il-Gvern ta' Malta



F'isem l-Uffiċċju Ewropew ta'
Appoġġ fil-qasam tal-Asil

ANNEX I
XIRI HIELES MIT-TAXXA FUQ IL-VALUR MIŻJUD
Disponibbli għal persunal statutorju
tal-Uffiċċju Ewropew ta' Appoġġ fil-qasam tal-Asil

(taħt l-Artikolu 11(d) tal-Protokoll tat-8 ta' April 1965 dwar il-Privileġġi u l-Immunitajiet)

A. Lista ta' oġġetti li jaqgħu taħt l-eżenzjoni

Eżenzjonijiet fuq it-taxxa fuq il-valur miżjud għandhom japplikaw biss għal xiri f' Malta jew fi Stat Membru tal-Unjoni Ewropea ieħor ta':

- Għamara ġdida (ħlief għal kċina, kamra tal-banju u għamara tal-ġnien);
- Oġġetti tal-elettriku tad-dar²;
- Vettura bil-mutur (karozza jew mutur);
- Rota³

maħsuba għall-użu personali f' Malta mill-membru tal-persunal statutorju tal-Uffiċċju Ewropew ta' Appoġġ fil-qasam tal-Asil stazzjonati hemm.

B. Lista ta' oġġetti li ma jaqgħux taħt l-eżenzjoni

- Prodotti tal-ikel, prodotti li fihom l-alkoħol, prodotti tat-tabakk, hwejjeġ u żraben, prodotti tax-xagħar, prodotti tal-kura tas-sbuhija, oġġetti tal-kamra tal-banju
- Kull tip ta' oġġett u haġa li l-valur tiegħu jkun inqas minn EUR116 eskluż il-VAT
- Għodod u materjali tad-DIY (ħlief għal tagħmir li jaqta' l-haxix)
- *Spare parts* u partijiet ta' tibdil
- Viti, msiemer, skorfini, u boltijiet, għodda (tomaviti, martelli, eċċ.)
- Prodotti ta' manutenzjoni (xemgħa, verniċ u żebgħa)

² Oġġett tal-elettriku tad-dar wiehed biss jista jigi approvat, kif ukoll kompjuter u *television* wiehed. Barra minn hekk, *DVD player* jew *Blu-Ray player* wiehed biss ikun eżenti. L-eżenzjoni tingħata jew għal-*television* jew għal-*beamer* u mhux għat-tnejn li huma. Eżenzjoni tista tingħata għal *parabolic antenna* u *receiver* jekk jinxtraw flimkien.

³ Roti li mhumiex motorizzati biss jistgħu jigu approvati. Kull aċċessorju għal rota jista jigi approvat jekk ikun inkluż fil-fattura tax-xiri tar-rota (eċċezzjoni: ix-xedd ta' rota tista tinxtara wara, anki jekk ma tkunx inkluża fil-fattura tax-xiri tar-rota.)

- Gojjellerija, arloggi, lajters tas-sigaretti
- Mgharef, skieken u frieket tad-deheb u fidda, indurat bid-deheb, bil-fidda jew bil-platinum, kif ukoll settijiet tas-skieken jew affarijiet tal-mejda ohra tad-deheb, fidda jew tal-platinum
- Kotba, *films*, kasetts tal-vidjo, kasetts tal-awdjo, rekords, *CDs*, *DVDs*, *MP3s*, *walkmans*, *discmans*, *MP3 players*, *DVD player* portabbli, *Ipods*, ghodda tal-GPS portabbli, djarji elettronici, programmi jew softwer mixtri separatament minn kompjuter
- Tagħmir fotografiku, kameras tal-vidjo u tagħmir tal-films, skrinijiet għall-proġettazzjoni (aċċettati jekk mixtrija flimkien ma' beamer), projetturi, tagħmir tad-darkroom, tagħmir tal-fotokopji
- Affarijiet tal-Isport, affarijiet ta' rikreazzjoni, affarijiet tal-passatempi
- Ġugarelli u loġhob
- Fuhhar u oġġetti ta' dekorazzjoni magħmula mill-porċellana u l-kristall
- Strumenti tal-Muzika
- Tagħmir tar-radju mhux professjonali
- Armi ta' kull tip
- Trombi, u *telescopic sights*, *telescopes* għall-astronimija, mikroskopji
- Strumenti tal-kejl (strument tal-kejl għal *strain* u pressjoni, mizien personali, eċċ.)
- Trasformaturi, generaturi tal-enerġija
- Apparat għal massaggi u kura tas-sbuħija, lampi tax-xemx
- Safar u affarijiet tal-ikkampjar (karavans, karrijiet, tinet, barzakki, għamara portabbli u tagħmir tat-tisjir)
- Pixxini
- Twapet ta' kull tip
- Opri tal-arti, riproduzzjonijiet, oġġetti li jistgħu jiġu kkollezzjonati
- Oġġetti tal-antikità u għamara
- Telefoni, telefoni ċellulari, *fax* u apparat li jixxieheb

- Animalali hajjin, fjuri u pjanti
- *Extractor hoods*
- Accessorji kemm għall-oġġetti awtorizzati għall-eżenzjoni u dawk esklużi
- Kaxxiforti
- Kabinetti tal-inbid li jkesshu
- Kabinetti tal-kċina u kamra tal-banju, sinkijiet, kabinetti tas-sink u għamara fissa, kabinetti għal hasil u għamara fissa bil-baċin, ventilaturi b'għodda miżjuda li jiffrikkaw l-arja għal kċejjen u kmamar tal-banju.

Servizzi mhux eżenti mit-taxxa. Dawn jinkludu:

- Xogħol ta' bini, kunsinni ta' proprjeta' immobbli ovvji għall-kostruzzjoni, tiswija jew manutenzjoni ta' bini u s-servizzi kollha marbuta mal-bini;
- Il-provvista ta' ikel u xorb konsumati barra mid-dar, i.e. f'lukandi, ristoranti, *snack bars*, kafetteriji u fond ieħor mghammar għal dak il-għan ;
- Sogġorn f'lukandi jew stabbilimenti oħra li jilqgħu mistednin li jhallsu;
- Installazzjonijiet tat-telefon fid-dar, telefonati, installazzjoni tat-televizjoni tal-kejbil u servizzi, konnessjonijiet għal networks jew kull servizz provdut b'mod elettroniku;
- Servizzi provduti permezz ta' agenti tal-ivvjagġar;
- Operazzjonijiet tal-banek u finanzi; u
- Il-provvista ta' servizzi marbuta ma' oġġetti eżenti mill-VAT jew le.