

## **Nru. 134**

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5. 6. 2020

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

#### **HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Aaron Farrugia, M.P., Ministru għall-Ambjent, it-Tibdil fil-Klima u l-Ippjanar, u moqri għall-Ewwel darba fis-Seduta tal-1 ta' Ġunju 2020.

A BILL introduced by the Honourable Aaron Farrugia, M.P., Minister for the Environment, Climate Change and Planning, and read the First time at the Sitting of the 1st June 2020.

**ATT sabiex jemenda l-Att fuq Azzjoni dwar il-Klima, Kap. 543, u biex jipprovdi dwar ħwejjeg li għandhom x'jaqsmu magħhom jew huma ancillari għalihom.**

**AN ACT to amend the Climate Action Act, Cap. 543, and to provide for other matters dealing with them or ancillary thereto.**

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



## ABBOZZ TA' LIĠI msejjaħ

*ATT sabiex jemenda l-Att fuq Azzjoni dwar il-Klima, Kap. 543, u biex jipprovdi dwar ħwejjeġ li għandhom x'jaqsmu magħhom jew huma anċillari għalihom.*

IL-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħareġ b'liġi dan li ġej:-

**1.** It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 li jemenda Diversi Liġijiet rigward l-Ambjent u l-Klima. Titolu fil-qosor.

### TAQSIMA I Emendi għall-Att fuq Azzjoni dwar il-Klima

**2.** Din it-Taqsima temenda l-Att fuq Azzjoni dwar il-Klima u għandha tinqara u tinftiehem haġa waħda mal-Att fuq Azzjoni dwar il-Klima hawnhekk iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali". Emendi għall-Att fuq Azzjoni dwar il-Klima. Kap. 543.

**3.** Fl-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "gassijiet serra" għandha tiżdied it-tifsira ġdida li ġejja: Emenda tal-artikolu 2 tal-Att prinċipali.

" "Kumitat Permanenti" tfisser il-Kumitat Permanenti  
dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-  
Iżvilupp imwaqqaf taħt l-Att dwar l-Iżvilupp;".

Kap. 552.

**4.** Is-subartikolu (2) tal-artikolu 7 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej: Emenda tal-artikolu 7 tal-Att prinċipali.

"(2) Il-Ministru għandu jiżgura li l-istrateġija nazzjonali ta' żvilupp b'emissjonijiet baxxi ta' karbonju tiġi riveduta u aġġornata perjodikament, u tal-inqas kull ħames snin."

C 4118

Emenda tal-artikolu 8 tal-Att prinċipali.

**5.** Is-subartikolu (3) tal-artikolu 8 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

"(3) Il-Ministru għandu jiżgura li l-istrateġija nazzjonali ta' adattament tiġi riveduta u aġġornata perjodikament, u mill-inqas kull ħames snin."

Emenda tal-artikolu 9 tal-Att prinċipali.

**6.** L-artikolu 9 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(1) Il-Ministru għandu jqiegħed fuq il-Mejda tal-Kamra l-Istrateġija Nazzjonali ta' Żvilupp b'Emissjonijiet Baxxi ta' Karbonju u l-Istrateġija tal-Adattament Nazzjonali u l-aġġornamenti tagħhom, għall-inqas darba kull ħames snin."; u

(b) minnufih wara s-subartikolu 2 tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

"(3) Skont is-subartikoli (1) u (2) ta' dan l-artikolu u l-artikolu 11(2)(f), il-Ministru għandu jirreferi r-rapporti, l-istrateġija jew il-*policy* lill-Kumitat Permanenti."

## **TAQSIMA II**

### **Emendi għall-Att dwar il-Protezzjoni tal-Ambjent**

Emendi għall-Att dwar il-Protezzjoni tal-Ambjent. Kap. 549.

**7.** Din it-Taqsima temenda l-Att dwar il-Protezzjoni tal-Ambjent u għandha tinqara u tinftiehem ħaġa waħda mal-Att dwar il-Protezzjoni tal-Ambjent, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

**8.** Fl-artikolu 2 tal-Att prinċipali, it-tifsira "Kumitat Permanenti" għandha tiġi sostitwita b'dan li ġej:

" "Kumitat Permanenti" tfisser il-Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp imwaqqaf taħt l-Att dwar l-Ippjanar tal-Iżvilupp;"

Kap. 552.

Sostituzzjoni tal-artikolu 31 tal-Att prinċipali.

**9.** L-artikolu 31 tal-Att prinċipali għandu jiġi sostitwit b'dan li

għej:

"Kumitat  
Permanenti dwar l-  
Ambjent, it-Tibdil  
fil-Klima u l-  
Ippjanar tal-  
Iżvilupp.

31. Il-Ministru għandu jirreferi dawn li għejjin lill-Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp:

(a) kull pjan li jitressaq quddiem il-Kamra skont id-dispożizzjonijiet ta' dan l-Att; il-Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp għandu jirrakkomanda lill-Kamra jekk dak il-pjan għandux jiġi approvat, approvat b'emendi jew skartat;

(b) l-Istrateġija Nazzjonali għall-Ambjent u r-Rapport dwar l-Istat tal-Ambjent;

(c) kull rapport, pjan jew *policy* oħra skont ma l-Ministru jqis li hu meħtieġ:

Izda meta l-imsemmi Kumitat Permanenti jonqos milli jipprepara stqarrija ta' pożizzjoni fil-perjodu stipulat fl-Att tal-Ippjanar, il-Ministru responsabbli mill-Ambjent għandu jagħmel talba formali lill-Kamra biex jiddiskuti din l-Istrateġija, pjan jew *policy*."

Kap. 552.

### TAQSIMA III

#### Emenda għall-Att dwar l-Ippjanar tal-Iżvilupp

10. Din it-Taqsima temenda l-Att dwar l-Ippjanar tal-Iżvilupp u għandha tinqara u tinftiehem haġa waħda mal-Att dwar l-Ippjanar tal-Iżvilupp, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali."

Emenda għall-  
Att dwar l-  
Ippjanar tal-  
Iżvilupp.  
Kap. 552.

11. L-artikolu 60 tal-Att prinċipali għandu jiġi emendat kif għej:

Emenda tal-  
artikolu 60 tal-  
Att prinċipali.

(a) minnufih qabel l-artikolu 60 tiegħu, is-subtitolu "Il-Kumitat Permanenti dwar l-Ambjent u l-Ippjanar tal-Iżvilupp" għandu jiġi sostitwit bis-subtitolu li għej:

"Il-Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp";

(b) l-artikolu 60(1) tiegħu għandu jiġi sostitwit b'dan li għej:

"Kumitat  
Permanenti dwar l-  
Ambjent, it-Tibdil  
fil-Klima u l-  
Ippjanar tal-  
Iżvilupp.

60. (1) Għandu jkun hemm Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp li għandu jkun magħmul minn hames membri mahtura mill-Kamra, li minnhom tlieta jkunu membri li jirrapprezentaw lill-Gvern, u li minn fosthom wiehed jinħatar bħala *Chairperson*, u t-tnejn l-oħra jkunu membri li jirrapprezentaw lill-Oppożizzjoni.";

(ċ) l-artikolu 60(2) tiegħu għandu jiġi sostitwit b'dan li ġej:

Kap. 549.  
Kap. 543.

"(2) Il-Kumitat Permanenti għandu jiddiskuti kull strateġija, pjan jew *policy* riferuti lillu skont l-artikoli 46 u 53 u kull haġa oħra riferuta lillu skont l-Att għall-Protezzjoni tal-Ambjent u l-Att fuq Azzjoni dwar il-Klima u jipprepara rapport u dan ir-rapport għandu jiġi riferut lill-Kamra u lill-Ministru.

Dan ir-rapport jista' wkoll jinkludi kull opinjoni li ma taqbilx fuq l-istrateġija, pjan jew *policy*. Il-Ministru għandu jiehu konjizzjoni tar-rapport:

Iżda meta l-imsemmi Kumitat Permanenti jonqos milli jipprepara rapport fil-perjodu stipulat fl-Att, il-Kunsill Eżekuttiv jista' jadotta l-imsemmija strateġija, pjan jew *policy* u l-Ministru jista' wkoll japprova l-imsemmija strateġija, pjan jew *policy* kif mgħoddija lillu mill-Kunsill Eżekuttiv."; u

(d) Kwalunkwe referenza fl-Att dwar l-Ippjanar tal-Iżvilupp għall-"Kumitat Permanenti dwar l-Ambjent u l-Ippjanar tal-Iżvilupp" għandha tinqara u tinftiehem bħala referenza, wara d-dhul fis-seħh ta' dan l-Att, bħala referenza għall- "Il-Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp".

#### TAQSIMA IV

#### Emenda Ġenerali fil-Liġijiet ta' Malta

Emenda  
Ġenerali fil-  
Liġijiet ta'  
Malta.

12. Kull referenza f'xi liġi oħra għal "Kumitat Permanenti dwar l-Ambjent u l-Ippjanar tal-Iżvilupp", għandu jinqara u jinftiehem, wara d-dhul fis-seħh ta' dan l-Att, bħala referenza għall-"Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp".

### **Ghanijiet u Raġunijiet**

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex jiġi emendat l-Att fuq Azzjoni dwar il-Klima sabiex il-perjodu minimu biex l-istrategġiji nazzjonali indikati fl-Att jiġu riveduti u aġġornati jiġi estiż minn erba' snin għal ħames snin u jiġu emendati l-Att dwar il-Protezzjoni tal-Ambjent u l-Att dwar l-Ippjanar tal-Iżvilupp sabiex jinbidel l-isem tal-Kumitat Permanenti Parlamentari dwar l-Ambjent u l-Ippjanar tal-Iżvilupp għall-"Kumitat Permanenti Parlamentari dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp" u jiġi inkluz it-Tibdil fil-Klima fir-responsabbiltà tal-istess kumitat sabiex jiġi riaffermat l-impenn favur azzjonijiet u l-implimentazzjoni ta' politika holistika dwar it-Tibdil fil-Klima.

C 4122

**A BILL  
entitled**

*AN ACT to amend the Climate Action Act, Cap. 543, and to provide for other matters dealing with them or ancillary thereto.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives in this present Parliament assembled, and by the authority of the same as follows:-

Short title.

**1.** The short title of this Act is the Various Laws (Environment and Climate) (Amendment) Act, 2020.

**PART I  
Amendments to the Climate Action Act**

Amendments to the Climate Action Act. Cap. 543.

**2.** This Part amends the Climate Action Act and shall be read and construed as one with the Climate Action Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 2 of the principal Act.

**3.** In article 2 of the principal Act, immediately after the definition "source", there shall be added the following new definition:

Cap. 552. " "Standing Committee" means the Standing Committee on the Environment, Climate Change and Development Planning established in terms of the Development Planning Act;"

Amendment of article 7 of the principal Act.

**4.** Sub-article (2) of article 7 of the principal Act shall be substituted by the following:

"(2) The Minister shall ensure that the national low-carbon development strategy is reviewed and updated periodically, and at least every five years."

5. Sub-article (3) of article 8 of the principal Act shall be substituted by the following: Amendment of article 8 of the principal Act.

"(3) The Minister shall ensure that the national adaptation strategy is reviewed and updated periodically, and at least every five years."

6. Article 9 of the principal Act shall be amended as follows: Amendment of article 9 of the principal Act.

(a) sub-article (1) thereof shall be substituted by the following:

"(1) The Minister shall lay on the Table of the House, the National Low-carbon Development Strategy and the National Adaptation Strategy and their updates, at least once every five years."; and

(b) immediately after sub-article (2) thereof there shall be added the following new sub-article:

" (3) In terms of sub-articles (1) and (2) of this article and article 11(2)(f), the Minister shall refer the reports, strategy or policy to the Standing Committee."

## PART II

### Amendments of the Environment Protection Act

7. This Part amends the Environment Protection Act and it shall be read and construed as one with the Environment Protection Act, hereinafter in this Part referred to as the "principal Act". Amendments to the Environment Protection Act. Cap. 549.

8. In article 2 of the principal Act, the definition "Standing Committee" shall be substituted by the following: Amendment of article 2 of the principal Act.

" "Standing Committee" means the Standing Committee on the Environment, Climate Change and Development Planning established in terms of the Development Planning Act;"

Cap. 552.

9. Article 31 of the principal Act shall be substituted by the following: Substitution of article 31 of the principal Act.

C 4124

"Standing Committee on the Environment, Climate Change and Development Planning.

31. The Minister shall refer the following to the Standing Committee on the Environment, Climate Change and Development Planning:

(a) any plan referred to the House in terms of this Act; the Standing Committee on the Environment, Climate Change and Development Planning shall also recommend to the House whether the plan should be approved, with or without amendments, or rejected;

(b) the National Strategy for the Environment and the State of the Environment Report;

(c) any other report, plan or policy as the Minister may deem necessary:

Cap. 552.

Provided that where the said Standing Committee fails to report to the House within the stipulated period in the Development Planning Act, the Minister for the Environment shall make a formal request to the House to discuss the strategy, plan or policy."

Amendment of the Development Planning Act. Cap. 552.

### **PART III Amendment of the Development Planning Act**

**10.** This Part amends the Development Planning Act and shall be read and construed as one with the Development Planning Act hereinafter in this Part referred to as "the principal Act".

Amendment to article 60 of the principal Act.

**11.** Article 60 of the principal Act shall be amended as follows:

(a) immediately before article 60 thereof, the subtitle "The Standing Committee on the Environment and Development Planning" shall be substituted by the following sub-title:

"The Standing Committee on the Environment, Climate Change and Development Planning";

(b) article 60(1) thereof shall be substituted by the following:

"Standing Committee on the Environment, Climate Change and Development Planning.

60. (1) There shall be a Standing Committee on the Environment, Climate Change and Development Planning which shall consist of five members appointed by the House, of whom three shall be members representing the Government, one of whom shall be appointed as Chairperson, and the other two shall be members representing the Opposition.";

(c) article 60(2) thereof shall be substituted by the following:

Cap. 549.  
Cap. 543.

"(2) The Standing Committee shall discuss any strategy, plan or policy referred to it in terms of articles 46 and 53 and any other matter referred to it in terms of the Environment Protection Act and the Climate Action Act and prepare a report and refer it to the House and to the Minister.

Such a report may also include any dissenting opinion on the strategy, plan or policy. The Minister shall take cognizance of the report:

Provided that where the said Standing Committee fails to prepare a report within the period stipulated in this Act, the Executive Council may adopt the said strategy, plan or policy and the Minister may also approve the said strategy, plan or policy as forwarded to him by the Executive Council."; and

(d) any reference in the Development Planning Act to "Standing Committee on the Environment and Development Planning" shall be read and construed, after the coming into force of this Act, as a reference to "Standing Committee on the Environment, Climate Change and Development Planning".

#### **PART IV**

#### **General Amendment to the Laws of Malta**

12. Any reference in any other law to "Standing Committee on the Environment and Development Planning" shall be read and construed, after the coming into force of this Act, as a reference to "Standing Committee on the Environment, Climate Change and Development Planning".

General  
Amendment to  
the Laws of  
Malta.

C 4126

### **Objects And Reasons**

The objects and reasons of this Bill are to amend the Climate Action Act to extend the minimum period for the national strategies set out in the Act to be reviewed and updated from four years to five years and to amend the Environment Protection Act and the Development Planning Act to change the name of the Standing Committee on the Environment and Development Planning to "Standing Committee on the Environment, Climate Change and Development Planning" and include Climate Change in the responsibilities of such committee to reaffirm the commitment to actions and implementation of a holistic policy on Climate Change.