
Nru. 135

23. 6. 2020

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Clayton Bartolo, M.P., Segretarju Parlamentari għas-Servizzi Finanzjarji u l-Ekonomija Digitali, f'isem il-Ministru għall-Finanzi u s-Servizzi Finanzjarji, u moqri għall-Ewwel darba fis-Seduta tad-9 ta' Ġunju 2020.

A BILL introduced by the Honourable Clayton Bartolo, M.P., Parliamentary Secretary for Financial Services and Digital Economy, on behalf of the Minister for Finance and Financial Services, and read the First time at the Sitting of the 9th June 2020.

ATT sabiex jawtorizza, jirregolarizza u johroġ garanziji lill-Bank Ewropew għall-Investment f'kazijiet speċifiċ u sabiex jipprovdi dwar affarijiet anċillari jew inċidentali għalihom.

AN ACT to authorise, regularise and to issue guarantees to the European Investment Bank in specific cases and to provide for matters ancillary and incidental thereto.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjah

ATT sabiex jawtorizza, jirregolarizza u johroġ garanziji lill-Bank Ewropew għall-Investment f'każijiet speċifiċi u sabiex jipprovi dwar affarjiet anċillari jew inċidentali 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 hu l-Att tal-2020 dwar Titolu fil-qosor. Garanziji lill-Bank Ewropew għall-Investment.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx xort' Tifsir. oħra:

"Ftehim ta' Garanzija tal-Ewwel Talba" tfisser Ftehim ta' Garanzija li jista' jsir bejn il-Garanturi Originali, inkluż il-Gvern ta' Malta, u l-Garanturi Aderenti minn żmien għal żmien u l-Bank Ewropew għall-Investment fir-rigward ta' trażazzjonijiet li jsiru bejn il-Bank għall-kont tal-Fond riprodott fl-Ewwel Skeda;

"Ftehim ta' Kontribuzzjoni" tfisser il-Ftehim ta' Kontribuzzjoni li jista' jsir bejn il-Gvern ta' Malta u l-Bank Ewropew għall-Investment fir-rigward tal-Fond ta' Garanziji pan-Ewropej b'reazzjoni għall-COVID-19, riprodott fit-Tieni Skeda;

"Fond" tfisser il-Fond ta' Garanzija EU COVID-19 li għandu jiġi stabbilit mill-Bank Ewropew għall-Investment taħt il-Pjattaforma ta' Sħubija għall-Fondi tiegħu;

C 4128

"Malta" għandu jkollha l-istess tifsira kif mogħtija lilha bl-artikolu 124 tal-Kostituzzjoni ta' Malta;

"Ministru" tfisser il-Ministru responsabbli għall-finanzi.

Awtorità biex
jinharġu
garanziji.

3. Soġġett għad-dispożizzjonijiet ta' dan l-Att, il-Gvern ta' Malta jista' joħroġ garanziji bla ebda kundizzjoni, irrevokabbli u tal-ewwel talba lill-Bank Ewropew għall-Investment billi jiġdoli fi Ftehim ta' Garanzija tal-Ewwel Talba mal-Bank fir-rigward ta' trażazzjonijiet li jsiru bejn il-Bank Ewropew għall-Investment għall-kont tal-Fond.

Mekkaniżmu
għal hrug ta'
garanziji.

4. (1) Kwalunkwe garanzija maħruġa skont l-artikolu 3 għandha tkun soġġetta għat-termini inkorporati fil-Ftehim ta' Kontribuzzjoni:

Iżda l-garanzija maħruġa mill-Gvern ta' Malta ma għandhiex teċċedi l-ammont aggregat ta' tnaqqas il miljun, mitejn u sebgha u disghin elf, erbgħa mija u għaxar euro u sitt ċenteżmi (€12,297,410.06).

(2) Kwalunkwe garanzija maħruġa mill-Gvern ta' Malta fir-rigward tal-Fond lil hinn mill-għan speċifikat taht is-subartikolu (1) jista' jsir biss f'dik il-manjiera u għal dak il-għan li l-Kamra tista' tiddetermina b'riżoluzzjoni.

Lingwa.

5. L-Annessi li jinsabu ma' dan l-Att jistgħu jsiru bil-lingwa Ingliża biss.

L-EWWEL SKEDA

[First Demand Guarantee Agreement](#)

IT-TIENI SKEDA

[Contribution Agreement](#)

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex jipprovdu l-awtorità meħtieġa lill-Gvern ta' Malta sabiex joħroġ garanziji lill-Bank Ewropew għall-Investment, sabiex ikun jista' jippartecipa fil-Fond ta' Garanzija EU COVID-19 stabbilit mill-Bank Ewropew għall-Investment.

**A BILL
entitled**

AN ACT to authorise, regularise and to issue guarantees to the European Investment Bank in specific cases and to provide for matters ancillary and incidental 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:-

1. The short title of this Act is the Guarantees to the European Investment Bank Act, 2020. Short title.

2. In this Act, unless the context otherwise requires:- Interpretation.

"Contribution Agreement" means the Contribution Agreement which may be entered into between the Government of Malta and the European Investment Bank in respect of the Pan-European Guarantee Fund in response to COVID-19, reproduced in the Second Schedule;

"First Demand Guarantee Agreement" means the Guarantee Agreement that may be entered into between the Original Guarantors, including the Government of Malta, and the Acceding Guarantors acceding from time to time and the European Investment Bank in relation to transactions entered into by the Bank for the account of the Fund, reproduced in the First Schedule;

"Fund" means the EU COVID-19 Guarantee Fund to be established by the European Investment Bank under its Partnership Platform for Funds;

"Malta" shall have the same meaning as assigned to it by

C 4130

article 124 of the Constitution of Malta;

"Minister" means the Minister responsible for finance.

Authority to
issue
guarantees.

3. Subject to the provisions of this Act, the Government of Malta may issue unconditional, irrevocable and first demand guarantees to the European Investment Bank by entering into a First Demand Guarantee Agreement with the Bank in relation to transactions entered into by the European Investment Bank for the account of the Fund.

Mechanism for
issuing of
guarantees.

4. (1) Any guarantee issued in accordance with article 3 shall be subject to the terms incorporated in the Contribution Agreement:

Provided that the guarantee issued by the Government of Malta shall not exceed the aggregate amount of twelve million, two hundred and ninety-seven thousand, four hundred and ten euro and six cents (€12,297,410.06).

(2) Any guarantee issued by the Government of Malta relating to the Fund beyond the purpose specified under sub-article (1) may only be done in such manner and for such purpose as the House may by resolution determine.

Language

5. The Annexes to this Act may be made in the English language only.

FIRST SCHEDULE

[First Demand Guarantee Agreement](#)

SECOND SCHEDULE

[Contribution Agreement](#)

Objects and Reasons

The objects and reasons of this Bill are to provide the necessary authority to the Government of Malta to issue guarantees to the European Investment Bank, to enable it to participate in the EU COVID-19 Guarantee Fund to be established by the European Investment Bank.

