

MALTA

ATT Nru XXXVI tal-2020

ATT maħruġ b'ligi mill-Parlament ta' Malta.

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

ACT No. XXXVI of 2020

AN ACT enacted by the Parliament of Malta.

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

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

17 ta' Lulju, 2020

ATT Nru XXXVI tal-2020

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

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 li jemenda Diversi Ligijiet 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 tizzied 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.

A 688

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

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-istrategija 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-Istrategija Nazzjonali ta' Żvilupp b'Emissjonijiet Baxxi ta' Karbonju u l-Istrategija 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-istrategija 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:

Iżda 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 lilu skont l-artikoli 46 u 53 u kull haġa oħra riferuta lilu 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 jieħu 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 lilu 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, wara d-dħul fis-sehħ 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-dħul fis-sehħ ta' dan l-Att, bħala referenza għall-"Kumitat Permanenti dwar l-Ambjent, it-Tibdil fil-Klima u l-Ippjanar tal-Iżvilupp".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 358 tal-14 ta' Lulju, 2020.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

17th July, 2020

ACT No. XXXVI of 2020

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.

"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."

PART III

Amendment of the Development Planning Act

Amendment of the Development Planning Act. Cap. 552.

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.

A 696

Passed by the House of Representatives at Sitting No. 358 of the
14th July, 2020.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives