Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 13,963, 5 ta' Marzu, 1982
Taqisma C

Nru. 4

5. 3. 82.

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Joseph Cassar, M.P., Deputat Prim Ministru Anzjan u Ministru tal-Ġustizzja u Affarijiet tal-Parlament u moqri għall-Ewwel Darba fis-Seduta ta' l-24 ta' Frar, 1982.

ATT biex jipprovdi għar-ratifika ta' ċerti trattati.

C. Mifsud
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Joseph Cassar, M.P., Senior Deputy Prime Minister and Minister of Justice and Parliamentary Affairs and read the First time at the Sitting of the 24th February, 1982.

AN ACT to provide for the ratification of certain treaties.

C. Mifsud
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjaħ

ATT biex jipprovdi għar-ratifika ta' ċerti trattati.

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

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1982 dwar ir-Ratifika ta' Trattati.

Tifsir.

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

"trattat" tfisser ftehim internazzjonali bil-miktub finalizzat bejn Stati u li hu regolat bid-dritt internazzjonali, sew jekk magħmul f'dokument wieħed jew f'żewġ dokumenti jew iktar konnessi u jkun x'ikun imsejjaħ;

u kull riferenza għar-ratifika ta' trattat għandha tinkludi riferenza għal aċċessjoni għal dak it-trattat u għal kull għemil jew mod ieħor li bih dak it-trattat jista' jinġieb fis-seħħ.

Ratifika ta' ċerti trattati mill-Kamra tad-Deputati.

3. (1) Meta trattat li tiegħu Malta ssir parti wara l-bidu fis-seħħ ta' dan l-Att ikun wieħed li jolqot jew ikollu x'jaqsam ma' —

(a) l-istatus ta' Malta fid-dritt internazzjonali jew it-tiżmim jew l-appoġġ għal dak l-istatus, jew

(b) is-sigurtà ta' Malta, is-sovranità, l-indipendenza, l-unità jew l-integrità territorjali tagħha, jew

(ċ) ir-relazzjonijiet ta' Malta ma' kull organizzazzjoni, aġenzija, assoċjazzjoni jew korp ieħor simili multinazzjonali,

dak it-trattat m'għandux jibda jseħħ dwar Malta kemm-il darba ma jkunx ġie ratifikat jew ir-ratifika tiegħu ma tkunx ġiet awtorizzata jew approvata skond id-disposizzjonijiet ta' dan l-Att.

(2) Trattat li għalih japplika s-subartikolu (1) ta' dan l-artikolu għandu jiġi ratifikat jew ikollu r-ratifika tiegħu awtorizzata jew approvata kif ġej:

(a) meta dak it-trattat ikun dwar xi waħda mill-ħwejjeġ imsemmija fil-paragrafu (a) jew (b) tas-subartikolu (1) ta' dan l-artikolu jew ikun fih xi disposizzjoni li għandha ssir, jew għandha tkun infurzata bħala, parti mil-liġi ta' Malta, b'Att tal-Parlament;

(b) f'kull każ ieħor, b'Riżoluzzjoni tal-Kamra tad-Deputati.

(3) Ebda disposizzjoni ta' trattat ma għandha ssir, jew ma għandha tiġi nfurzata bħala, parti mil-liġi ta' Malta ħlief b'Att jew taħt Att tal-Parlament.

(4) Id-dokument tar-ratifika għandu jinħareġ taħt il-firma tal-Ministru responsabbli għall-affarijiet barranin.

(5) Kull att ta' Stat barrani dwar xi waħda mill-ħwejjeġ imsemmija fil-paragrafu (a) jew (b) tas-subartikolu (1) ta' dan l-artikolu għandu jitqiegħed fuq il-Mejda tal-Kamra malajr kemm jista' jkun mill-Ministru responsabbli għall-affarijiet barranin flimkien ma' mozzjoni li tagħti opportunità lill-Kamra li turi l-fehmiet tagħha fuq dak l-att.

Il-Kamra tiġi mgħarrfa b'denunzja ta' ċerti trattati.

4. Meta Malta ma tibqax, jew tagħmel xi ħaġa li biha ma tibqax, parti fi trattat li jolqot jew għandu x'jaqsam ma' xi waħda mill-ħwejjeġ imsemmija fil-paragrafu (a), (b) jew (ċ) tas-subartikolu (1) ta' l-artikolu 3 ta' dan l-Att, il-Ministru responsabbli għall-affarijiet barranin għandu jgħarraf lill-Kamra bil-fatt, u jagħti r-raġunijiet għaliex ikun sar dan, ma' l-ewwel opportunità u f'ebda każ mhux wara t-tieni seduta tal-Kamra wara li jgħaddi xahar mid-data tad-denunzja jew għemil ieħor li bih Malta ma tibqax, jew ma tkunx se tibqa' parti fi trattat kif intqal qabel.

Trattati oħra.

5. Ebda ħaġa f'dan l-Att ma għandha tiftiehem li b'xi mod tolqot is-setgħat tal-Gvern dwar trattati li għalihom ma japplikax is-subartikolu (1) ta' l-artikolu 3 ta' dan l-Att.

Għanijiet u Raġunijiet

L-Abbozz jipprovdi għar-ratifika ta' ċerti trattati mill-Kamra tad-Deputati.

A BILL

entitled

AN ACT to provide for the ratification of certain treaties.

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. This Act may be cited as the Ratification of Treaties Act, 1982.

Interpretation.

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

"treaty" means an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation;

and any reference to the ratification of a treaty shall include a reference to accession to such treaty and to any other act or manner in which such treaty may be brought into force.

Ratification of certain treaties by House of Representatives.

3. (1) Where a treaty to which Malta becomes party after the coming into force of this Act is one which affects or concerns —

(a) the status of Malta under international law or the maintenance or support of such status, or

(b) the security of Malta, its sovreignity, independence, unity or territorial integrity, or

(c) the relationship of Malta with any multinational organization, agency, association or similar body,

such treaty shall not enter into force with respect to Malta unless it has been ratified or its ratification has been authorised or approved in accordance with the provisions of this Act.

(2) A treaty to which subsection (1) of this section applies shall be ratified or shall have its ratification authorised or approved as follows:

(a) where such treaty concerns a matter referred to in paragraph (a) or (b) of subsection (1) of this section or contains any provision which is to become, or to be enforceable as, part of the law of Malta, by Act of Parliament;

(b) in any other case, by Resolution of the House of Representatives.

(3) No provision of a treaty shall become, or be enforceable as, part of the law of Malta except by or under an Act of Parliament.

(4) The instrument of ratification shall be issued under the signature of the Minister responsible for foreign affairs.

(5) Any act of a foreign State relating to any of the matters mentioned in paragraph (a) or (b) of subsection (1) of this section shall be laid on the Table of the House as soon as practicable by the Minister responsible for foreign affairs together with a motion giving an opportunity to the House to express itself on such act.

House to be informed of denunciation of certain treaties.

4. Where Malta ceases, or does any act whereby it will cease, to be a party to a treaty affecting or concerning any of the matters mentioned in paragraph (a), (b) or (c) of subsection (1) of section 3 of this Act, the Minister responsible for foreign affairs shall inform the House of the fact, giving the reasons therefor, at the earliest opportunity and in no case later than the second sitting of the House after the expiration of one month from the date of the denunciation or other act whereby Malta ceases or will cease to be a party to a treaty as aforesaid.

Other treaties.

5. Nothing in this Act shall be construed as in any way affecting the powers of the Government with respect to treaties to which subsection (1) of section 3 of this Act does not apply.

Objects and Reasons

The Bill provides for the ratification of certain treaties by the House of Representatives.

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