Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,551, 8 ta' Jannar, 2021
Taqsima C

Nru. 185

8. 1. 2021

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Deo Debattista, M.P., Segretarju Parlamentari għall-Protezzjoni tal-Konsumatur u l-Indafa Pubblika, f'isem il-Ministru għat-Turiżmu u l-Protezzjoni tal-Konsumatur, u moqri għall-Ewwel darba fis-Seduta tat-22 ta' Ottubru 2020.

ATT sabiex jemenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), Kap. 46, l-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur, Kap. 510 u liġijiet oħra biex jassenjaw ir-responsabilità relattiva lill-istess Awtorità u biex jipprovdi għal ħwejjeġ anċillari jew konsegwenzjali għal dan.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Deo Debattista, M.P., Parliamentary Secretary for Consumer Protection and Public Cleansing, on behalf of the Minister for Tourism and Consumer Protection, and read the First time at the Sitting of the 22nd October 2020.

AN ACT to amend the Goldsmiths and Silversmiths Act, Cap. 46, the Malta Competition and Consumer Affairs Authority Act, Cap. 510 and other laws to assign the relative responsibility to the Malta Competition and Consumer Affairs Authority and to make ancillary and consequential provisions thereto.

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex jemenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), Kap. 46, l-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur, Kap. 510 u liġijiet oħra biex jassenjaw ir-responsabilità relattiva lill-istess Awtorità u biex jipprovdi għal ħwejjeġ ančillari jew konsegwenzjali għal dan.

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. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2020 li jemenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera) u diversi Liġijiet oħra. Titolu fil-qosor u bidu fis-seħħ.

(2) Dan l-Att għandu jidħol fis-seħħ f'dik id-data li l-Ministru għall-Finanzi u x-Xogħol jista' jistabbilixxi b'avviż fil-Gazzetta, u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet differenti ta' dan l-Att.

Taqsima I
Emendi tal-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)

2. Din it-Taqsima temenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), u għandha tinqara u tinftiehem ħaġa waħda mal-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), hawnhekk iżjed 'il quddiem f'din it-Taqsima msejjaħ " l-Att prinċipali ". Emendi għall-Att dwar il-Ħaddiema d-Deheb u l-ĦAddiema l-Fidda (Arġentiera). Kap. 46.

3. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 2 tal-Att prinċipali.

(a) minnufih qabel it-tifsira "awtorizzat" għandha tiżdied it-tifsira

ġdida li ġejja:

" "Awtorità", tfisser l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur imwaqqfa bl-artikolu 3 tal-Att dwar l-Awtorità ta Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur";

Kap. 510.

(b) minnufih wara t-tifsira "boll ta' garanzija tal-uffiċċju", għandha tiżdied it-tifsira ġdida li ġejja:

" "Istitut dwar l-I*standards* u Metroloġija" tfisser l-istitut nazzjonali stabbilit taħt Taqsima VII tal-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur;"

Kap. 510.

(ċ) it-tifsira "Konslu" għandha tiġi sostitwita b'dan li ġej:

" "Konslu" tfisser il-Konslu għall-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera) u l-funzjonijiet u d-dmirijiet tal-Konslu għandhom ikunu mwettqa mid-Direttur Ġenerali (*Standards* u Metroloġija) jew kull uffiċjal pubbliku awtorizzat bil-miktub mid-Direttur Ġenerali sabiex iwettaq dawn id-dmirijiet;"; u

(d) it-tifsira "Ministru" għandha tiġi sostitwita b'dan li ġej:

" "Ministru", kemm-il darba ma jkunx xort'oħra awtorizzat, tfisser il-Ministru responsabbli għall-Awtorità".

Emenda tal-artikolu 14 tal-Att prinċipali.

4. Is-subartikolu (1) tal-artikolu 14 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

"(1) Valutazzjonijiet għandhom ikunu bbażati fuq il-prezzijiet li jipprevalu fis-suq internazzjonali kif preskritt.".

Taqsima II
Emendi tal-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur

Emendi għall-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur. Kap. 510.

5. Din it-Taqsima temenda l-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur, u għandha tinqara u tinftiehem ħaġa waħda mal-Att dwar l-Awtorita ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur, hawn hekk iżjed 'il quddiem f'din it-Taqsima imsejjaħ "l-Att prinċipali".

6. L-artikolu 12 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 12 tal-Att prinċipali.

(a) fin-nota marġinali tas-subartikolu (2) tiegħu, minnufih wara l-kliem "Kap. 430.", għandhom jiżdiedu l-kliem "Kap. 46.";

(b) fis-subartikolu (2) tiegħu, minnufih wara l-kliem "l-Att dwar il-Kontrol tal-Pestiċidi" għandhom jiżdiedu l-kliem "l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)";

(ċ) fin-nota marġinali tas-subartikolu (3) tiegħu, minnufih wara l-kliem "Kap. 430.", għandhom jiżdiedu l-kliem "Kap. 46.";

(d) fis-subartikolu (3) tiegħu, minnufih wara l-kliem "l-Att dwar il-Kontrol tal-Pestiċidi" għandhom jiżdiedu l-kliem "l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)";

(e) fin-nota marġinali tas-subartikolu (8) tiegħu, minnufih wara l-kliem "Kap. 430." għandhom jiżdiedu l-kliem "Kap. 46."; u

(f) fis-subartikolu (8) tiegħu, minnufih wara l-kliem "l-Att dwar il-Kontrol tal-Pestiċidi" għandhom jiżdiedu l-kliem "l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)".

7. L-artikolu 22 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 22 tal-Att prinċipali.

(a) fis-subparagrafu (w) tas-subartikolu (1) tiegħu, il-kelma "u" għanda tiġi mħassra;

(b) fis-subparagrafu (x) tas-subartikolu (1) tiegħu, il-kelma "taħtu." għanda tiġi sostitwita bil-kelma "taħtu; u"; u

(ċ) minnufih wara s-subparagrafu (x) tas-subartikolu (1) tiegħu, għandu jiżdied is-subparagrafu ġdid li ġej:

"(y) li jeżerċita b'mod ġenerali r-responsabbiltajiet mogħtija lilu taħt l-Att dwar il Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), u taħt kull Att ieħor jew regolamenti magħmula taħtu.".

Taqsima III
Emendi għall-Att dwar il-Kummissarju tat-Taxxi

Emendi għall-Att dwar il-Kummissarju tat-Taxxi. Kap. 517.

8. Din it-Taqsima temenda l-Att dwar il-Kummissarju tat-Taxxi, u għandha tinqara u tinftiehem ħaġa waħda mal-Att dwar il-Kummissarju tat-Taxxi, hawnhekk iżjed ’il quddiem f’din it-Taqsima imsejjaħ "l-Att prinċipali";.

Emenda tal-artikolu 2 tal-Att prinċipali.

9. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fin-nota marġinali tat-tifsira "atti tat-taxxa", il-kliem "Kap. 46." għandhom jiġu mħassra; u

(b) fit-tifsira "atti tat-taxxa", il-kliem "l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)" għandhom jiġu mħassra.

Taqsima IV
Emendi tar-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera)

Emendi għar-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera). L.S. 46. 01.

10. Din it-Taqsima temenda r-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), u għandha tinqara u tinftiehem ħaġa waħda mar-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Arġentiera), hawnhekk iżjed ‘il quddiem f’din it-Taqsima msejħa "r-regolamenti prinċipali".

Emenda tar-regolament 14 tar-regolamenti prinċipali.

11. Ir-regolament 14 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (1) tiegħu, minnufih wara l-kelma "Ministru" għandhom jiżdiedu l-kliem "responsabbli għall-Awtorità";

(b) fis-subregolament (2) tiegħu, minnufih wara l-kelma "Ministru" għandhom jiżdiedu l-kliem "responsabbli għall-Awtorità";

(ċ) is-subregolament (3) tiegħu għandu jiġi sostitwit b’dan li ġej:

"(3) It-tieni assaġġ għandu jsir fil-preżenza ta’ min ikun applika għalih, jekk ikun irid, u dan għandu jsir minn Bord magħmul minn professur tal-Kimika fl-Università ta’ Malta jew minn xi espert ieħor magħżul mill-Ministru responsabbli għall-Awtorità f’kull każ assistit mill-Konslu u minn artiġjan ta’ esperjenza li jinħatar ukoll mill-Ministru responsabbli għall-Awtorità."; u

(d) fis-subregolament (5) tiegħu, minnufih wara l-kelma "Ministru" għandhom jiżdiedu l-kliem "responsabbli għall-Awtorità".

12. Fir-regolament 15 tar-regolamenti prinċipali, minnufih wara l-kelma "Ministru" għandhom jiżdiedu l-kliem "responsabbli għall-Awtorità".

Emenda tar-regolament 15 ta-regolamenti prinċipali.

13. Ir-regolament 25 tar-regolamenti prinċipali għandu jiġi sostitwit b'dan li ġej:

Emenda tar-regolament 25 tar-regolamenti prinċipali.

"25. Il-prezzijiet uffiċjali tad-deheb u l-fidda għandhom ikunu bbażati fuq l-aħħar prezzijiet internazzjonali kif ippubblikati uffiċjalment mill-Bank Ċentrali ta' Malta u kkonvertiti minn *troy ounces* għal grammi fl-użu tar-rata ta' konverżjoni stabbilita fid-Direttiva 80/181/KEE.".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma l-assenjazzjoni ta' responsabbiltajiet relatati mal-ħaddiema d-deheb u l-ħaddiema l-fidda (Arġentiera) mill-Ministeru tal-Finanzi għall-Istitut tal-I*standards* u l-Metroloġija fi ħdan l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur.

A BILL
entitled

AN ACT to amend the Goldsmiths and Silversmiths Act, Cap. 46, the Malta Competition and Consumer Affairs Authority Act, Cap. 510 and other laws to assign the relative responsibility to the Malta Competition and Consumer Affairs Authority and to make ancillary and consequential provisions 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 and commencement.

1. (1) The short title of this Act is the Goldsmiths and Silversmiths Act and various other Laws (Amendment) Act, 2020.

(2) This Act shall come into force on such date as the Minister for Finance and Employment may by notice in the Gazette establish, and different dates may be so established for different provisions of this Act.

Part I
Amendments to the Goldsmiths and Silversmiths Act

Amendments to the Goldsmiths and Silversmiths Act. Cap. 46.

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

Amendment of article 2 of the principal Act.

3. Article 2 of the principal Act shall be amended as follows:

(a) immediately after the definition "an alloy of precious metal", there shall be added the following definition:

" "Authority" means the Malta Competition and Consumer Affairs Authority as established by article 3 of the Malta Competition and Consumer Affairs Authority Act.

Cap. 510.

(b) the definition "Consul" shall be substituted by the following:

" "Consul" means the Consul for the Goldsmiths and Silversmiths and the functions and duties of the Consul shall be discharged by the Director General (Standards and Metrology) or any public officer authorised in writing by the Director General to discharge such duties;";

(c) the definition "Minister" shall be substituted by the following:

" "Minister", unless otherwise provided in this Act, means the Minister responsible for the Authority"; and

(d) immediately after the definition "standard mark", there shall be added the following new definition:

" "Standards and Metrology Institute" means the national body established under Part VII of the Malta Competition and Consumer Affairs Authority Act;".

Cap. 510.

Amendment of article 14 of the principal Act.

4. Sub-article (1) of article 14 of the principal Act shall be substituted by the following:

"(1) Valuations shall be based on the prices prevailing on the international market as prescribed.".

Part II
Amendments to the Malta Competition and Consumer Affairs Authority Act

Amendments to the Malta Competition and Consumer Affairs Authority Act. Cap. 510.

5. This Part amends the Malta Competition and Consumer Affairs Authority Act and it shall be read and construed as one with the Malta Competition and Consumer Affairs Authority Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 12 of the principal Act.

6. Article 12 of the principal Act shall be amended as follows:

(a) in the marginal note of sub-article (2) thereof, immediately after the words "Cap. 430.", there shall be added the words "Cap. 46.";

(b) in sub-article (2) thereof, immediately after the words "the Pesticides Control Act" there shall be added the words "the Goldsmiths and Silversmiths Act";

(c) in the marginal note of sub-article (3) thereof, immediately after the words "Cap. 430.", there shall be added the words "Cap. 46.";

(d) in sub-article (3) thereof, immediately after the words "the Pesticides Control Act" there shall be added the words "the Goldsmiths and Silversmiths Act";

(e) in the marginal note of sub-article (8) thereof, immediately after the words "Cap. 430.", there shall be added the words "Cap. 46."; and

(f) in sub-article (8) thereof, immediately after the words "the Pesticides Control Act" there shall be added the words "the Goldsmiths and Silversmiths Act".

Amendment of article 22 of the principal Act.

7. Article 22 of the principal Act shall be amended as follows:

(a) in sub-paragraph (w) of sub-article (1) thereof, the word "and" shall be deleted;

(b) in sub-paragraph (x) of sub-article (1) thereof, the words "thereunder." shall be substituted by the word "thereunder; and"; and

(c) immediately after sub-paragraph (x) of sub-article (1) thereof, there shall be added the following new sub-paragraph:

"(y) to generally exercise the responsibilities assigned to it under the Goldsmiths and Silversmiths Act and any other Act and regulations made thereunder.".

Part III
Amendments to the Commissioner for Revenue Act

Amendments to the Commissioner for Revenue Act.
Cap. 517.

8. This Part amends the Commissioner for Revenue Act and it shall be read and construed as one with the Commissioner for Revenue Act, hereinafter in this Part referred to as "the principal Act".

9. Article 2 of the principal Act shall be amended as follows:

Amendment of article 2 of the principal Act.

(a) in the marginal note of the definition "revenue acts", the words "Cap. 46." shall be deleted; and

(b) in the definition "revenue acts", the words "the Goldsmiths and Silversmiths Act" shall be deleted.

Part IV
Amendments to the Goldsmiths and Silversmiths Regulations

10. This Part amends the Goldsmiths and Silversmiths Regulations and it shall be read and construed as one with the Goldsmiths and Silversmiths Regulations, hereinafter in this Part referred to as "the principal regulations".

Amendments to the Goldsmiths and Silversmiths Regulations. S.L. 46. 01.

11. Regulation 14 of the principal regulations shall be amended as follows:

Amendment of regulation 14 of the principal regulations.

(a) in sub-regulation (1) thereof, the words "Minister responsible for finance" shall be substituted by the words "Minister responsible for the Authority";

(b) in sub-regulation (2) thereof, immediately after the word "Minister " there shall be added the words "responsible for the Authority";

(c) sub-regulation (3) thereof shall be substituted by the following: "The second assay shall be carried out in the presence of the person applying for it, if he so requires, and it shall be conducted by a Board made up of a professor of Chemistry in the University of Malta or some other expert designated by the Minister responsible for the Authority, in either case assisted by the Consul and by an experienced artificer also appointed by the Minister responsible for the Authority."; and

(d) in sub-regulation (5) thereof, the words "Minister responsible for Finance" shall be substituted by the words "Minister responsible for the Authority".

12. In regulation 15 of the principal regulations, the words "Minister responsible for Finance" shall be substituted by the words "Minister responsible for the Authority".

Amendment of regulation 15 of the principal regulations.

13. Regulation 25 of the principal regulations shall be substituted by the following:

Amendment of regulation 25 of the principal regulations.

"25. The official prices of gold and silver shall be based on the latest international prices as officially published by the

Central Bank of Malta and converted from troy ounces to grams using the conversion rate established in Directive 80/181/EEC.".

Objects and Reasons

The objects and reasons of this Bill are the assignment of responsibilities relating to Goldsmiths and Silversmiths from the Ministry of Finance onto the Standards and Metrology Institute within the Malta Competition and Consumer Affairs Authority.

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