

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,571, 12 ta' Frar, 2021

Taqsimha C

Nru. 193

12. 2. 2021

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Edward Zammit Lewis, M.P., Ministru għall-Ġustizzja, l-Ugwaljanza u l-Governanza, u moqri għall-Ewwel darba fis-Seduta tal-25 ta' Mejju 2020.

A BILL introduced by the Honourable Edward Zammit Lewis, M.P., Minister for Justice, Equality and Governance, and read the First time at the Sitting of the 25th May 2020.

ATT biex jemenda l-Att dwar is-Servizz Parlamentari, Kap. 562.

AN ACT to amend the Parliamentary Service Act, Cap. 562.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jemenda l-Att dwar is-Servizz Parlamentari, Kap. 562.

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2021 li jemenda l-Att dwar is-Servizz Parlamentari, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar is-Servizz Parlamentari, hawnhekk iżjed 'il quddiem f'dan l-Att imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

Kap. 562.

2. Minnufih wara l-artikolu 19 tal-Att prinċipali għandu jidhol dan l-artikolu ġdid li ġej:

Żieda ta' artikolu ġdid fl-Att prinċipali.

"Allokazzjoni ta' uffiċjali pubbliċi għal xogħol mas-Servizz Parlamentari.

20. (1) Il-Prim Ministru jista', fuq talba tal-iSpeaker, b'ordni jinkariga lil xi uffiċjal pubbliku biex jaqdi dmirijietu mas-Servizz għal dak iż-żmien u taħt dawk il-kondizzjonijiet li jistgħu jiġu stabbiliti fir-rigward ta' dak l-uffiċjal li jkun ġie hekk inkarigat.

(2) Il-Prim Ministru jista', fuq talba tal-iSpeaker, jirrevoka kull ordni bħal dik.

(3) Meta uffiċjal jiġi inkarigat biex iwettaq dmirijietu mas-Servizz, dak l-uffiċjal għandu, f'dak iż-żmien li matulu dik l-ordni tkun għadha sseħħ, jkun taħt id-direzzjoni amministrattiva u l-kontroll tal-iSpeaker, iżda għandu xort'ohra jibqa', u jzomm id-drittijiet u d-dmirijiet kollha bħala, uffiċjal pubbliku u għall-finijiet ta' kull liġi li għandha x'taqsam mal-pensjonijiet tal-gvern, is-servizz mas-Servizz jitqies li jkun servizz mal-Gvern:

C 5154

Iżda ma għandu jittiehed ebda kont fl-istima tal-emolumenti pensjonabbli ta' dak l-uffiċjal għall-finijiet ta' xi liġi li jkollha x'taqsam mal-pensjonijiet tas-servizz tal-gvern dwar kull *allowance*, *bonus* jew gratwità mhallsa lil dak l-uffiċjal mis-Servizz b'eċċess għas-salarju li għandu jedd għalih bhala uffiċjal pubbliku:

Iżda wkoll matul iż-żmien li fih dak l-uffiċjal jigi hekk inkarigat biex iwettaq dmirijiet mas-Servizz, il-pattijiet u l-kondizzjonijiet tas-servizz tiegħu ma għandhomx ikunu inqas favorevoli minn dawk relattivi għall-ħatra tiegħu taht il-Gvern matul il-perjodu hawn qabel imsemmi. Dawk il-pattijiet u l-kondizzjonijiet ma għandhomx jitqiesu li jkunu inqas favorevoli sempliċement għaliex ma jkunux f'kull rigward identiċi ma', jew superjuri għal, dawk gawduti mill-uffiċjal involut fid-data ta' dak l-ordni, jekk dawk il-pattijiet u l-kondizzjonijiet, meħudin bhala haġa waħda, fil-fehma tal-Prim Ministru jkunu joffru benefiċċji sostanzjalment ekwivalenti jew ta' xorta aħjar.

(4) Kull uffiċjal pubbliku li jkun qed jaqdi dmirijietu mas-Servizz fid-data tad-dhul fis-seħħ dan l-artikolu għandu jitqies illi minn dik id-data gie inkarigat b'ordni tal-Prim Ministru biex jaqdi dmirijiet u mas-Servizz, skont id-dispożizzjonijiet ta' dan l-artikolu u d-dispożizzjonijiet tal-istess artikolu għandhom jibdeu japplikaw għal dak l-uffiċjal pubbliku li għandu jkompli jaqdi dmirijietu kif fuq imsemmi sa dak iż-żmien meta l-Prim Ministru jista' jirrevoka dak l-ordni kif provdut fis-subartikolu 20(2):

Iżda meta l-Prim Ministru jirrevoka xi ordni kif fuq imsemmi l-uffiċjal li dwaru jkun gie revokat dak l-ordni għandu jżomm il-grad fis-servizz pubbliku li huwa kellu minnufih qabel ma gie inkarigat biex jaqdi dmirijietu mas-Servizz bis-saħħa ta' dan l-artikolu jew għandu jidhul jokkupa dak il-grad oġġla li huwa kien jokkupa kieku ma giex inkarigat kif fuq imsemmi."

Ghanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi hu sabiex tkun tista' ssir l-allokkazzjoni ta' uffiċjali pubbliċi għal xogħol mas-Servizz Parlamentari.

**A BILL
entitled**

AN ACT to amend the Parliamentary Service Act, Cap. 562.

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 Parliamentary Service (Amendment) Act, 2021, and this Act shall be read and construed as one with the Parliamentary Service Act, hereinafter referred to as "the principal Act".

Short title.

Cap. 562.

2. Immediately after article 19 of the principal Act, there shall be inserted the following new article:

Addition of new article to the principal Act.

"Detailing of public officers for duty with the Parliamentary Service.

20. (1) The Prime Minister may, at the request of the Speaker, by direction detail a public officer for duty with the Service for such term and under such conditions as may be established in relation to the officer so detailed.

(2) The Prime Minister may, at the request of the Speaker, revoke any such direction.

(3) Where any officer is detailed for duty with the Service such officer shall, during the time in which such direction is in force, be under the administrative direction and control of the Speaker, but shall otherwise remain, and retain all rights and duties as, a public officer, and for the purposes of any law relating to government service pensions, service with the Service shall be deemed to be service with the Government:

C 5156

Provided that no account shall be taken in assessing the pensionable emoluments of such officer for the purposes of any law relating to government service pensions or any allowances, bonuses or gratuities paid to such officer by the Service in excess of the salary to which he is entitled to as a public officer:

Provided further that during the time in respect of which such officer is so detailed to perform duties with the Service, the terms and conditions of his service shall not be less favourable than those which are attached to his appointment under the Government during the period aforesaid. Such terms and conditions shall not be deemed to be less favourable merely because they are not in all respects identical to or superior to those enjoyed by the officer concerned at the date of such direction, if such terms and conditions, taken as a whole, in the opinion of the Prime Minister offer substantially equivalent or greater benefits.

(4) Any public officer serving in the Service on the date of the coming into force of this article shall from such date be deemed to have been detailed by direction of the Prime Minister for duty with the Service under the provisions of this article, and thereupon the provisions of the same article shall apply to such officer who shall continue to be detailed for duty as aforesaid until such time when the Prime Minister may revoke such direction as provided in sub-article 20(2):

Provided that where the Prime Minister revokes any direction as aforesaid the officer in whose respect the direction is revoked shall retain such grade in the public service which he held immediately before being detailed for duty with the Service by virtue of this article or shall occupy such other higher grade which he would have occupied had he not been detailed as aforesaid."

Objects and Reasons

The objects and reasons of this Bill is to provide for the detailing of public officers for duty with the Parliamentary Service.

