

MALTA

ATT Nru VII tal-2021

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

**ATT sabiex jemenda l-Att dwar il-
Haddiema d-Deheb u l-Haddiema
l-Fidda (Argentiera), 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 hwejjeġ ancillari jew
konsegwenzjali għal dan.**

ACT No. VII of 2021

AN ACT enacted by the Parliament of Malta.

**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.**

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

5 ta' Marzu, 2021

ATT Nru VII tal-2021

ATT sabiex jemenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera), Kap. 46, l-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur, Kap. 510 u ligijiet oħra biex jassenjaw ir-responsabilità relattiva lill-istess Awtorità u biex jipprovdi għal hwejjeġ ancillari 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, hareġ b'ligi dan li ġej:

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2021 li jemenda l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera) u diversi Ligijiet oħra. Titolu fil-qosor u bidu fis-seħh.

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

Taqsimi I

Emendi għall-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera)

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

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Emenda tal-
artikolu 2 tal-
Att prinċipali.

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

(a) minnufih qabel it-tifsira "awtorizzat" għandha tiżdied it-tifsira ġdida li ġejja:

Kap. 510. " "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;"

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

Kap. 510. " "Istitut dwar l-*Istandards* u Metroloġija" tfisser l-istitut nazzjonali stabbilit taħt Taqsima VII tal-Att dwar l-Awtorità ta' Malta għall-Kompetizzjoni u għall-Affarijiet tal-Konsumatur;"

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

" "Konslu" tfisser il-Konslu għall-*Ħaddiema d-Deheb* u l-*Ħaddiema l-Fidda (Argentiera)* 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."

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

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

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

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

Emenda tal-artikolu 12 tal-Att prinċipali.

(a) fin-nota marginali 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-Kontroll tal-Pesticidi" għandhom jiżdiedu l-kliem ", l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera)";

(ċ) fin-nota marginali 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-Kontroll tal-Pesticidi" għandhom jiżdiedu l-kliem ", l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera)";

(e) fin-nota marginali 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-Kontroll tal-Pesticidi" għandhom jiżdiedu l-kliem ", l-Att dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera)".

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

Emenda tal-artikolu 22 tal-Att prinċipali.

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

(b) fil-paragrafu (x) tas-subartikolu (1) tiegħu, il-kelma "tahtu." għanda tiġi sostitwita bil-kelma "tahtu; u"; u

(ċ) minnufih wara l-paragrafu (x) tas-subartikolu (1)

tiegħu għandu jżied il-paragrafu ġdid li ġej:

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

Taqsimha III

Emendi għall-Att dwar il-Kummissarju tat-Taxxi

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

8. Din it-Taqsimha temenda l-Att dwar il-Kummissarju tat-Taxxi, u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Kummissarju tat-Taxxi, hawnhekk iżjed 'il quddiem f'din it-Taqsimha msejjaħ "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 marginali 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 (Argentiera)" għandhom jiġu mħassra.

Taqsimha IV

Emendi tar-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera)

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

10. Din it-Taqsimha temenda r-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera) u għandha tinqara u tinftiehem haġa waħda mar-Regolamenti dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera), hawnhekk iżjed 'il quddiem f'din it-Taqsimha msejjaħ "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 jżiedu l-kliem "responsabbli għall-Awtorità";

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

(c) 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 ippublikati uffiċjalment mill-Bank Ċentrali ta' Malta u kkonvertiti minn *troy ounces* għal grammi bl-użu tar-rata ta' konverżjoni stabbilita fid-Direttiva 80/181/KEE."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 434 tat-2 ta' Marzu, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

5th March, 2021

ACT No. VII of 2021

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, 2021.

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

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

Amendment of article 2 of the principal Act.

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

Cap. 510.

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

(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:

Cap. 510.

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

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

Amendment of article 14 of the principal Act.

"(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

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".

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

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

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

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

"(3) 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.

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Amendment of
regulation 25 of
the principal
regulations.

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

"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."

Passed by the House of Representatives at Sitting No. 434 of the 2nd March 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives
