VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,878, 17 ta' Ġunju, 2022
Taqsima C

Nru 7

17. 06. 2022

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Chris Fearne, M.P., Deputat Prim Ministru u Ministru għas-Saħħa, u moqri għall-Ewwel darba fis-Seduta tal-15 ta' Ġunju 2022.

ATT sabiex jemenda l-Att dwar il-Professjonijiet tas-Saħħa, Kap. 464.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Chris Fearne, M.P., Deputy Prime Minister and Minister for Health, and read the First time at the Sitting of the 15th June 2022.

AN ACT to amend the Health Care Professions Act, Cap. 464.

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex jemenda l-Att dwar il-Professjonijiet tas-Saħħa, Kap. 464.

1. It-titolu ta' dan l-Att huwa l-Att tal-2022 li jemenda l-Att dwar il-Professjonijiet tas-Saħħa, u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Att dwar il-Professjonijiet tas-Saħħa, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali". Titolu fil-qosor. Kap. 464.

2. Minnufih wara s-subartikolu (5) tal-artikolu 12 tal-Att prinċipali għandhom jiżdiedu s-subartikoli ġodda li ġejjin: Emenda tal-artikolu 12 tal-Att prinċipali.

"(6) Għall-iskopijiet ta' dan l-Att, l-attivitajiet professjonali tal-kirurgi dentali huma dawk definiti fis-subartikolu preċedenti u eżerċitati skont il-kwalifiki professjonali elenkati fil-Parti IIa tat-Tieni Skeda.

(7) Il-professjoni tal-kirugu dentali għandha tkun ibbażata fuq it-taħriġ dentali indikat fis-subartikolu (1) u għandha tikkostitwixxi professjoni speċifika li hija distinta minn professjonijiet mediċi ġenerali jew speċjalizzati oħra. L-eżerċizzju tal-attivitajiet ta' kirurgu dentali jeħtieġu l-pussess ta' prova ta' kwalifiki formali indikati fit-Taqsima IIa tat-Tieni Skeda. Id-detenturi ta' tali prova ta' kwalifiki formali għandhom jiġu trattati bl-istess mod bħal dawk li għalihom japplikaw l-artikolu 42A jew is-Sitt Skeda.".

3. Il-paragrafu (d) tas-subartikolu (6) tal-artikolu 42 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej: Emenda tal-artikolu 42 tal-Att prinċipali.

"(d) F'każ ta' professjonijiet regolati li ma jibbenefikawx minn rikonoxximent awtomatiku tal-kwalifiki, il-Kunsill rilevanti jista' jivverifika l-kwalifiki professjonali tal-fornitur tas-servizz qabel l-ewwel provvista tas-servizzi. Tali verifika preċedenti tista' ssir unikament meta l-għan tal-istess verifika

jkun sabiex tiġi evitata ħsara serja għas-saħħa jew is-sigurtà tar-riċevitur tas-servizz minħabba f'nuqqas ta' kwalifika professjonali tal-fornitur ta' servizz u fejn dan ma jkunx lil hinn minn dak li hu meħtieġ għal dak l-għan.".

Emenda tal-artikolu 42A tal-Att prinċipali.

4. Fil-paragrafu (a) tas-subartikolu (3) tal-artikolu 42(A) tal-Att prinċipali l-kliem "is-subartikolu (1)" għandhom jiġu sostitwiti bil-kliem "is-subartikolu (2)".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex tiġi żgurata l-konformità mad-Direttiva 2005/36/KE kif emendata permezz tad-Direttiva 2013/55/UE.

A BILL
entitled

AN ACT to amend the Health Care Professions Act, Cap. 464.

1. The short title of this Act is the Health Care Professions (Amendment) Act, 2022, and this Act shall be read and construed as one with the Health Care Professions Act, hereinafter referred to as "the principal Act". Short title. Cap. 464.

2. Immediately after sub-article (5) of article 12 of the principal Act, there shall be added the following new sub-articles: Amendment of article 12 of the principal Act.

"(6) For the purposes of this Act, the professional activities of dental surgeon are those defined under the preceding sub-article and pursued under the professional qualifications listed in Part IIa of the Second Schedule.

(7) The profession of dental practitioner shall be based on dental training referred to in sub-article (1) and shall constitute a specific profession which is distinct from other general or specialized medical professions. The pursuit of the activities of a dental practitioner requires the possession of evidence of formal qualifications referred to in Part I1a of the Second Schedule. Holders of such evidence of formal qualifications shall be treated in the same way as those to whom article 42A or the Sixth Schedule apply.".

3. Paragraph (d) of sub-article (6) of article 42 of the principal Act shall be substituted by the following: Amendment of article 42 of the principal Act.

"(d) In the case of regulated professions which do not benefit from an automatic recognition of qualifications, the relevant Council may verify the professional qualifications of the service provider prior to the first provision of services. Such prior verification shall be possible only where the purpose of the said verification is to avoid serious damage to the health or

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safety of the service recipient due to a lack of professional qualification of the service provider and where this does not go beyond what is necessary for that purpose.".

Amendment of article 42A of the principal Act.

4. In paragraph (a) of sub-article (3) of article 42A of the principal Act the words "sub-article (1)" shall be substituted by the words "sub-article (2)".

Objects and Reasons

The objects and reasons of this Bill are to ensure compliance of the Act with Directive 2005/36/EC as amended by Directive 2013/55/EU.

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