MALTA

ATT Nru. XVI ta' l-1988

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

ATT biex jagħti s-setgħa lill-Ministri biex jiddelegaw il-funzjonijiet tal-karigi tagħhom lis-Segretarji Parlamentari.

ACT No. XVI of 1988

AN ACT enacted by the Parliament of Malta.

AN ACT to enable Ministers to delegate functions of their office to Parliamentary Secretaries.

Nagħti l-kunsens tiegħi.

(L.S.)

PAUL XUEREB
Aġent President

20 ta' Mejju, 1988

ATT Nru. XVI ta' l-1988

ATT biex jagħti s-setgħa lill-Ministri biex jiddelegaw il-funzjonijiet tal-karigi tagħhom lis-Segretarji Parlamentari.

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:—

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1988 dwar id-Delega ta' Funzjonijiet minn Ministri. Titolu fil-qosor.

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

"funzjonijiet" tinkludi setgħat u dmirijiet;

"liġi" tfisser Att tal-Parlament jew Att ieħor mgħoddi mill-Leġislatura ta' Malta jew Ordinanza;

"Ministru" tfisser id-detentur ta' kariga skond l-artikolu 80 tal-Kostituzzjoni.

3. (1) Ministru jista' jiddelega lil Segretarju Parlamentari li jkun qiegħed jassistih fit-twettieq ta' dmirijietu kull funzjoni li bis-saħħa tal-kariga tiegħu tkun mogħtija lilu b'xi jew taħt xi liġi. Delega ta' funzjonijiet.

(2) Delega ta' funzjonijiet taħt dan l-artikolu għandha tkun mingħajr preġudizzju għat-twettieq ta' dawk il-funzjonijiet mill-Ministru.

(3) Is-setgħa li tiġi hekk delegata biex isiru ordnijiet, regoli jew regolamenti għandha, kemm-il darba ma jkunx jidher li hemm xi ħsieb ieħor, tiftiehem li tinkludi s-setgħa li wieħed jirrevoka, jemenda jew ibiddel ordnijiet, regoli jew regolamenti.

Avviż dwar funzjonijiet delegati.

4. Kull delega ta' funzjonijiet u kull żieda magħha jew emenda, bidla, sostituzzjoni jew tħassir ta' dik id-delega għandhom isiru bil-miktub mill-Ministru nnifsu, u għandu jiġi ppublikat avviż dwar dan fil-Gazzetta.

Proċedimenti legali.

5. Segretarju Parlamentari jista' jħarrek jew jiġi mħarrek dwar kull funzjoni delegata lilu taħt dan l-Att, u jista' jkompli kull proċediment legali li jkun inbeda għar-rigward ta' dawk il-funzjonijiet qabel id-data li fiha tkun saret id-delega.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 102 tas-16 ta' Mejju, 1988.

JIMMY FARRUGIA
Speaker

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati.

I assent.

(L.S.)

PAUL XUEREB
Acting President

20th May, 1988

ACT No. XVI of 1988

AN ACT to enable Ministers to delegate functions of their office to Parliamentary Secretaries.

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. This Act may be cited as the Ministers (Delegation of Functions) Act, 1988. Short title.

2. In this Act, unless the context otherwise requires — Interpretation.

"functions" includes powers and duties;

"law" means an Act of Parliament or other Act passed by the Legislature of Malta or an Ordinance;

"Minister" means the holder of an office under section 80 of the Constitution.

3. (1) A Minister may delegate to a Parliamentary Secretary assisting him in the performance of his duties, any functions which in virtue of his office are conferred on him by or under any law. Delegation of functions.

(2) A delegation of functions under this section shall be without prejudice to the exercise of those functions by the Minister.

(3) The power so delegated to make orders, rules or regulations shall, unless the contrary intention appears, be construed as including a power to revoke, amend or vary orders, rules or regulations.

Notice of delegated functions.

4. Every delegation of functions and any addition to, or amendment, variation, substitution or rescission of, such delegation shall be made in writing under the hand of the Minister, and notice thereof shall be published in the Gazette.

Legal proceedings.

5. A Parliamentary Secretary may sue or be sued in respect of any functions delegated to him under this Act, and may continue any legal proceedings commenced in respect of those functions before the date when the delegation is made.

Passed by the House of Representatives at Sitting No. 102 of the 16th May, 1988.

JIMMY FARRUGIA
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives.

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