

MALTA

ATT Nru. II ta' l-1989

ATT mahruġ b'ligi mill-Parlament ta' Malta.

ATT biex ikompli jemenda l-Att ta' l-1976 dwar id-Dazji ta' Importazzjoni.

ACT No. II of 1989

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Import Duties Act, 1976.

Nagħti l-kunsens tiegħi.

(L.S.)

PAUL XUEPEB
Agent President

24 ta' Frar, 1989

ATT Nru. II ta' l-1989

ATT biex ikompli jemenda l-Att ta' l-1976 dwar id-Dazji ta' Importazzjoni.

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

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1989 li jemenda l-Att dwar id-Dazji ta' Importazzjoni (Emenda Nru. 2), u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1976 dwar id-Dazji ta' Importazzjoni, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor
u bidu fis-seħh.

Att XXV
ta' l-1976.

(2) Id-dispożizzjonijiet ta' l-artikolu 3 ta' dan l-Att għandhom jidhlu fis-seħh f'dik id-data li l-Ministru responsabbli għall-finanzi jista' jistabbilixxi b'avviż fil-Gazzetta.

2. Fl-artikolu 15 ta' l-Att prinċipali, il-kliem "għal użu jew konsum barra minn Malta." għandhom jithassru.

Emenda ta'
l-artikolu 15
ta' l-Att
prinċipali.

3. L-intestatura 22.03 fil-Kapitolu 22 ta' l-Ewwel Skeda ta' l-Att prinċipali għandha tiġi emendata kif ġej:

Emenda ta'
l-Ewwel Skeda
ta' l-Att
prinċipali.

(a) fis-subintestatura (A) tagħha, il-kliem "Lm19.50,0 kull ettolitru" fit-Tielet Kolonna tagħha għandhom jiġu sostitwiti bil-kliem "Lm17.55,0 kull ettolitru".

(b) fis-subintestatura (B) tagħha l-kliem "Lm2.50,0 kull ettolitru" fit-Tielet Kolonna tagħha għandhom jiġu sostitwiti bil-kliem "Lm2.25,0 kull ettolitru".

4. Il-Parti II tat-Tieni Skeda ta' l-Att prinċipali ghandha tigi emendata kif ġej:

(a) minflok il-paragrafu (m) ghandu jidhol il-paragrafu ġdid li ġej:

“(m) Oġġetti tad-dar u oġġetti personali, ghamara u oġġetti domestiċi oħra, (minbarra armi tan-nar u armi ta' kull xorta), li fl-opinjoni tal-Kontrollur tad-Dwana jkunu ġew użati fid-dar tal-persuna li qed timporta jew mill-familja tagħha, u li jkunu mportati minn dik il-persuna meta ġgorr il-mobbli tad-dar tagħha minn pajjiż ieħor għal Malta, iżda dawn l-oġġetti għandhom jiġu mportati fi żmien sitt xhur mid-data tal-wasla f'Malta, tal-persuna li qed timportahom biex tigi tirrisjedi f'Malta jew f'dak iż-żmien ieħor li l-Kontrollur tad-Dwana jista' jippermetti.”.

(b) minflok il-paragrafu (o) ghandu jidhol il-paragrafu ġdid li ġej:

“(o) Vettura waħda bil-mutur privata mportata minn persuna (ir-raġel u l-mara jghoddu bhala persuna waħda għall-finijiet ta' hawnhekk) li tittrasferixxi r-residenza tagħha għal Malta jekk dik il-persuna tissodisfa lill-Kontrollur tad-Dwana li jkollha permess ta' residenza mahruġ lilha mill-Gvern skond is-subartikolu (1) ta' l-artikolu 7 ta' l-Att ta' l-1970 dwar l-Immigrazzjoni u jekk il-vettura bil-mutur tigi mportata fi żmien sitt xhur mid-data ta' l-imsemmi permess jew mill-wasla f'Malta ta' dik il-persuna biex tiehu residenza fiha, liema data tkun l-aħħar:

Izda meta xi vettura bil-mutur importata kif intqal qabel, hielsa minn dazju tinbiegħ jew tigi mnehhija minn dik il-persuna għall-użu f'Malta dik il-vettura bil-mutur għandha titqies li tittiehed mid-depożt fiż-żmien ta' dak il-bejgħ jew tnehhija u ghandu jithallas dazju fuqha mill-persuna li ssir is-sid tagħha skond id-dispożizzjonijiet ta' l-artikolu 4 ta' dan l-Att.”.

(ċ) minflok il-paragrafu (p) ghandu jidhol il-paragrafu ġdid li ġej:

“(p) Vettura bil-mutur privata mportata minn emigrant Malti (ir-raġel u l-mara jghoddu bhala persuna waħda għall-finijiet ta' hawnhekk) li jiġi lura biex jirrisjedi f'Malta, kemm-il darba dak l-emigrant jissodisfa lill-Kontrollur tad-Dwana li:

(i) hu kien ilu jirrisjedi barra minn Malta kompressivament għal ghoxrin sena matul perijodu ta' hamsa u ghoxrin sena minnufih qabel il-wasla tiegħu f'Malta; u

(ii) li jkun se jirċievi f'Malta minn barra *income* fis-sena ta' mhux anqas minn hames mitt lira Maltija,

u kemm-il darba l-vettura bil-mutur tigi mportata fi żmien sitt xhur mill-wasla ta' dak l-emigrant f'Malta biex jirrisjedi hawnhekk:

Iżda meta xi vettura bil-mutur li tigi mportata kif intqal qabel hielsa mid-dazju tinbiegħ jew titnehħa minn dik il-persuna għall-użu f'Malta, dik il-vettura bil-mutur għandha titqies li harget mid-depożt fil-hin ta' dak il-bejgħ jew tnehħija u għandu jithallas id-dazju fuqha mill-persuna li ssir sidha skond id-dispożizzjonijiet ta' l-artikolu 4 ta' dan l-Att."

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 201 tal-21 ta' Frar, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

PAUL XUEREB
Acting President

24th February, 1989

ACT No. II of 1989

AN ACT further to amend the Import Duties Act, 1976.

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.
Act XXV of 1976.

1. (1) This Act may be cited as the Import Duties (Amendment) (No. 2) Act, 1989, and shall be read and construed as one with the Import Duties Act, 1976, hereinafter referred to as "the principal Act".

(2) The provisions of section 3 of this Act shall have effect from such date as the Minister responsible for finance may by notice in the Gazette appoint.

Amends section
15 of the
principal Act.

2. In section 15 of the principal Act, the words "for use or consumption outside Malta." shall be deleted.

Amends the
First Schedule
to the
principal Act.

3. Heading 22.03 in Chapter 22 of the First Schedule to the principal Act, shall be amended as follows:—

(a) in sub-heading (A) thereof, the words "Lm19.50,0 per h.l." in the Third Column thereof shall be substituted by the words "Lm17.55,0 per h.l.".

(b) in sub-heading (B) thereof, the words "Lm2.50,0 per h.l." in the Third Column thereof shall be substituted by the words "Lm2.25,0 per h.l.".

Amends the
Second Schedule
to the
principal Act.

4. Part II of the Second Schedule to the principal Act shall be amended as follows:—

(a) for paragraph (m) there shall be substituted the following new paragraph:

“(m) Household and personal effects, furniture and other domestic articles, (excluding firearms and weapons of all kinds), which in the opinion of the Comptroller of Customs have been in use within that household by the importing person or his family, and are imported by such person on removing his household from another country to Malta provided that such articles are imported within six months from the date of arrival in Malta of the person importing them to take up residence in Malta, or within such other period which the Comptroller of Customs may allow.”.

(b) for paragraph (o) there shall be substituted the following new paragraph:

“(o) One private motor-vehicle imported by a person (husband and wife counting as one person for the purposes hereof) who transfers his residence to Malta subject to such person satisfying the Comptroller of Customs that he is in possession of a permit of residence issued to him by the Government in terms of sub-section 1 of Section 7 of the Immigration Act, 1970 and subject to the motor-vehicle being imported within six months of the date of the said permit or of such person’s arrival in Malta to take up residence, whichever date is the later:

Provided that, where any motor-vehicle imported as aforesaid free of duty is sold or disposed of by such person for use in Malta, such motor-vehicle shall be deemed to be taken out of bond at the time of such sale or disposal and duty shall be payable thereon by the person who becomes the owner thereof in accordance with the provisions of section 4 of this Act.”.

(c) for paragraph (p) there shall be substituted the following new paragraph:

“(p) One private motor-vehicle imported by a Maltese migrant (husband and wife counting as one person for the purposes hereof) who returns to reside in Malta, subject to such migrant satisfying the Comptroller of Customs that:

(i) he has been residing away from Malta for an aggregate of twenty years during the period of twenty-five years immediately preceding his arrival in Malta to take up residence; and

(ii) that he will be receiving in Malta from overseas a yearly income of not less than five hundred Maltese liri,

and subject to the motor-vehicle being imported within six months of such migrant’s arrival in Malta to take up residence:

Provided that, where any motor-vehicle imported as aforesaid free of duty is sold or disposed of by such person for use in Malta,

such motor-vehicle shall be deemed to be taken out of bond at the time of such sale or disposal and duty shall be payable thereon by the person who becomes the owner thereof in accordance with the provisions of section 4 of this Act.”.

Passed by the House of Representatives at Sitting No. 201 of the 21st February, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives