

MALTA

ATT Nru. V ta' l-1989

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

ATT biex jemenda l-Att ta' l-1977 dwar l-Inkjesti.

ACT No. V of 1989

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Inquiries Act, 1977.

Naghti l-kunsens tieghi.

(L.S.)

PAUL XUEREB
Agent President

3 ta' Marzu, 1989

ATT Nru. V ta' l-1989

ATT biex jemenda l-Att ta' l-1977 dwar l-Inkjesti.

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. Dan l-Att jista' jissejjaħ l-Att ta' l-1989 li jemenda l-Att dwar l-Inkjesti u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1977 dwar l-Inkjesti, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.
Att Nru. XIX
ta' l-1977.

2. Fl-artikolu 2 ta' l-Att prinċipali, minnufih wara l-kliem "korp imwaqqaf b'liġi" tfsisser kull korporazzjoni jew korp magħqud ieħor imwaqqaf b'liġi" għandhom jidhlu l-kliem "u kull soċjetà jew korp ieħor li fih il-Gvern ta' Malta jew xi korp kif intqal qabel ikollhom sehem biżżejjed biex jikkontrollaw, jew li fuqu jkollhom kontroll effettiv".

Emenda ta'
l-artikolu 2
ta' l-Att
prinċipali.

3. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta'
l-artikolu 4
ta' l-Att
prinċipali.

(a) is-subartikolu (2) tiegħu għandu jiġi enumerat mill-ġdid (4); u

(b) minnufih wara s-subartikolu (1) tiegħu għandhom jiżdiedu dawn l-artikoli ġodda li ġejjin:

"(2) Meta bord ikun jikkonsisti fi tliet persuni jew aktar dan ikun magħmul minn *chairman* flimkien ma' dak in-numru biż-żewġ ta' membri oħrajn li l-persuna li tkun qegħda tahtar il-bord tista' tqis li jkun xieraq; u meta n-numru totali tal-membri li jkunu jagħmlu l-bord ikun ta' aktar minn tlieta, wiehed mill-membri tal-bord li ma jkunx iċ-*chairman* jinhatar mill-persuna li tkun qegħda tahtar il-bord bħala viċi-*chairman* u jippresjedi fil-laqgħat tal-bord fl-assenza taç-*chairman*.

(3) Il-*quorum* tal-bord jintlaħaq biċ-*chairman*, jew fl-assenza taċ-*chairman* il-*viċi-chairman*, flimkien ma' dawk il-membri oħrajn li ma jkunux inqas minn nofs in-numru ta' membri minbarra ċ-*chairman*, li jkunu jagħmlu l-bord."

Emenda ta' l-artikolu 5 ta' l-Att prinċipali.

4. Fis-subartikolu (1) ta' l-artikolu 5 ta' l-Att prinċipali, minflok il-kliem "*chairman* jew membru ta' xi bord" għandhom jidhlu l-kliem "*chairman* jew *viċi-chairman*, skond il-każ. jew membru ta' xi bord".

Emenda ta' l-artikolu 6 ta' l-Att prinċipali.

5. L-artikolu 6 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minflok il-kliem "permezz taċ-*chairman* tiegħu" għandhom jidhlu l-kliem "permezz taċ-*chairman* jew tal-*viċi-chairman* tiegħu. skond il-każ."; u

(b) fis-subartikolu (4) tiegħu, minflok il-kliem "tehel, meta tinsab hatja multa ta' mhux iżjed minn hamsin lira:" għandhom jidhlu l-kliem "tehel, meta tinsab hatja multa ta' mhux iżjed minn hames mitt lira Maltija jew il-piena ta' priġunerija għal żmien mhux iżjed minn tliet xhur. jew dik il-multa u priġunerija flimkien:".

Emenda ta' l-Iskeda li tinsab ma' l-Att prinċipali.

6. L-Iskeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

(a) fil-forma A tagħha, minflok il-kliem "li jittiehed minn *chairman* jew membru ta' Bord" u "li ġejt mahtur *Chairman*/Membru ta'" għandhom rispettivament jidhlu l-kliem "li jittiehed minn *chairman*, *viċi-chairman* jew membru ta' Bord" u "li ġejt mahtur *Chairman*/*Viċi-Chairman*/Membru ta'"; u

(b) fil-forma B tagħha, minflok il-kliem "(Firma taċ-*Chairman* jew membru iehor)" għandhom jidhlu l-kliem "(Firma taċ-*Chairman*, *Viċi-Chairman* jew membru iehor)".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 203 tas-27 ta' Frar, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Skriwan tal-Kamra tad-Deputati

I assent.

(L.S.)

PAUL XUEREB
Acting President

3rd March, 1989

ACT No. V of 1989

AN ACT to amend the Inquiries Act, 1977.

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 Inquiries (Amendment) Act, 1989 and shall be read and construed as one with the Inquiries Act, 1977, hereinafter referred to as “the principal Act”.

Short title.
Act No. XIX
of 1977.

2. In section 2 of the principal Act, immediately after the words “statutory body” means any corporation or other body corporate established by law” there shall be added the following “or any partnership or other body in which the Government or such body as aforesaid have a controlling interest, or over which they have effective control”.

Amendment
of section 2
of the
principal
Act.

3. Section 4 of the principal Act shall be amended as follows:

Amendment of
section 4
of the
principal Act.

(a) subsection (2) thereof shall be renumbered (4); and

(b) immediately after subsection (1) thereof there shall be inserted the following new subsections:

“(2) Where a board consists of three persons or more, this shall be composed of a chairman together with such number of other members in an even number as the person appointing the board may deem fit; and where the total number of the members composing the board is more than three, one of the members of the board other than the chairman shall be appointed by the person appointing the board as deputy chairman and shall preside at the meetings of the board in the absence of the chairman.

(3) The quorum of the board shall consist of the chairman, or in the absence of the chairman the deputy chairman, together with such other members being not less than half the number of members other than the chairman, composing the board.”.

Amendment of section 5 of the principal Act.

4. In subsection (1) of section 5 of the principal Act, for the words “chairman or member of any board” there shall be substituted the words “chairman or deputy chairman as the case may be, or member of any board”.

Amendment of section 6 of the principal Act.

5. Section 6 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof, for the words “through its chairman” there shall be substituted the words “through its chairman or deputy chairman as the case may be.”; and

(b) in subsection (4) thereof, for the words “shall be liable on conviction to a fine (*multa*) not exceeding fifty pounds:” there shall be substituted the words “shall be liable on conviction to a fine (*multa*) not exceeding five hundred Maltese liri or to imprisonment not exceeding three months, or to both fine and imprisonment:”.

Amendment of Schedule to the principal Act.

6. The Schedule to the principal Act shall be amended as follows:

(a) in Form A thereof, for the words “taken by Chairman or member of Board” and “having been appointed to be Chairman/Member of ” there shall be respectively substituted the words “taken by chairman, deputy chairman or member of Board” and “having been appointed to be Chairman/Deputy Chairman/Member of”; and

(b) in Form B thereof, for the words “(Signature of Chairman or other member)” there shall be substituted the words “Signature of Chairman, Deputy Chairman or other Member”.

Passed by the House of Representatives at Sitting No. 203 of the 27th February, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives