

MALTA

ATT Nru. XVII ta' l-1989

ACT No. XVII of 1989

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

AN ACT enacted by the Parliament of Malta.

ATT biex jemenda l-Att ta' l-1981 dwar il-Kummissarji għall-Ġustizzja

AN ACT to amend the Commissioners for Justice Act, 1981.

Naghti l-kunsens tieghi.

(L.S.)

ĊENSU TABONE
President

4 ta' Lulju, 1989

ATT Nru. XVII ta' l-1989

ATT biex jemenda l-Att ta' l-1981 dwar il-Kummissarji għall-Ġustizzja

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

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1989 li jemenda l-Att dwar il-Kummissarji għall-Ġustizzja, u għandu jinqara u jftiehem haġa waħda ma' l-Att ta' l-1981 dwar il-Kummissarji għall-Ġustizzja, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali". Titolu fil-qosor.

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

(a) fis-subartikolu (1) tiegħu il-kliem "li jkunu għalqu l-erbghin sena" għandhom jithassru; u

(b) minflok is-subartikolu (3) tiegħu għandu jidhol is-subartikolu li ġej:

"(3) Il-Kummissarji jkunu jistgħu jiġu mahtura mill-ġdid."

3. L-artikolu 8 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 8 ta' l-Att prinċipali.

(a) fis-subartikolu (3) tiegħu minflok il-kliem "is-Segretarju għandu" għandhom jidhlu l-kliem "ir-Registatur tal-Qorti għandu";

(b) is-subartikolu (4) tiegħu għandu jithassar; u

(c) minflok is-subartikolu (5) tiegħu għandu jidhol is-subartikolu li ġej:

“(5) L-ammont tal-penali jkun dovut u għandu jithallas lill-Gvern bhala dejn ċivili, likwidat u ċert, u jista’ jiġi miġbur mir-Registratur tal-Qrati. L-ordni msemmija fis-subartikolu (2) ta’ dan l-artikolu għandha tikkostitwixxi titolu eżekuttiv skond u għal finijiet tat-*Titolu VII* tat-*Taqsim*a I tat-*Tieni* Ktieb tal-*Kodiċi* ta’ *Organizzazzjoni* u *Proċedura Ċivili*.”.

Emenda ta’
l-artikolu 9
ta’ l-Att
prinċipali.

4. Minnufih wara s-subartikolu (3) ta’ l-artikolu 9 ta’ l-Att prinċipali għandu jidhol is-subartikolu li ġej:

“(4) Meta l-Qorti tikkonferma jew tvarja d-deċiżjoni tal-Kummissarju, id-dispożizzjonijiet tas-subartikoli (3), (5) u (6) ta’ l-artikolu 8 għandhom japplikaw.”.

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

5. Minflok il-partita 7 ta’ l-Iskeda li tinsab ma’ l-Att prinċipali għandu jidhol dan li ġej:

“7. Att ta’ l-1988 dwar l-Edukazzjoni Artikolu 42(1)(b).”.

Dispożizzjoni
tranżitorja.

6. Minkejja d-dispożizzjonijiet ta’ l-artikolu 5 ta’ dan l-Att, id-dispożizzjonijiet ta’ l-Att prinċipali għandhom ikomplu japplikaw għal kull reat magħmul taht l-artikolu 19 ta’ l-Att ta’ l-1974 dwar l-Edukazzjoni qabel il-bidu fis-sehħ ta’ dan l-Att.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 250 tas-26 ta’ Ġunju, 1989.

LAWRENCE GONZI
Speaker

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

I assent.

(L.S.)

ĈENSU TABONE
President

4th July, 1989

ACT No. XVII of 1989

AN ACT to amend the Commissioners for Justice Act, 1981.

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 Commissioners for Justice (Amendment) Act, 1989, and shall be read and construed as one with the Commissioners for Justice Act, 1981, hereinafter referred to as “the principal Act”. Short title.
2. Section 4 of the principal Act shall be amended as follows: Amendment of section 4 of the principal Act.
- (a) in subsection (1) thereof the words “who have completed forty years of age” shall be deleted; and
- (b) for subsection (3) thereof there shall be substituted the following:
- “(3) The Commissioners shall be re-eligible for appointment.”.
3. Section 8 of the principal Act shall be amended as follows: Amendment of section 8 of the principal Act.
- (a) in subsection (3) thereof for the words “the Secretary shall” there shall be substituted the words “the Registrar of the Courts shall”;
- (b) subsection (4) thereof shall be deleted; and
- (c) for subsection (5) thereof there shall be substituted the following:

“(5) The amount of the penalty shall be due and owing to the Government as a civil debt, liquidated and certain, and may be collected by the Registrar of Courts. The order referred to in subsection (2) of this section shall constitute an executive title within the meaning and for the purposes of Title VII of Part I of Book Second of the Code of Organisation and Civil Procedure.”.

Amendment of section 9 of the principal Act.

4. Immediately after subsection (3) of section 9 of the principal Act, there shall be added the following subsection:

“(4) Where the Court confirms or varies the decision of the Commissioner, the provisions of subsections (3), (5) and (6) of section 8 shall apply.”.

Amendment of the Schedule of the principal Act.

5. For item 7 of the Schedule to the principal Act there shall be substituted the following:

“7. Education Act, 1988
Section 42(1)(b).”.

Transitory provision.

6. Notwithstanding the provisions of section 5 of this Act, the provisions of the principal Act shall continue to apply to any offence under section 19 of the Education Act, 1974 committed before the coming into force of this Act.

Passed by the House of Representatives at Sitting No. 250 of the 26th June, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives.