

Nru. 61

11. 1. 89

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Guido Demarco, M.P., Viċi Prim Ministru u Ministru ta' l-Intern u Ġustizzja u moqri għall-Ewwel darba fis-Seduta tad-19 ta' Diċembru, 1988.

A BILL introduced by the Honourable Guido Demarco, M.P., Deputy Prime Minister and Minister of the Interior and Justice, and read the First time at the Sitting of the 19th December, 1988.

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

AN ACT to amend the Inquiries Act, 1977.

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjaħ

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, ħareġ b'liġi dan li ġej:—

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1988 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. 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 (3); u
 - (b) minnufih wara s-subartikolu (1) tiegħu għandu jizdied dan l-artikolu ġdid li ġej:

“(2) Meta bord ikun, jikkonsisti f'iktar minn tliet membri, għandu jinħatar minn fosthom viċi-*chairman* li jippresjedi fil-laqqgħat tal-bord fl-assenza taċ-*chairman*. Tliet membri tal-bord, li wieħed minnhom għandu jkun iċ-*chairman* jew il-viċi-*chairman*, skond il-każ, jagħmlu quorum.”.
3. Fis-subartikolu (1) ta' l-artikolu 5 ta' l-Att prinċipali, minflòk 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 5
ta' l-Att
prinċipali.
4. L-artikolu 6 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta'
l-artikolu 6
ta' l-Att
prinċipali.
 - (a) fis-subartikolu (1) tiegħu, minflòk 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' prigunerija għal żmien mhux iżjed minn tliet xhur, jew dik il-multa u prigunerija flimkien:".

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

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

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

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

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa sabiex jipprovdi għall-hatra ta' *viċi-chairman* f'kull bord ta' inkjesta li jkollu iktar minn tliet membri u n-numru meħtieġ sabiex ikun hemm *quorum*. Jipprovdi wkoll għal żieda fil-pieni li hemm għal xhieda li jibqgħu ma jkunux iridu jidhru.

**A BILL
entitled**

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, 1988 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. 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 (3); and
 - (b) immediately after subsection (1) thereof there shall be added the following new section:

“(2) When a board consists of more than three members, there shall be appointed from among them a deputy chairman who shall preside at the meetings of the board in the absence of the chairman. Three members of the board, one of whom must be the chairman or the deputy chairman as the case may be, shall form a quorum.”.

3. 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 5
of the
principal Act.

4. Section 6 of the principal Act shall be amended as follows: Amendment of
section 6
of the
principal Act.
 - (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

Amendment of
Schedule to
the principal
Act.

(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:".

5. 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)".

Objects and Reasons

The Object of this Bill is to provide for the appointment of a deputy chairman in any board of inquiry which has more than three members, and for the number required to form a quorum. It also provides for an increase in the penalties imposed on recalcitrant witnesses.