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MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Guido de Marco, M.P., Viċi Prim Ministru u Ministru ta' l-Intern u Ġustizzja u moqri għall-Ewwel darba fis-Seduta ta' l-10 ta' April, 1989.

A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister for Internal Affairs and Justice and read the First time at the Sitting of the 10th April, 1989.

ATT biex jemenda l-Att ta' l-1987 dwar l-**Investigazzjoni ta' Ingustizzji.**

AN ACT to amend the Investigation of **Injustices Act, 1987.**

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex jemenda l-Att ta' l-1987 dwar l-Investigazzjoni ta' Ingustizzji.

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' jissejjah l-Att ta' l-1989 li jemenda l-Att dwar l-Investigazzjoni ta' Ingustizzji, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1987 dwar l-Investigazzjoni ta' Ingustizzji, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu.
Att Nru. XV
ta' l-1987.

2. Fit-titolu twil ta' l-Att prinċipali, minflok il-kliem "għat-twaqqif u l-funzjonijiet ta' Kummissjoni" għandhom jidhlu l-kliem "għat-twaqqif u l-funzjonijiet ta' Kummissjoni waħda jew iktar".

Emenda tat-
Titolu twil
ta' l-Att
prinċipali.

3. Fl-artikolu 2 ta' l-Att prinċipali, minflok id-definizzjoni ta' "il-Kummissjoni" għandha tidhol din id-definizzjoni ġdida li ġejja:

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

"“il-Kummissjoni” tfisser Kummissjoni waħda jew iktar għall-Investigazzjoni ta' Ingustizzji mwaqqfa taht l-artikolu 3 ta' dan l-Att;”.

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

Emenda ta'
l-artikolu 3
ta' l-Att
prinċipali.

(a) minflok is-subartikolu (1) tiegħu għandu jidhol dan is-subartikolu ġdid li ġej:

“(1) Għandu jkun hemm Kummissjoni waħda jew iktar, li kull waħda tkun magħrufa bhala l-Kummissjoni għall-Investigazzjoni ta' Ingustizzji u li tkun magħmula minn *chairman* u żewġ membri ohra, mahtura mill-Prim Ministru.”,
u

(b) fis-subartikolu (7) tiegħu, wara l-kliem “u f’kull każ bhal dan” għandhom jidhlu l-kliem “ir-Registratur għandu jassenja dak il-każ lil Kummissjoni oħra meta dik il-Kummissjoni l-oħra tkun mahtura, b’dan illi meta f’xi żmien ikun hemm Kummissjoni waħda biss mahtura jew meta jkun hemm astensjonijiet jew rikuzi fil-Kummissjonijiet kollha mahturin”.

Sostituzzjoni ta’ l-artikolu 11 ta’ l-Att prinċipali.

5. Minflok l-artikolu 11 ta’ l-Att prinċipali għandu jidhol dan l-artikolu ġdid li ġej:

“Regis-
tratur,
Segre-
tarju w
uffiċjali
oħra.

11. (1) Għandu jkun hemm Registratur tal-Kummissjoni li jkollu r-responsabbiltà li jamministra l-uffiċċju tal-Kummissjoni, u li għandu jassigura tqassim ġust tad-dmirijiet bejn id-diversi Kummissjonijiet billi jassenjalhom l-ilmenti li jsiru kif imsemmi qabel kemm jista’ jkun bir-rotazzjoni tax-xogħol skond id-data tad-dhul ta’ l-ilmenti, b’dak il-mod illi r-Registratur jista’ fid-diskrezzjoni tiegħu jikkonsidra s-sugġett in kwistjoni ta’ kull ilment sabiex jiżgura li lmenti ta’ l-istess xorta kemm jista’ jkun jiġu trattati mill-istess Kummissjoni.

(2) Għandu jkun hemm ukoll Segretarju għal kull Kummissjoni.

(3) Ir-Registratur u s-Segretarji tad-diversi Kummissjonijiet għandhom ikunu dawk il-persuni hekk mahturin mill-Prim Ministru jew uffiċjali pubbliċi nominati mill-Prim Ministru sabiex iwettqu l-funzjonijiet ta’ Registratur jew ta’ Segretarju kif ikun il-każ.

(4) Il-Kummissjoni għandu jkollha wkoll dawk l-uffiċjali l-oħra li l-Prim Ministru jista’ jqis meħtieġa u li jahtar jew jinnomina kif imsemmi qabel.”.

Għanijiet u Raġunijiet

L-Għan ta’ l-Abbozz huwa li jipprovdi sabiex ikun hemm iktar minn Kummissjoni waħda biex tinvestiga ilmenti dwar ċerti ingustizzji li huma allegati li twettqu.

L-Abbozz jipprovdi wkoll għall-hatra ta’ Registratur u Arkivista tal-Kummissjoni.

A BILL
entitled

AN ACT to amend the Investigation of Injustices Act, 1987.

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:—

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| <p>1. This Act may be cited as the Investigation of Injustices (Amendment) Act, 1989, and shall be read and construed as one with the Investigation of Injustices Act, 1987, hereinafter referred to as “the principal Act”.</p> | <p>Short title.
Act No. XV
of 1987.</p> |
| <p>2. In the long title of the principal Act, for the words “for the establishment and functions of a Commission” there shall be substituted the words “for the establishment and functions of one or more Commissions”.</p> | <p>Amendment of
long Title
of the
principal Act.</p> |
| <p>3. In section 2 of the principal Act, for the definition of “the Commission” there shall be substituted the following new definition:</p> <p style="padding-left: 40px;">“ “the Commission” means one or more Commissions for Investigation of Injustices established under section 3 of this Act;”.</p> | <p>Amendment of
section 2
of the
principal Act.</p> |
| <p>4. Section 3 of the principal Act shall be amended as follows:</p> <p style="padding-left: 20px;">(a) for subsection (1) thereof there shall be substituted the following new subsection:</p> <p style="padding-left: 60px;">“(1) There shall be one or more Commissions, each of which is to be known as the Commission for the Investigation of Injustices and consisting of a chairman and two other members, appointed by the Prime Minister.”, and</p> <p style="padding-left: 20px;">(b) in subsection (7) thereof, after the words “and in any such case” there shall be added the words “the Registrar shall</p> | <p>Amendment of
section 3
of the
principal Act.</p> |

assign that case to another Commission whenever such other Commission is in office, so however that where only one Commission is in office at any time or when abstentions or challenges are raised in all the Commissions in office”.

Substitution
of section 11
of the
principal Act.

5. For section 11 of the principal Act there shall be substituted the following new section:

“Regis-
trar,
Secre-
tary
and
other
staff.

11. (1) There shall be a Registrar to the Commission who shall be vested with the responsibility for the administration of the office of the Commission, and who shall ensure a fair distribution of duties between the various Commissions by assigning to them the complaints received as aforesaid as far as may be by rotation in accordance with the date of receipt of the complaints, so however that the Registrar may in his discretion take into account the subject-matter of each complaint so as to ensure that complaints of the same nature are as far as may be dealt by the same Commission.

(2) There shall also be a Secretary to each Commission.

(3) The Registrar and the Secretaries to the various Commissions shall be persons appointed as such by the Prime Minister or public officers designated by the Prime Minister to perform the functions of Registrar or Secretary as the case may be.

(4) The Commission shall have such other staff as the Prime Minister may deem necessary and appoint or designate as aforesaid.”.

Objects and Reasons

The Object of this Bill is to provide for more than one Commission to investigate complaints regarding certain injustices which are alleged to have been committed.

The Bill also provides for the appointment of the Registrar and Archivist to the Commission.