

Nru. 144

13. 7. 90

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli George Bonello du Puis, M.P., Ministru tal-Finanzi, u moqri għall-Ewwel darba fis-Seduta tad-9 ta' Lulju, 1990.

ATT biex jemenda l-Kummerċ Bankarju, Kap. 215.

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable George Bonello du Puis, M.P., Minister of Finance, and read the First time at the Sitting of the 9th July, 1990.

AN ACT to amend the Banking Act, Cap. 215.

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI imsejjah

ATT biex jemenda l-Att dwar il-Kummerċ Bankarju, Kap. 215.

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-1990 li jemenda l-Att dwar il-Kummerċ Bankarju, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar il-Kummerċ Bankarju, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor.

Kap. 215.

2. Fis-subartikolu (1) ta' l-artikolu 12 ta' l-Att prinċipali:

Emenda ta'

l-artikolu

12 ta' l-

Att prinċipali.

(a) minnufih fi tmiem il-paragrafu (ċ) tiegħu għandu jidhol dan il-proviso li ġej:

"Izda dan il-paragrafu ma għandux japplika għal avvanzi mhux assigurati jew faċilitajiet ta' kreditu mhux assigurati li bank kummerċjali jista' jagħmel lil bank li jkun azzjonarju fih skond is-subparagrafu (i) tal-paragrafu (f) ta' dan l-artikolu kemm-il darba l-ammont ta' dawk l-avvanzi jew faċilitajiet ta' kreditu ma jkunux jeċċedu fit-total tna-x-il darba u nofs is-sehem tiegħu tal-kapital u porzjon relattiv tar-riservi pubblikati tal-bank sussidjarju;" u

(b) minflok is-subparagrafu (i) tal-proviso li hemm mal-paragrafu (f) tiegħu għandu jidhol dan li ġej:

"(i) f'bank iehor jew f'banek oħrajn li ma jkunx jeċċedi fit-total hamsa u ghoxrin fil-mija tal-kapital azzjonarju mhallas u tar-riservi pubblikati tal-bank, jew".

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa sabiex jemenda l-Att dwar il-Kummerċ Bankarju, Kap. 215, li jirregola l-kummerċ bankarju, sabiex jippermetti lill-banek kummerċjali li jstabilixxu s-sussidjarji tagħhom li jisilfu l-flus għal żmien twil u, sakemm dan isir f'limitu prudenti, sabiex jipprovduhom b'kapital għal hdim tagħhom.

**A BILL
entitled**

AN ACT to amend the Banking Act, Cap. 215.

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 Banking (Amendment) Act 1990, and shall be read and construed as one with the Banking Act, hereinafter referred to as “the principal Act”. Short title.
Cap. 215.

2. In subsection (1) of section 12 of the principal Act:

(a) immediately at the end of paragraph (c) thereof there shall be inserted the following proviso: Amendment of
section 12 of
the principal
Act.

“Provided that this paragraph shall not apply to unsecured advances or unsecured credit facilities which a commercial bank may make to a bank in which it is a shareholder in terms of subparagraph (i) of paragraph (f) of this section as long as the amount of such advances or credit facilities do not in the aggregate exceed twelve and a half times its share of the capital and relative portion of the published reserves of the subsidiary bank;” and

(b) subparagraph (i) of the proviso to paragraph (f) thereof shall be substituted by the following:

“(i) in another bank or other banks which does not exceed in the aggregate twenty-five per centum of the paid-up share capital and published reserves of the bank, or”.

Objects and Reasons

The Object of this Bill is to amend the Banking Act, Cap. 215, which regulates the business of banking, in order to allow commercial banks to establish their own long-term lending subsidiaries and, subject to a prudent limit, to provide them with working capital.