

Nru. 37

5. 8. 77

MALTA**KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Ministru tal-Gustizzja, Artijiet, Djar u Affarijiet tal-Parlament, u moqri għall-Ewwel darba fis-Seduta tal-11 ta' Lulju, 1977.

A BILL introduced by the Honourable Joseph Cassar, M.P., Minister of Justice, Lands, Housing and Parliamentary Affairs, and read the First time at the Sitting of the 11th July, 1977.

ATT biex ikompli jemenda l-Ordinanza dwar l-Armi, Kap. 106.

AN ACT further to amend the Arms Ordinance, Cap. 106.

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Ordinanza dwar l-Armi, Kap. 106

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:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1977 li jemenda l-Ordinanza dwar l-Armi, u għandu jinqara u jiftiehem haġa wahda ma' l-Ordinanza dwar l-Armi, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

Emenda ta' l-artikolu 13 tal-liġi prinċipali.

2. Fis-subartikolu (1) ta' l-artikolu 13 tal-liġi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn hamsin ċenteżmu jew il-piena tad-detenzjoni" għandhom jidhlu l-kliem "multa ta' mhux iżjed minn hamsin lira jew prigunerija għal żmien ta' mhux iżjed minn tliet xhur".

Emenda ta' l-artikolu 14 tal-liġi prinċipali.

3. Fis-subartikolu (2) ta' l-artikolu 14 tal-liġi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn żewġ liri jew detenzjoni" għandhom jidhlu l-kliem "multa ta' mhux iżjed minn mitt lira jew prigunerija għal żmien ta' mhux iżjed minn tliet xhur".

Emenda ta' l-artikolu 18 tal-liġi prinċipali.

4. Fl-artikolu 18, tal-liġi prinċipali, minflok il-kliem "għal m'hux iżjed minn tliet xhur" għandhom jidhlu l-kliem "għal mhux iżjed minn sitt xhur".

Emenda ta' l-artikolu 19 tal-liġi prinċipali.

5. Fl-artikolu 19 tal-liġi prinċipali, minflok il-kliem "ta' arma tan-nar jew arma regolari" għandhom jidhlu l-kliem "ta' arma tan-nar, arma regolari jew ponn tal-hadid".

Emenda ta' l-artikolu 21 tal-liġi prinċipali.

6. Fl-artikolu 21 tal-liġi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn hamsin ċenteżmu" għandhom jidhlu l-kliem "multa ta' mhux inqas minn haġes liri".

7. L-artikolu 25 tal-liġi prinċipali għandu jiġi emendat kif ġej:
 (a) il-kelma "jew" għandha tiżdied fit-tarf tal-paragrafu (b) tas-subartikolu (1) tiegħu;

Emenda ta' l-artikolu 25 tal-liġi prinċipali.

(b) minnufih wara l-paragrafu (b) tas-subartikolu (1) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(ċ) xi ponn tal-ħadid,";

(ċ) fis-subartikolu (1) tiegħu, minflok il-kliem "multa ta' mhux iżjed minn ħamsin lira jew priġunerija għal perijodu ta' mhux iżjed minn tliet xhur" għandhom jidhlu l-kliem "multa ta' mhux inqas minn ħamsin lira iżda mhux iżjed minn mitejn lira jew priġunerija għal żmien ta' mhux inqas minn tliet xhur iżda mhux iżjed minn sitt xhur", u minflok il-kliem "multa ta' mhux iżjed minn mitejn lira jew għal priġunerija għal perijodu ta' mhux iżjed minn sitt xhur" għandhom jidhlu l-kliem "multa ta' mhux inqas minn mitejn lira iżda mhux iżjed minn ħames mitt lira jew priġunerija għal żmien ta' mhux inqas minn sitt xhur iżda mhux iżjed minn tnax-il xahar", u

(d) minflok il-kliem "ta' kull sikkina bħal dik" fis-subartikolu (2) tiegħu għandhom jidhlu l-kliem "ta' kull sikkina bħal dik jew ponn tal-ħadid bħal dak".

8. Minnufih wara l-artikolu 25 tal-liġi prinċipali għandhom jiżdiedu ż-żewġ artikoli ġodda li ġejjin:

Żieda ta' artikoli ġodda 26 u 27 mal-liġi prinċipali.

"Pussess ta' armij tan-nar, eċċ. Kap. 12

26. Bla ħsara għal kull disposizzjoni oħra tal-Kodiċi Kriminali applikabbli għall-użu ta' armi tan-nar, kull persuna li, fil-ħin ta' l-egħmil ta' reat jew fil-ħin li tiġi arrestata għall-egħmil, jew għas-suspett ta' l-egħmil, ta' xi delitt, ikollha fuq il-persuna tagħha xi arma tan-nar, arma regolari, imitazzjoni ta' arma tan-nar jew imitazzjoni ta' arma regolari tkun hatja ta' reat u tehel, meta tinsab hatja, priġunerija għal żmien ta' mhux inqas minn sitt xhur iżda mhux iżjed minn sentejn.

L-Att ta' l-1957 dwar il-Probation ta' Hatjin ma japplikax.

27. Id-disposizzjonijiet ta' l-Att ta' l-1957 dwar il-Probation ta' Hatjin, ma japplikawx għal reat kontra xi wahda mid-disposizzjonijiet ta' din l-Ordinanza."

Ghanijiet u Ragunijiet

L-Għan ta' dan l-Abbozz huwa li jemenda l-Ordinanza dwar l-Armi sabiex jiġi projbit l-użu jew il-pussess ta' ponnijiet tal-ħadid u biex iżjed il-pieni dwar reati kontra d-disposizzjonijiet ta' l-imsemmija Ordinanza.

A BILL

entitled

AN ACT further to amend the Arms Ordinance, Cap. 106

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:—

- Short title. 1. This Act may be cited as the Arms (Amendment) Act, 1977, and shall be read and construed as one with the Arms Ordinance, hereinafter referred to as "the principal law".
- Amendment of section 13 of the principal law. 2. In subsection (1) of section 13 of the principal law, for the words "to a fine (*ammenda*) of not less than fifty cents or to detention" there shall be substituted the words "to a fine (*multa*) not exceeding fifty pounds or to imprisonment for a term not exceeding three months".
- Amendment of section 14 of the principal law. 3. In subsection (2) of section 14 of the principal law, for the words "to a fine (*ammenda*) of not less than two pounds or to detention" there shall be substituted the words "to a fine (*multa*) not exceeding one hundred pounds or to imprisonment for a term not exceeding three months".
- Amendment of section 18 of the principal law. 4. In section 18 of the principal law, for the words "for a term not exceeding three months" there shall be substituted the words "for a term not exceeding six months".
- Amendment of section 19 of the principal law. 5. In section 19 of the principal law, for the words "of any fire-arm or arm proper" there shall be substituted the words "of any fire-arm, arm proper or knuckle duster".
- Amendment of section 21 of the principal law. 6. In section 21 of the principal law, for the words "to a fine (*ammenda*) of not less than fifty cents" there shall be substituted the words "to a fine (*multa*) of not less than five pounds".

7. Section 25 of the principal law shall be amended as follows:

Amendment of
section 25
of the
principal law.

(a) the word "or" shall be added at the end of paragraph (b) of subsection (1) thereof;

(b) immediately after paragraph (b) of subsection (1) thereof there shall be added the following new paragraph:

"(c) any knuckle duster,";

(c) in subsection (1) thereof, for the words "to a fine (*multa*) not exceeding fifty pounds or to imprisonment not exceeding three months" there shall be substituted the words "to a fine (*multa*) of not less than fifty pounds but not exceeding two hundred pounds or to imprisonment for a term of not less than three months but not exceeding six months", and for the words "to a fine (*multa*) not exceeding two hundred pounds or to imprisonment for a term not exceeding six months" there shall be substituted the words "to a fine (*multa*) of not less than two hundred pounds but not exceeding five hundred pounds or to imprisonment for a term of not less than six months but not exceeding twelve months", and

(d) for the words "of any such knife" in subsection (2) thereof there shall be substituted the words "of any such knife or knuckle duster".

8. Immediately after section 25 of the principal law there shall be added the following two new sections:

Addition of
new sections
26 and 27
to the
principal law.

"Possession
of
fire-arms,
etc.
Cap. 12

26. Saving any other provision of the Criminal Code applicable to the use of fire-arms, any person who, at the time of his committing an offence or of being arrested for the commission, or suspected commission, of any crime, has on his person any firearm, arm proper, imitation firearm or imitation arm proper shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term of not less than six months but not exceeding two years.

Non-appli-
cability of
Probation
of
Offenders
Act,
1957.

27. The provisions of the Probation of Offenders Act, 1957, shall not be applicable for any offence against any of the provision of this Ordinance."

Objects and Reasons

The Object of this Bill is to amend the Arms Ordinance so as to ban the use or possession of any knuckle duster and to increase the penalties in respect of offences against the provision of the said Ordinance.