

MALTA

ATT Nru XXI tal-2024

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT sabiex jemenda l-Att dwar il-Patrimonju Kulturali, Kap. 445, għall-finijiet ta' regolamentazzjoni aħjar tal-importazzjoni u l-moviment ta' proprjetà kulturali f'Malta.

ACT No. XXI of 2024

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Cultural Heritage Act, Cap. 445, for the purposes of better regulation of the importation and movement of cultural property in Malta.

Nagħti l-kunsens tiegħi.

(L.S.)

**MYRIAM SPITERI
DEBONO
President**

25 ta' Ġunju, 2024

ATT Nru XXI tal-2024

ATT sabiex jemenda l-Att dwar il-Patrimonju Kulturali, Kap. 445, għall-finijiet ta' regolamentazzjoni aħjar tal-importazzjoni u l-moviment ta' proprjetà kulturali f'Malta.

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2024 li jemenda l-Att dwar il-Patrimonju Kulturali u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Patrimonju Kulturali, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.
Kap. 445.

2. Is-subartikolu (8) tal-artikolu 54 tal-Att prinċipali għandu jiġi sostitwit b'dan is-subartikolu ġdid li ġej:

Emenda tal-artikolu 54 tal-Att prinċipali.

"(8) Fil-każ ta' moviment u importazzjoni ta' proprjetà kulturali f'Malta, għall-iskop ta' wirja temporanja, jew self temporanju, jew bejgħ, is-Sovrintendent jista' johrog ċertifikat li jiggarantixxi li l-Gvern jirrinunzja, fir-rigward ta' dawn l-oġġetti, għad-dritt ta' preferenza u għad-dritt li tiġi pprojbita l-esportazzjoni mill-ġdid jew il-moviment tagħhom għal barra minn Malta, għal perjodu ta' għaxar (10) snin mid-data taċ-ċertifikat u l-garanzija, liema ċertifikat u garanzija jistgħu jiġu mġedda:

Iżda fil-każ ta' persuni li ser jirrisjedu ġewwa Malta, jew li ġew jirrisjedu ġewwa Malta, is-Sovrintendent jista' johroġ ċertifikat li jiggarantixxi li l-Gvern jirrinunzja, fir-rigward ta' dawn l-oġġetti, sakemm fil-fehma tas-Sovrintendent l-oġġetti ma jkunux ta' importanza nazzjonali għal Malta, għad-dritt ta' preferenza u għad-dritt li tiġi pprojbita l-esportazzjoni mill-ġdid jew il-moviment tagħhom barra minn Malta, għal perjodu ta' għaxar (10) snin mid-data ta' ċertifikat u l-garanzija, liema ċertifikat u garanzija jistgħu jiġu mġedda:

Iżda wkoll:

(a) it-talba bil-miktub għall-imsemmi ċertifikat għandha ssir qabel l-importazzjoni jew il-moviment f'Malta ta' dik il-proprjetà kulturali; u

(b) l-oġġetti għandhom jiġu eżaminati u registrati fil-punt tad-dhul f'Malta mis-Sovrintendent; u

(c) l-imsemmija oġġetti kulturali għandhom ikunu akkumpanjati b'evidenza ta' provenjenza u titolu rigwardanti l-proprjetà kulturali, dokumentazzjoni dwar il-moviment jew esportazzjoni jew importazzjoni u għandhom jiġu deskritti b'mod grafiku u bil-miktub fiċ-ċertifikat u l-garanzija."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 249 tad-19 ta' Ġunju, 2024.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

**MYRIAM SPITERI
DEBONO
President**

25th June, 2024

ACT No. XXI of 2024

AN ACT to amend the Cultural Heritage Act, Cap. 445, for the purposes of better regulation of the importation and movement of cultural property in Malta.

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. The short title of this Act is the Cultural Heritage (Amendment) Act, 2024 and this Act shall be read and construed as one with the Cultural Heritage Act, hereinafter referred to as "the principal Act".

Short title.

Cap. 445.

2. Sub-article (8) of article 54 of the principal Act shall be substituted by the following new sub-article:

Amendment of article 54 of the principal Act.

"(8) In the case of movement and importation of cultural property into Malta, for the purpose of a temporary exhibition, or temporary loan, or sale, the Superintendent may issue a certificate guaranteeing that Government renounces, with regard to these objects, to the right of preference and to the right to prohibit their re-exportation or movement outside Malta, for a period of ten (10) years from the date of the certificate and guarantee, which certificate and guarantee may be renewed:

A 470

Provided that in the case of persons taking up residence in Malta, or who have taken up residence in Malta, the Superintendent may issue a certificate guaranteeing that Government renounces, with regard to these objects, unless the objects are in the opinion of the Superintendent of national importance to Malta, to the right of preference and to the right to prohibit their re-exportation or movement outside Malta, for a period of ten (10) years from the date of the certificate and guarantee, which certificate and guarantee may be renewed:

Provided further that:

(a) a written request for the said certificate shall be made prior to the importation or movement into Malta of such cultural property; and

(b) the objects shall be examined and registered at the point of entry into Malta by the Superintendent; and

(c) the said cultural objects shall be accompanied by evidence of provenance and title regarding the cultural property, documentation regarding the movement or exportation or importation, and shall be described graphically and in writing in the certificate and guarantee."

Passed by the House of Representatives at Sitting No. 249 of the 19th June, 2024.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Clerk of the House of Representatives

