

**Nru. 89**

23. 3. 79

**MALTA****KAMRA TAD-DEPUTATI**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Agatha Barbara, M.P., Ministru tax-Xoghol, Kultura u Ghajnuna Soċjali f'isem l-Onorevoli Joseph F. Abela, M.P., Ministru tal-Finanzi, Dwana u Investimenti Finanzjarji tal-Poplu, u moqri għall-Ewwel darba fis-Seduta tas-27 ta' Novembru, 1978.

ATT biex ikompli jemenda l-Ordinanza li tirregola t-Tigdid tal-Kiri tal-Bini, Kap. 109.

**C. MIFSUD***Skrivan tal-Kamra tad-Deputati***HOUSE OF REPRESENTATIVES**

A BILL introduced by the Honourable Agatha Barbara, M.P., Minister of Labour, Culture and Welfare, on behalf of the Honourable Joseph F. Abela, M.P., Minister of Finance, Customs and People's Financial Investments, and read the First time at the Sitting of the 27th November, 1978.

AN ACT further to amend the Reletting of Urban Property (Regulation) Ordinance, Cap. 109.

**C. MIFSUD***Clerk to the House of Representatives*

## ABBOZZ TA' LIĠI

### msejjah

*ATT biex ikompli jemenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, Kap. 109.*

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' jissejjah l-Att ta' l-1979 li jemenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

Emenda ta'  
l-artikolu 2  
tal-liġi  
prinċipali.

2. Fl-artikolu 2 tal-liġi prinċipali, minnufih qabel it-tifsira ta' "fond" għandha tidhol it-tifsira ġdida li ġejja:

"Il-kelma "il-Bord" tfisser il-Bord li Jirregola l-Kera mwaqqaf taht l-artikolu 17 ta' din l-Ordinanza;"

Emenda ta'  
l-artikolu 4  
tal-liġi  
prinċipali.

3. Fl-artikolu 4 tal-liġi prinċipali l-kliem "imsemmi iżjed 'il quddiem" għandhom jithassru.

Sostituzzjoni ta'  
l-artikolu 17  
tal-liġi  
prinċipali.

4. Minflok l-artikolu 17 tal-liġi prinċipali għandu jidhol dan li ġej:

"17. (1) Għandu jkun hemm Bord, li jkun magħruf bħala l-Bord li Jirregola l-Kera, li jkun magħmul minn —

(a) Imhallef jew Maġistrat tal-Pulizija Ġudizzjarja, bħala *Chairman*, u

(b) żewġ membri oħra mahtura minn fost persuni li jkollhom il-*warrant* lokali ta' Arkitett u Inġinier Ċivili u li jkun ilhom fil-prattika ta' dik il-professjoni għal mhux inqas minn seba' snin.

(2) *Ic-Chairman* u l-membri l-oħra tal-Bord ikunu maħtura mill-President tar-Repubblika.”.

5. Minflok is-subartikolu (2) ta' l-artikolu 18 tal-liġi prinċipali għandu jidhol dan li ġej:

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

“(2) Il-President tar-Repubblika jista', f'kull żmien, jahtar iżjed minn żewġ Arkitetti u Inġiniera Ċivili bħala membri oħra tal-Bord iżda tnejn biss minn dawn il-membri jistgħu joqogħdu fuq il-Bord dwar kull każ wiehed.”.

6. Minflok l-artikolu 19 tal-liġi prinċipali għandu jidhol dan li ġej:

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

“19. Il-membri tal-Bord, barra miċ-*Chairman*, għandhom, malli jkunu hekk maħtura, jieħdu quddiem l-Avukat Generali, qabel l-ewwel seduta wara l-ħatra tagħhom, il-ġurament illi jeżaminaw u jiddeċiedu kull rikors bl-ekwità u bil-ħaqq skond il-liġi.”.

7. Fis-subartikolu (1) ta' l-artikolu 25 tal-liġi prinċipali, minflok il-kliem “Id-deċiżjonijiet tal-Bord jingħataw fil-Qorti bil-miftuħ” għandhom jidhlu l-kliem “Id-deċiżjonijiet tal-Bord jingħataw miċ-*Chairman* fil-Qorti bil-miftuħ, sew jekk il-membri l-oħra tal-Bord ikunu preżenti sew jekk le,”.

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

8. Fl-artikolu 39 tal-liġi prinċipali, il-kliem “kompriżi d-drittijiet li jithallsu lill-Membri tal-Bord li ma jkunx impjegat mal-Gvern” għandhom jithassru.

Emenda ta' l-artikolu 39 tal-liġi prinċipali.

9. Fis-subartikolu (3) ta' l-artikolu 40 tal-liġi prinċipali, minflok il-kliem “Il-membri tal-Bord” għandhom jidhlu l-kliem “Kull membru tal-Bord, barra miċ-*Chairman*,”.

Emenda ta' l-artikolu 40 tal-liġi prinċipali.

### Għanijiet u Raġunijiet

Il-Għan ta' dan l-Abbozz huwa li jemenda l-Ordinanza li tirregola t-Tigdid tal-Kiri ta' Bini sabiex ma jkunx obbligatorju li wiehed mill-membri tal-Bord ikun Arkitett u Inġinier Ċivili mpjegat mal-Gvern.

L-Abbozz ukoll jagħti s-setgħa liċ-*Chairman* tal-Bord li jagħti s-sentenza fl-assenza tal-membri tekniċi ta' l-imsemmi Bord.

L-Abbozz fl-aħharnett inehhi l-ħtieġa li l-membri tekniċi tal-Bord jieħdu l-ġurament tal-ħatra f'kull seduta tal-Bord.

**A BILL**

**entitled**

*AN ACT further to amend the Reletting of Urban Property (Regulation) Ordinance, Cap. 109.*

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 Reletting of Urban Property (Regulation) (Amendment) Act, 1979, and shall be read and construed as one with the Reletting of Urban Property (Regulation) Ordinance, hereinafter referred to as "the principal law".

Amendment of section 2 of the principal law.

2. In section 2 of the principal law, immediately before the definition of "premises" there shall be inserted the following new definition:

"The expression "the Board" means the Rent Regulation Board constituted under section 17 of this Ordinance;"

Amendment of section 4 of the principal law.

3. In section 4 of the principal law the words "hereinafter referred to" shall be deleted.

Substitution of section 17 of the principal law.

4. For section 17 of the principal law there shall be substituted the following:

"17. (1) There shall be a Board, to be known as the Rent Regulation Board, which shall consist of —

(a) a Judge or a Magistrate of Judicial Police, as Chairman, and

(b) two other members appointed from among persons who hold the local warrant of Architect and Civil Engineer and who have practised that profession for not less than seven years.

(2) The Chairman and the other members of the Board shall be appointed by the President of the Republic.”

5. For subsection (2) of section 18 of the principal law there shall be substituted the following:

Amendment  
of section 18  
of the  
principal law.

“(2) The President of the Republic may, at any time, appoint more than two Architects and Civil Engineers as other members of the Board but only two of such members shall sit on the Board in respect of any one case.”

6. For section 19 of the principal law there shall be substituted the following:

Substitution  
of section 19  
of the  
principal law.

“19. The members of the Board, other than the Chairman, shall, on being so appointed, take before the Attorney General, prior to the first sitting after their appointment, the oath to examine and decide each application with equity and impartiality according to law.”

7. In subsection (1) of section 25 of the principal law, for the words “The decisions of the Board shall be delivered in open Court” there shall be substituted the words “The decisions of the Board shall be delivered by the Chairman in open Court, whether in the presence or in the absence of the other members of the Board.”

Amendment  
of section 25  
of the  
principal law.

8. In section 39 of the principal law, the words “including the fees payable to the member of the Board not in the employment of the Government” shall be deleted.

Amendment  
of section 39  
of the  
principal law.

9. In subsection (3) of section 40 of the principal law, for the words “The member of the Board” there shall be substituted the words “Any member of the Board, other than the Chairman.”

Amendment  
of section 40  
of the  
principal law.

### Objects and Reasons

The Object of this Bill is to amend the Reletting of Urban Property (Regulation) Ordinance so that it shall not be compulsory that one of the members of the Board shall be an Architect and Civil Engineer in the employment of the Government.

The Bill further empowers the Chairman of the Board to deliver the judgment in the absence of the technical members of the said Board.

The Bill finally seeks to remove the necessity for the technical members of the Board to take the oath of office at every sitting of the Board.