

Nru. 132

22. 2. 80

MALTA**KAMRA TAD-DEPUTATI**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Brincat, M.P., Ministru tal-Gustizzja, Artijiet, Djar u Affarijiet tal-Parlament u moqri għall-Ewwel Darba fis-Seduta tat-18 ta' Frar, 1980.

ATT biex ikompli jemenda l-Kodiċi tal-Ligijiet tal-Pulizija, Kap. 13.

C. MIFSUD

*Skrivan tal-Kamra tad-Deputati***HOUSE OF REPRESENTATIVES**

A BILL introduced by the Honourable Joseph Brincat, M.P., Minister of Justice, Lands, Housing and Parliamentary Affairs and read the First time at the Sitting of the 18th February, 1980.

AN ACT further to amend the Code of Police Laws, Cap. 13.

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Kodiċi tal-Liġijiet tal-Pulizija, Kap. 13.

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

Titolu fil-qosor
u bidu fis-sehh.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1980 li jemenda l-Kodiċi tal-Liġijiet tal-Pulizija, u għandu jinqara u jiftiehem ħaġa waħda mal-Kodiċi tal-Liġijiet tal-Pulizija, hawnhekk iżjed "il quddiem imsejjaħ "il-liġi prinċipali".

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

2. Minflok l-artikolu 188 tal-liġi prinċipali għandu jidhol dan li ġej:

"Liċenza
tal-kaċċa.

188. (1) L-użu ta' xkubetti u armi oħra tan-nar għall-kaċċa hu permess iżda biss kif provdut fid-disposizzjonijiet li ġejjin ta' din it-Taqsima.

(2) Ebda persuna ma għandha ddrur għall-kaċċa b'xi xkubetta jew arma oħra tan-nar mingħajr liċenza valida mill-Pulizija.

(3) Liċenza maħruġa taħt is-subartikolu (1) ta' dan l-artikolu ma tkunx valida:

(a) dwar kull kaċċa, f'kull hin bejn sagħtejn wara nżul ix-xemx ta' jum u sagħtejn qabel tluġħ ix-xemx tal-jum ta' wara;

(b) dwar fniek selvaġġi, f'kull żmien bejn l-1 ta' Jannar u l-31 ta' Mejju ta' kull sena;

(c) dwar aġhsafar, f'kull żmien bejn it-22 ta' Mejju u l-31 ta' Awissu ta' kull sena, u

(d) matul dawk il-perijodi l-oħra li jiġu speċifikati fil-liċenza."

3. Fl-artikolu 190 tal-liġi prinċipali minflok il-kliem "bejn it-tluġh u l-inzul tax-xemx" għandhom jidhlu l-kliem "bejn saġhtejn qabel tluġh ix-xemx u saġhtejn wara nżul ix-xemx".

Emenda ta' l-artikolu 190 tal-liġi prinċipali.

4. Minflok l-artikolu 194 tal-liġi prinċipali għandu jidhol l-artikolu ġdid li ġejj:

Sostituzzjoni ta' l-artikolu 194 tal-liġi prinċipali.

"194. Ebda persuna li tkun qed iddur għall-kaċċa ma għandha tispara arma tan-nar —

(1) minn fuq il-baħar, sa tliet kilometri 'l bogħod minn minn xi xtajta;

(2) sa mitejn metru minn kull post abitat jew hamsin metru minn xi triq li tkun użata jew li tkun tista' tintuża minn xi vettura bil-mutur, barra minn mogħdija fil-kampanja li l-għan ewlieni tagħha jkun biex twassal għall-egħlieqi."

5. Minnufih wara l-artikolu 194 tal-liġi prinċipali għandhom jiż-
diedu l-artikoli ġodda li ġejjin:

Zieda ta' artikoli ġodda 194A u 194B mal-liġi prinċipali.

"Liċenza ta' l-ibbalzmar. "194A. (1) Ebda persuna ma tista' tagħmilha ta' *taxi-dermist* mingħajr liċenza tal-Pulizija.

(2) Liċenza mogħtija taħt is-subartikolu (1) ta' dan l-artikolu tista' tkun sugġetta għal dawk il-kondizzjonijiet li l-Pulizija jidhrilha xierqa, u kull detentur ta' liċenza li jikser xi waħda minn dawk il-kondizzjonijiet jitqies li qed jagħmilha ta' *taxidermist* mingħajr liċenza.

(3) Kull persuna misjuba hatja ta' krudeltà ma' l-annimali skond xi liġi, ma tkunx tista' tikseb liċenza taħt dan l-artikolu għal perijodu ta' hames snin.

Liċenza ta' *bird-ringer*. 194B. (1) Ebda persuna ma tista' tagħmilha ta' *bird-ringer* mingħajr liċenza tal-Pulizija.

(2) Liċenza mogħtija taħt is-subartikolu (1) ta' dan l-artikolu tista' tkun sugġetta għal dawk il-kondizzjonijiet li l-Pulizija jidhrilha xierqa, u kull detentur ta' liċenza li jikser xi waħda minn dawk il-kondizzjonijiet jitqies li qed jagħmilha ta' *bird-ringer* mingħajr liċenza."

Għanijiet u Raġunijiet

L-Għan ewlieni ta' l-Abbozz huwa li jstabbilixxi perijodi li matulhom ikunu mħarsa l-aġhsafar u kaċċa oħra. L-Abbozz jipprovdi wkoll li biex wieħed jista' jibbalzma jew jagħmilha ta' *bird-ringer* irid ikollu liċenza.

A BILL
entitled

AN ACT further to amend the Code of Police Laws, Cap. 13.

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 and commencement.

1. This Act may be cited as the Code of Police Laws (Amendment) Act, 1980, and shall be read and construed as one with the Code of Police Laws, hereinafter referred to as "the principal law".

Substitution of section 188 of the principal law.

2. For section 188 of the principal law there shall be substituted the following:

"Sporting licence.

188. (1) The use of guns and other firearms for sporting purposes is permitted but only as provided in the following provisions of this Part.

(2) No person shall use any gun or other firearm for the purpose of searching for, pursuing or killing game without a valid licence from the Police.

(3) A licence issued under subsection (1) of this section shall not be valid:

(a) in respect of any game, at any time between two hours after sunset of any one day and two hours before sunrise of the next following day;

(b) in respect of wild rabbits, at any time between the 1st day of January and the 31st day of May of any year;

(c) in respect of birds, at any time between the 22nd day of May and the 31st day of August of any year, and

(d) during such other period as may be specified in the licence."

3. In section 190 of the principal law for the words "between sunrise and sunset" there shall be substituted the words "between two hours before sunrise and two hours after sunset".

Amendment of section 190 of the principal law.

4. For section 194 of the principal law there shall be substituted the following new section:

Substitution of section 194 of the principal law.

"194. No person in search for or in pursuit of game shall discharge a firearm —

(1) while afloat, within three kilometres from any shore;

(2) within two hundred metres of any inhabited area or fifty metres of any street or road which is or may be used by any motor vehicle, other than a country lane which is intended principally for use as access to fields."

5. Immediately after section 194 of the principal law there shall be added the following new sections:

Addition of new sections 194A and 194B to the principal law.

"Taxidermy licence. 194A. (1) No person shall act as a taxidermist without a licence from the Police.

(2) A licence granted under subsection (1) of this section may contain such conditions as the Police may deem appropriate, and any licensee who acts in contravention of any of those conditions shall be deemed to be acting without a licence.

(3) Any person convicted of cruelty to animals under any law, shall be disqualified from obtaining a licence under this section for a period of five years.

Bird-ringing licence.

194B. (1) No person shall act as bird-ringer without a licence from the Police.

(2) A licence granted under subsection (1) of this section may contain such conditions as the Police may deem appropriate and any licensee who acts in contravention of any of those conditions shall be deemed to be acting without a licence."

Objects and Reasons

The main Purpose of the Bill is to establish closed periods during which birds and other game are protected. The Bill also provides for the requirement of a licence to act as taxidermist or bird-ringer.