

Nru. 145

27. 5. 80.

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Ministru tal-Finanzi, Dwana u Investimenti Finanzjarji tal-Poplu u moqri għall-Ewwel darba fis-Seduta tas-26 ta' Mejju, 1980.

A BILL introduced by the Honourable Joseph Cassar, M.P., Minister of Finance, Customs and People's Financial Investments and read the First time at the Sitting of the 26th May, 1980.

ATT biex jipprovdi għal għajnuna biex titnaqqas it-tbatija li ggarbet bl-għar-għar ta' Ottubru 1979 billi jitqassmu flus li ngħataw b'donazzjoni, jew provduti mill-Fond Konsolidat, għal dak l-għan, kif ukoll flus oħra li jinkisbu mil-likwidazzjoni ta' ċerti fondi pubbliċi li l-għan tagħhom intemm, u biex jipprovdi għal hwejjeġ li għandhom x'jaqsmu ma' dawk l-għanijet jew li huma anċillari għalihom.

AN ACT to provide for the relief of hardship caused by the floods of October 1979 by the distribution of moneys donated, or provided out of the Consolidated Fund, for that purpose, as well as other moneys derived from the winding up of certain public funds that have outlived their purpose, and to make provision for matters connected with or ancillary to any of the purposes.

C. MIFSUD

Skriivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex jipprovi għal għajnuna biex titnaqqas it-tbatija li ggarbet bl-għargħar ta' Ottubru 1979 billi jittqassmu flus li ngħataw b'donazzjoni, jew provduti mill-Fond Konsolidat, għal dak l-għan, kif ukoll flus oħra li jinkisbu mil-likwidazzjoni ta' ċerti fondi pubbliċi li l-għan tagħhom intemm, u biex jipprovi għal hwejjeġ li għandhom x'jaqsmu ma' dawk l-għanijiet jew li huma anċillari għalihom.

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-1980 dwar Għajnuna minhabba Għargħar.

Tifsir. 2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra —

“fond” tfisser kull flus, titoli u oġġetti oħra ta' valur mogħtija, mogħtija b'donazzjoni jew xort'oħra miġbura jew miksuba, u miżmuma jew amministrati għal għajnuna biex titnaqqas tbatija, jew għal xi għan ta' karità, għan filantropiku jew għan ieħor bħal dan, u tinkludi kull *trust* għal xi wiehed mill-għanijiet ta' hawn fuq;

“il-Kumitat” tfisser il-Kumitat għall-Għajnuna dwar Għargħar imwaqqaf bl-artikolu 3 ta' dan l-Att;

“Ministru” tfisser il-Ministru responsabbli għall-finanzi.

Kumitat dwar
Għajnuna
minhabba
Għargħar.

3. (1) Qed jiġi b'dan imwaqqaf kumitat, li jkun magħruf bħala l-Kumitat għall-Għajnuna dwar Għargħar, li jkun magħmul mill-President bħala *Chairman* u minn żewġ membri oħra maħtura mill-Ministru li minnhom wiehed ikun uffiċjal pubbliku li qed jaqdi dmirijietu fil-Ministeru tal-Finanzi u l-ieħor ikun persuna li tkun maħtura wara konsultazzjoni mal-kumitat tat-tmexxija ta' soċjetà koperativa tal-bdiewa li fil-fehma tal-Ministru jkollha l-akbar rappreżentanza ta' bdiewa Maltin.

(2) Il-Ministru jista' wkoll jahtar ufficjal pubbliku biex jagħmilha ta' Segretarju tal-Kumitat.

(3) Ix-xogħol tal-Kumitat ikun —

(a) li jirċievi l-flus li għandhom jithallsu lilu skond id-disposizzjonijiet ta' dan l-Att, u kull somma oħra mogħtija jew mogħtija b'donazzjoni għall-finijiet tax-xogħol tal-Kumitat skond dan l-Att;

(b) li jillikwida l-fondi li għalihom japplika dan l-Att;

(ċ) li jqassam, skond id-disposizzjonijiet ta' dan l-Att, il-flus hekk riċevuti u d-dhul li jinkiseb mill-imsemmija likwidazzjoni, u għal kull wieħed mill-imsemmija għanijiet il-Kumitat ikollu dawk is-setgħat li jkunu meħtieġa jew spedjenti sabiex jagħmel ix-xogħol tiegħu skond id-disposizzjonijiet ta' dan l-Att.

(4) Il-Kumitat għandu jqiegħed il-flus kollha riċevuti jew miksuba minnu f'kont speċjali mal-Bank Ċentrali ta' Malta; u ebda flus ma għandhom jiġu żbankati minn dak il-kont hliel bil-firma ta' żewġ membri tal-Kumitat.

4. (1) Il-fondi li għalihom japplika dan l-Att għandhom jiġu likwidati mill-Kumitat u l-flus kollha jew attiv ieħor inkluż jew li jagħmel parti minn dawk il-fondi għandhom jiġu trasferiti lill-Kumitat għal dak l-għan.

Likwidazzjoni tal-fondi li għalihom japplika dan l-Att.

(2) Il-fondi li għalihom japplika dan l-Att huma —

(a) Il-Malta Relief Fund;

(b) Il-Maltese in Egypt Relief Fund;

(ċ) Is-Save the Children Account;

(d) Il-United World Colleges Fund for Local Students;

(e) L-Eric Price Charity; u

(f) Il-Cassar Cup Fund.

5. Għandhom jithallsu jew jiġu trasferiti lill-Kumitat —

(a) mill-Fond Konsolidat, bis-saħħa ta' dan l-Att u mingħajr awtorizzazzjoni oħra, somma li tkun daqs id-dhul mil-likwidazzjoni tal-fondi li għalihom japplika dan l-Att;

(b) is-somma mogħtija b'donazzjoni mill-Gamahirija Għarbija Libjana Popolari Soċjalista għal għajnuna biex titnaqqas it-tbatija li għarbet minhabba l-għargħar li laqtu l-Gzejjer Maltin f'Ottubru ta' l-1979.

Flus li għandhom jithallsu jew jiġu trasferiti lill-Kumitat.

6. (1) Il-flus kollha riċevuti jew miksuba mill-Kumitat għandhom jitqassmu fost iċ-ċittadini ta' Malta li garrbu telf ta', jew ħsara fi, proprjetà (izda sal-limitu tat-telf jew ħsara li dwarhom ma jkunx thallas jew ma jkollux jithallas kumpens, sew taht kuntratt ta' assigurazzjoni jew xort'oħra) bhala riżultat jew minhabba x-xita qalila u l-għargħar li għabet magħha li holqu herba f'ħafna nħawi tal-Gzejjer Maltin f'Ottubru ta' l-1979.

Tqassim ta' flus fil-kont speċjali.

(2) Fit-tqassim ta' flus hawn fuq imsemmija, il-Kumitat għandu jqis it-telf jew il-ħsara li tkun fil-fatt iġġarbet izda jista' wkoll, jekk iċ-ċirkostanzi hekk jitolbu, b'mod partikolari jekk il-flus li jkollu għad-disposizzjoni tiegħu ma jkunux biżżejjed biex jilqa' t-talbiet kollha, iqis il-qagħda finanzjarja ta' min jagħmel it-talba u ċirkostanzi oħra sabiex dak it-tqassim isir kemm jista' jkun bil-ħaqq.

(3) Bla f'sara għad-disposizzjonijiet ta' dan l-Att, il-Kumitat għandu jirregola l-proċedura tiegħu stess, iż-żmien u l-mod kif isiru talbiet u kif dawn jiġu ppruvati, u l-fwejjeġ l-oħra kollha li jeħtieġu li jiġu regolati.

Rapport mill-Kumitat.

7. (1) Kemm jista' jkun malajr wara li jkunu tqassmu l-flus li b'dan l-Att huma mqiegħda taħt ir-responsabbiltà tiegħu, il-Kumitat għandu jagħmel rapport tal-hidma tiegħu taħt dan l-Att, flimkien ma' kont verifikat tad-dhul u l-infiq tiegħu kollu, u lista tal-persuni li bejniethom ikunu tqassmu l-flus u l-ammonti mħallsa lil kull waħda minnhom, u għandu jibgħat dak ir-rapport bl-annessi kollha tiegħu lill-Ministru.

(2) Kemm jista' jkun malajr wara li jkun irċevih, il-Ministru għandu jqiegħed kopja tar-rapport bl-annessi tiegħu fuq il-Mejda tal-Kamra.

Għanijiet u Ragunijiet

L-Għan ewlieni ta' dan l-Abbozz huwa li jipprovdi għall-hlas ta' kumpens lil ċittadini Maltin li garrbu telf jew f'sara minhabba l-għargħar li laqtu l-Gzejjer Maltin f'Ottubru tas-sena l-oħra. Ittiegħdet l-okkażjoni sabiex jiġu likwidati ċerti fondi pubbliċi li l-għan oriġinali tagħhom intemm, u sabiex tiżdied ma' dawk il-flus id-donazzjoni ta' flus li nġhatat mill-Gamahirija Għarbija Libjana għal għajnuna biex tittaffa t-tbatija li ggarbet minhabba l-għargħar. Barra minn hekk il-Gvern se jkkontribwixxi somma li tkun daqs il-flus li jinkisbu mil-likwidazzjoni ta' dawk il-fondi.

A BILL**entitled**

AN ACT to provide for the relief of hardship caused by the floods of October 1979 by the distribution of moneys donated, or provided out of the Consolidated Fund, for that purpose, as well as other moneys derived from the winding up of certain public funds that have outlived their purpose, and to make provision for matters connected with or ancillary to any of the purposes.

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 Floods Relief Act, 1980.

Short title.

2. In this Act, unless the context otherwise requires —

Interpretation.

“the Committee” means the Floods Relief Committee established by section 3 of this Act;

“fund” means any moneys, securities and other valuables given, donated or otherwise collected or obtained, and held or administered for the relief of hardship, or other charitable, philanthropic or similar purpose, and includes any trust for any of the above purposes;

“Minister” means the Minister responsible for finance.

3. (1) There is hereby established a committee, to be known as the Floods Relief Committee, which shall consist of the President as Chairman and two other members appointed by the Minister of whom one shall be a public officer performing duties at the Ministry of Finance and the other shall be a person appointed after consultation with the committee of management of the farmers' cooperative society which in the opinion of the Minister is most representative of Maltese farmers.

Floods Relief Committee.

(2) The Minister may also appoint a public officer to act as Secretary to the Committee.

(3) The functions of the Committee shall be —

(a) to receive the moneys payable to it in accordance with the provisions of this Act, and any other sum given or donated for the purposes of its functions under this Act;

(b) to wind up the funds to which this Act applies;

(c) to distribute, in accordance with the provisions of this Act, the moneys so received and the proceeds derived from the said winding up,

and for any of the purposes aforesaid the Committee shall have such powers as may be necessary or expedient to carry out its functions in accordance with the provisions of this Act.

(4) The Committee shall place all moneys received or derived by it into a special account with the Central Bank of Malta; and no moneys shall be withdrawn from that account except under the signature of two of the members of the Committee.

Winding up of the funds to which Act applies.

4. (1) The funds to which this Act applies shall be wound up by the Committee and all moneys and other assets comprised in or forming part of those funds shall be transferred to the Committee for that purpose.

(2) The funds to which this Act applies are —

(a) The Malta Relief Fund;

(b) The Maltese in Egypt Relief Fund;

(c) The Save the Children Account;

(d) The United World Colleges Fund for Local Students;

(e) The Eric Price Charity; and

(f) The Cassar Cup Fund.

Moneys to be paid or transferred to Committee.

5. There shall be paid or transferred to the Committee —

(a) out of the Consolidated Fund, by virtue of this Act and without further authority, a sum equal to the proceeds derived from the winding up of the funds to which this Act applies;

(b) the sum donated by Socialist People's Libyan Arab Jamahiriya for the relief of hardship caused by the floods which hit the Maltese Islands in October 1979.

Distribution of moneys in the special account.

6. (1) All moneys received or derived by the Committee shall be distributed by it among citizens of Malta who have suffered loss of, or damage to, property (except to the extent that in respect of such loss or damage compensation has been paid or is payable, whether under a contract of insurance or otherwise) as result or in consequence of the heavy rains and resulting floods which devastated large areas of the Maltese Islands in October 1979.

(2) In distributing the above sums, the Committee shall take into account the actual loss or damage sustained but may also, if the circumstances so warrant, particularly if the moneys available are not sufficient to meet all claims, take account of the financial condition of the claimants and other circumstances in order that the distribution may be as equitable as practicable.

(3) Subject to the provisions of this Act, the Committee shall regulate its own procedure, the time and manner in which claims are to be submitted and proved, and all other matters that require to be regulated.

7. (1) As soon as practicable after it has distributed the moneys placed by this Act under its charge, the Committee shall draw up a report on its activities under this Act, together with an audited account of all income and expenditure, and a list of the persons between whom the moneys were distributed and the amounts paid to each of them, and shall forward such report with all its annexes to the Minister.

Report by
Committee.

(2) As soon as practicable after he has received it, the Minister shall lay a copy of the report and its annexes on the Table of the House.

Objects and Reasons

The main Object of the Bill is to provide for the payment of compensation to Maltese citizens who suffered loss or damage as a result of the floods which hit the Maltese Islands in October of last year. The opportunity has been taken to wind up certain public funds which have outlived their original purpose, and to add the proceeds thereof to the moneys donated by the Libyan Arab Jamahiriya for the relief of the hardship caused by the floods. The Government will in addition contribute a sum equal to that derived from the winding up of the said funds.