Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 13,750, 18 ta' Lulju, 1980
Taqsima C

Nru. 150

18. 7. 80

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Joseph Brincat, M.P., Ministru tal-Ġustizzja, Artijiet, Djar u Affarijiet tal-Parlament u moqri għall-Ewwel darba fis-Seduta tat-23 ta' Ġunju, 1980.

ATT biex ikompli jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, Kap. 105.

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 23rd June, 1980.

AN ACT further to amend the Traffic Regulation Ordinance, Cap. 105.

C. Mifsud
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjaħ

ATT biex ikompli jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, Kap. 105.

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.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1980 li jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Ordinanza dwar ir-Regulament tat-Traffiku, hawnhekk iżjed 'il quddiem imsejħa "il-liġi prinċipali".

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

2. L-artikolu 17 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) minflok is-subartikolu (5) tiegħu għandu jidħol dan li ġej:

"(5) Minkejja d-disposizzjonijiet ta' l-artikolu 17 A ta' din l-Ordinanza:

(a) meta s-sid ta' *motor bus* jonqos, għal xi raġuni tkun li tkun, barra minn dik imsemmija fil-paragrafu (b) ta' dan is-subartikolu, li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li fiha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz jew, meta jkun ħa ħsieb li l-*motor bus* tiegħu tirrapporta għal dak ix-xogħol, jonqos li jieħu ħsieb li dik il-*motor bus* tkompli tagħmel dak is-servizz għall-bqija ta' dik il-ġurnata, hu jkun ħati ta' reat u jeħel, meta jinsab ħati, multa ta' għoxrin lira meta jinsab ħati l-ewwel darba, multa ta' ħamsin lira meta jinsab ħati t-tieni darba jew wara, u, fil-każ tat-tielet reat fi żmien tnax-il xahar mill-ewwel reat, tħassir tal-liċenza tal-*motor bus* tiegħu:

Iżda s-sid ta' l-imsemmija *motor bus* ma jkunx ħati ta' reat taħt dan il-paragrafu jekk —

(i) fil-każ li jonqos li jirrapporta għax-xogħol, jipprovdi *motor bus* oħra minflokha ta' l-istess xorta, klassi jew kategorija biex tirrapporta għax-xogħol fil-ħin stabbilit, jew jekk, għalkemm jonqos li hekk jipprovdi *motor bus* oħra minflokha, in-numru totali tal-*motor buses* għax-xogħol f'dik il-ġurnata ma jkunx inqas min-numru li għal dak iż-żmien ikun stabbilit u ppubblikat mill-Kummissarju tal-Pulizija bħala li hu biżżejjed sabiex is-servizz ma jkunx imfixkel; jew

(ii) fil-każ li jonqos li jkompli jagħti s-servizz kif imsemmi qabel, jipprovdi *motor bus* oħra minflokha ta' l-istess xorta, klassi jew kategorija, sabiex tkompli tagħmel dak is-servizz fi żmien siegħa min-nuqqas u għall-bqija ta' dik il-ġurnata;

(b) meta s-sid ta' *motor bus* jonqos li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li fiha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz jew, meta jkun ħa ħsieb li l-*motor bus* tiegħu tirrapporta għal dak ix-xogħol, tonqos li tkompli tagħmel dak is-servizz għall-bqija ta' dik il-ġurnata, f'kull każ minħabba azzjoni miftehma meħuda minn seba' sidien jew aktar —

(i) jekk l-azzjoni li tittieħed tkun biex titmexxa 'l quddiem tilwima li jkollha x'taqsam mat-trasport pubbliku, u l-ħsieb li tittieħed dik l-azzjoni jkun ġie avżat lill-Kummissarju tal-Pulizija mill-għaqda li tirrappreżenta l-maġġoranza tas-sidien tal-*motor buses* mhux inqas minn tmienja u erbgħin (48) siegħa qabel ma fil-fatt tittieħed, in-nuqqas ma jikkostitwixxix reat taħt dan l-artikolu;

(ii) jekk l-azzjoni ma tkunx biex titmexxa 'l quddiem tilwima hekk kif intqal qabel jew tittieħed mingħajr avviż kif intqal qabel, jew qabel ma jgħaddu tmienja u erbgħin (48) siegħa minn meta tiġi mgħarrfa lill-Kummissarju tal-Pulizija, is-sid ikun ħati ta' reat u jeħel, meta jinsab ħati, multa ta' mhux inqas minn ħamsin lira u t-tħassir tal-liċenza tal-*motor bus* tiegħu.".

(ċ) minnufih wara s-subartikolu (5) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

"(6) Meta għaqda li tirrappreżenta l-maġġoranza tas-sidien ta' *motor buses* hekk titlob, id-Direttur tax-Xogħol għandu jirriferi lill-Uffiċjal għall-Kontroll tax-Xogħol tat-Trasport Pubbliku kull nuqqas minn sid ta' *motor bus* li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li matulha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz, u l-imsemmi Uffiċjal għandu jistħarreġ iċ-ċirkostanzi ta' dak in-nuqqas u jirrapporta dwarhom lid-Direttur tax-Xogħol u lill-għaqda li tagħmel it-talba għal kull azzjoni xierqa li tista' tittieħed skond l-istatut ta' dik l-għaqda.".

Emenda ta' l-Iskeda li tinsab mal-liġi prinċipali.

3. L-Iskeda li tinsab mal-liġi prinċipali għandha tiġi emendata biż-żieda tal-partita li ġejja fit-tarf tagħha:

"Nuqqas ta' għemil ta' *trip* minn *motor bus* ... ... £5".

Għanijiet u Raġunijiet

L-Għan ewlieni ta' l-Abbozz huwa li jiżgura li ma jkunx hemm waqfien fis-servizz tal-*buses* jekk ma jingħatax avviż għall-anqas tmienja u erbgħin siegħa qabel u fil-każijiet l-oħra kollha li l-pubbliku jkollu għad-disposizzjoni tiegħu numru biżżejjed ta' *buses* skond ma jkun meħtieġ.

A BILL

entitled

AN ACT further to amend the Traffic Regulation Ordinance, Cap. 105.

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 Traffic Regulation (Amendment) Act, 1980, and shall be read and construed as one with the Traffic Regulation Ordinance, hereinafter referred to as "the principal law". Short title.

2. Section 17 of the principal law shall be amended as follows: Amendment of section 17 of the principal law.

(a) for subsection (5) thereof there shall be substituted the following:

"(5) Notwithstanding the provisions of section 17A of this Ordinance:

(a) where the owner of a motor omnibus fails, for any reason whatsoever, other than that referred to in paragraph (b) of this subsection, to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service or, having caused his motor omnibus to report for such duty, fails to cause such motor omnibus to continue to perform such service for the whole of that day, he shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of twenty pounds for a first offence, to a fine (*multa*) of fifty pounds for a second or subsequent offence and, in the case of a third offence during a period of twelve months from the first offence, to the cancellation of the licence of his motor omnibus:

Provided that the owner of the said motor omnibus shall not be guilty of an offence under this paragraph if —

(i) in the event of failure to report for duty, he provides an alternative motor omnibus of the same type, class or category to report for duty at the appointed time, or if, though he fails to provide such an alternative motor omnibus, the total number of buses on duty on that day is not less than the number for the time being determined and published by the Commissioner of Police to be sufficient in order that the service will not be disrupted; or

(ii) in the event of failure to continue to perform the service as aforesaid, he provides an alternative motor omnibus of the same type, class or category, to continue that service within one hour from the failure and for the whole of the remainder of that day.

(b) where the owner of a motor omnibus fails to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, or, having caused his motor omnibus to report for such duty, it fails to continue to perform such service for the whole of that day, in either case as a result of a concerted action taken by seven or more owners —

(i) if the action taken is in furtherance of a dispute relating to any matter concerning the public transport, and the intention to take such action is notified to the Commissioner of Police by the association representing the majority of owners of motor omnibuses not less than forty-eight (48) hours before it is in fact taken, the failure shall not constitute an offence under this section;

(ii) if the action is not in furtherance of such a dispute as aforesaid or is taken without notice as aforesaid, or before the expiration of forty-eight (48) hours from its communication to the Commissioner of Police, the owner shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than fifty pounds and to the cancellation of the licence of his motor omnibus.".

(c) immediately after subsection (5) thereof there shall be added the following new subsection:

"(6) Where an association representing the majority of owners of motor omnibuses so requests, the Director of Labour shall refer to the Public Transport Labour Control Officer any failure by the owner of a motor omnibus to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, and the said officer shall investigate the circumstances of the said failure and report his findings to the Director of Labour and to the association making the request for any action that may be appropriate in terms of the statute of such association.".

3. The Schedule to the principal law shall be amended by the addition of the following item at the end thereof: Amendment of Schedule to the principal law.

"Failure to perform trip by motor omnibus ... ... £5 ".

Objects and Reasons

The main Object of the Bill is to ensure that a discontinuance of the bus service does not occur without at least forty-eight hours' notice and that in all other cases there is available for the public a sufficient number of buses on the road to meet the public's demand.

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