

Nru. 153

18. 7. 80

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

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 tas-7 ta' Lulju, 1980.

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 7th July, 1980.

ATT biex ikompli jemenda l-Ordinanza dwar it-Tharis mill-Mard (Kap. 59).

AN ACT further to amend the Prevention of Disease Ordinance (Cap. 59).

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Ordinanza dwar it-Tharis mill-Mard (Kap. 59).

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 li jemenda l-Ordinanza dwar it-Tharis mill-Mard u għandu jinqara u jftiehem haġa waħda ma' l-Ordinanza dwar it-Tharis mill-Mard, hawnhekk iżjed 'il quddiem im-sejha "il-liġi prinċipali".

Emenda ta' l-artikolu 99 tal-liġi prinċipali.

2. L-artikolu 99 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(i) il-paragrafu (w) tiegħu għandu jiġi numerat mill-ġdid bħala paragrafu (z); u

(ii) minnufih wara l-paragrafu (v) għandhom jidhlu l-paragrafi godda li ġejjin:

“(w) biex jikkontrolla u jirregola t-trobbija u t-tizim ta' annimali;

(x) biex jikkontrolla u jirregola ċ-ċaqliq ta' annimali minn post għall-iehor;

(y) biex jikkontrolla u jirregola l-ġbir u t-trasport ta' *swill* għall-annimali.”.

Sostituzzjoni ta' l-artikolu 119A tal-liġi prinċipali.

3. Minflok l-artikolu 119A tal-liġi prinċipali għandu jidhlo dan li ġej:

“119A. (1) Minkejja kull disposizzjoni oħra ta' din l-Ordinanza, kull persuna li tinsab f'itja ta' reat kontra xi disposizzjoni ta' xi regolament magħmul taħt din it-taqsim ta' din l-Ordinanza —

(a) meta dik id-disposizzjoni jew dawk id-disposizzjonijiet jirreferu għall-importazzjoni, ċaqliq, jew kwarantina ta' klieb jew qtates, jew għall-iżbark ta' *swill* minn xi bastiment, *yacht*,

pleasure craft, dgħajsa, jew bastiment ieħor jew minn xi inġenju ta' l-ajru, tehel multa ta' mhux inqas minn mitejn lira iżda mhux iżjed minn elf lira u prigunerija għal żmien ta' mhux inqas minn tliet xhur iżda mhux iżjed minn sitt xhur; u

(b) dwar kull regolamenti magħmula taht il-paragrafi (w), (x) jew (y) ta' l-artikolu 99 ta' din l-Ordinanza —

(i) meta dik id-disposizzjoni jew dawk id-disposizzjonijiet jirreferu għall-htieġa ta' xi liċenza jew awtorizzazzjoni, tehel multa ta' mhux inqas minn ħames liri iżda mhux iżjed minn elf lira; u

(ii) għall-ksur ta' xi disposizzjoni jew disposizzjonijiet oħra ta' dawk ir-regolamenti, tehel multa ta' mhux inqas minn ħamsin lira iżda mhux iżjed minn elf lira.

(2) Id-disposizzjonijiet ta' l-Att ta' l-1957 dwar il-*Probation* ta' Hatjin ma japplikawx dwar xi reat imsemmi fil-paragrafu (a) tas-sub-artikolu (1) ta' dan l-artikolu.”.

4. L-artikoli tal-liġi prinċipali hawn taht imsemmija għandhom jiġu emendati kif ġej:

Emenda ta' diversi artikoli tal-liġi prinċipali.

(a) fl-artikolu 101 minflok il-kliem “mitt lira” għandhom jidhlu l-kliem “ħames mitt lira”;

(b) fl-artikolu 102 minflok il-kliem “għaxar liri” għandhom jidhlu l-kliem “ħamsin lira”;

(c) fl-artikolu 104 minflok il-kliem “għaxar liri” kull fejn jin-sabu fis-subartikoli (1) u (2) tiegħu, għandhom jidhlu f'kull każ il-kliem “ħamsin lira”;

(d) fl-artikolu 107 minflok il-kliem “għaxar liri” għandhom jidhlu l-kliem “ħamsin lira”;

(e) fl-artikolu 110 minflok il-kliem “lira sa ħames liri; f'kull każ ieħor il-piena tal-multa mhux iżjed minn mitt lira” għandhom jidhlu l-kliem “ħames liri sa ħamsa u għoxrin lira; f'kull każ ieħor il-piena tal-multa mhux iżjed minn ħames mitt lira”;

(f) minflok il-paragrafi (a), (b), (c) u (d) ta' l-artikolu 111 għandhom jidhlu dawn li ġejjin:

“(a) ħames liri fil-każ ta' kontravvenzjonijiet għall-artikolu 20;

(b) għaxar liri fil-każ ta' kontravvenzjoni għall-paragrafu (a) ta' l-artikolu 21 jew ta' l-artikolu 32;

(c) ħamsa u għoxrin lira fil-każ ta' kontravvenzjoni għall-artikolu 30; jew

(d) mitejn lira fil-każ ta' kontravvenzjoni għall-artikolu 47.”;

(g) fl-artikolu 112 minflok il-kliem “għaxar liri” għandhom jidhlu l-kliem “ħamsin lira”;

(h) fl-artikolu 113 minflok il-kelma “lira” għandhom jidhlu l-kliem “ħames liri”;

(i) fl-artikolu 115 minflok il-kliem “żewġ liri” għandhom jidhlu l-kliem “għaxar liri”;

(j) fl-artikolu 116 —

(i) minflok il-kliem “hmistax-il lira” fil-paragrafu (a) tiegħu għandhom jidhlu l-kliem “hamsin lira”;

(ii) minflok il-kliem “erba’ liri” fil-paragrafu (b) tiegħu għandhom jidhlu l-kliem “għoxrin lira”; u

(iii) minflok il-kliem “għaxar liri” kull fejn jinsabu fil-paragrafu (ċ) tiegħu għandhom jidhlu f’kull każ il-kliem “hamsin lira”; u

(k) fl-artikolu 128 minflok il-kliem “żewġ liri” għandhom jidhlu l-kliem “għaxar liri”.

Għanijiet u Ragunijiet

L-Għan ta’ dan l-Abbozz huwa li jagħti s-setgħa li jsiru regolamenti biex jiġi eżerċitat kontroll fuq animali sabiex jitnaqqas ir-riskju tal-mard. Il-penalitajiet qed jizdedu.

A BILL**entitled**

AN ACT further to amend the Prevention of Disease Ordinance (Cap. 59).

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 Prevention of Disease Ordinance (Amendment) Act, 1980, and shall be read and construed as one with the Prevention of Disease Ordinance, hereinafter referred to as "the principal law".

Short title.

2. Section 99 of the principal law shall be amended as follows:

Amendment of section 99 of the principal law.

(i) paragraph (w) shall be relettered (z); and

(ii) immediately after paragraph (v) there shall be inserted the following new paragraphs:

"(w) for controlling and regulating the rearing and keeping of animals;

(x) for controlling and regulating the movement of animals from one place to another;

(y) for controlling and regulating the collection and transport of swill and the feeding of swill to animals."

3. For section 119A of the principal law there shall be substituted the following:

Substitution of section 119A of the principal law.

"119A. (1) Notwithstanding any other provision of this Ordinance, any person who is found guilty of an offence against any provision of any regulation made under this part of this Ordinance —

(a) where such provision or provisions refer to the importation, movement, or quarantine of dogs or cats, or to the landing of swill from any ship, yacht, pleasure craft, boat or

other vessel or from any aircraft, shall be liable to a fine (*multa*) of not less than two hundred pounds but not exceeding one thousand pounds and to imprisonment for a term of not less than three months but not exceeding six months; and

(b) in respect of any regulations made under paragraphs (w), (x) or (y) of section 99 of this Ordinance —

(i) where such provision or provisions refer to the requirement of any licence or authorization, shall be liable to a fine (*multa*) of not less than five hundred pounds but not exceeding one thousand pounds; and

(ii) for the contravention of any other provision or provisions of such regulations, shall be liable to a fine (*multa*) of not less than fifty pounds but not exceeding one thousand pounds.

(2) The provisions of the Probation of Offenders Act, 1957, shall not be applicable in relation to any offence referred to in paragraph (a) of subsection (1) of this section.”.

Amendment of
several sections
of the
principal law.

4. The sections of the principal law hereunder mentioned shall be amended as follows:

(a) in section 101 for the words “one hundred pounds” there shall be substituted the words “five hundred pounds”;

(b) in section 102 for the words “ten pounds” there shall be substituted the words “fifty pounds”;

(c) in section 104 for the words “ten pounds” wherever they occur in subsections (1) and (2) thereof, there shall be substituted in each case the words “fifty pounds”;

(d) in section 107 for the words “ten pounds” there shall be substituted the words “fifty pounds”;

(e) in section 110 for the words “one pound to five pounds; in any other case, to a fine (*multa*) not exceeding one hundred pounds” there shall be substituted the words “five pounds to twenty-five pounds; in any other case, to a fine (*multa*) not exceeding five hundred pounds”;

(f) for paragraphs (a), (b), (c) and (d) of section 111 there shall be substituted the following:

“(a) five pounds where the offence is against section 20;

(b) ten pounds where the offence is against paragraph (a) of section 21 or section 32;

(c) twenty-five pounds where the offence is against section 30; or

(d) two hundred pounds where the offence is against section 47.”;

(g) in section 112 for the words “ten pounds” there shall be substituted the words “fifty pounds”;

(h) in section 113 for the words “one pound” there shall be substituted the words “five pounds”;

(i) in section 115 for the words “two pounds” there shall be substituted the words “ten pounds”;

(j) in section 116 —

(i) for the words “fifteen pounds” in paragraph (a) thereof there shall be substituted the words “fifty pounds”;

(ii) for the words “four pounds” in paragraph (b) thereof there shall be substituted the words “twenty pounds”; and

(iii) for the words “ten pounds” wherever they occur in paragraph (c) thereof there shall be substituted in each case the words “fifty pounds”; and

(k) in section 128 for the words “two pounds” there shall be substituted the words “ten pounds”.

Objects and Reasons

The Object of this Bill is to enable regulations to be made for exercising control over animals in order to forestall the risk of disease. Pecuniary penalties are being increased.