



**MALTA**

**ATT Nru. XXXVIII ta' l-1977**

ATT mahruġ b'ligi mill-Parlament ta' Malta.

ATT biex ikompli jemenda l-Ordinanza dwar l-Armi, Kap. 106.

**ACT No. XXXVIII of 1977**

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Arms Ordinance, Cap. 106.



Nagħti l-kunsens tiegħi.

*Anna Dalli*  
President

9 Diċembru, 1977

### ATT Nru. XXXVIII ta' l-1977

*ATT biex ikompli jemenda l-Ordinanza dwar l-Armi, Kap. 106.*

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

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1977 li jemenda l-Ordinanza dwar l-Armi, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar l-Armi, hawnhekk iżjed 'il quddiem imsejha "il-ligi prinċipali".

Emenda ta' l-artikolu 13 tal-ligi prinċipali.

2. Fis-subartikolu (1) ta' l-artikolu 13 tal-ligi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn ħamsin ċenteżmu jew il-piena tad-detenzjoni" għandhom jidhlu l-kliem "multa ta' mhux iżjed minn ħamsin lira jew prigunerija għal żmien ta' mhux iżjed minn tliet xhur".

Emenda ta' l-artikolu 14 tal-ligi prinċipali.

3. Fis-subartikolu (2) ta' l-artikolu 14 tal-ligi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn żewġ liri jew detenzjoni" għandhom jidhlu l-kliem "multa ta' mhux iżjed minn mitt lira jew prigunerija għal żmien ta' mhux iżjed minn tliet xhur".

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

4. Fl-artikolu 18, tal-ligi prinċipali, minflok il-kliem "għal m'hux iżjed minn tliet xhur" għandhom jidhlu l-kliem "għal mhux iżjed minn sitt xhur".

Emenda ta' l-artikolu 19 tal-ligi prinċipali.

5. Fl-artikolu 19 tal-ligi prinċipali, minflok il-kliem "ta' arma tan-nar jew arma regolari" għandhom jidhlu l-kliem "ta' arma tan-nar, arma regolari jew ponn tal-ħadid".

Emenda ta' l-artikolu 21 tal-ligi prinċipali.

6. Fl-artikolu 21 tal-ligi prinċipali, minflok il-kliem "ammenda ta' m'hux anqas minn ħamsin ċenteżmu" għandhom jidhlu l-kliem "multa ta' mhux inqas minn ħames liri".

7. L-artikolu 25 tal-liġi prinċipali għandu jiġi emendat kif ġej:  
 (a) il-kelma "jew" għandha tiżdied fit-tarf tal-paragrafu (b) tas-subartikolu (1) tiegħu;

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

(b) minnufih wara l-paragrafu (b) tas-subartikolu (1) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(ċ) xi ponn tal-ħadid,";

(ċ) fis-subartikolu (1) tiegħu, minflok il-kliem "multa ta' mhux iżjed minn ħamsin lira jew prigunerija għal perijodu ta' mhux iżjed minn tliet xhur" għandhom jidhlu l-kliem "multa ta' mhux inqas minn ħamsin lira iżda mhux iżjed minn mitejn lira jew prigunerija għal żmien ta' mhux inqas minn tliet xhur iżda mhux iżjed minn sitt xhur", u minflok il-kliem "multa ta' mhux iżjed minn mitejn lira jew għal prigunerija għal perijodu ta' mhux iżjed minn sitt xhur" għandhom jidhlu l-kliem "multa ta' mhux inqas minn mitejn lira iżda mhux iżjed minn ħames mitt lira jew prigunerija għal żmien ta' mhux inqas minn sitt xhur iżda mhux iżjed minn tnax-il xahar", u

(d) minflok il-kliem "ta' kull sikkina bħal dik" fis-subartikolu (2) tiegħu għandhom jidhlu l-kliem "ta' kull sikkina bħal dik jew ponn tal-ħadid bħal dak".

8. Minnufih wara l-artikolu 25 tal-liġi prinċipali għandhom jiżdiedu ż-żewġ artikoli ġodda li ġejjin:

Żieda ta' artikoli ġodda 26 u 27 mal-liġi prinċipali.

"Pussess ta' 26. Bla ħsara għal kull disposizzjoni oħra tal-Kodiċi armi tan-nar, eċċ. Kriminali applikabbli għall-użu ta' armi tan-nar, kull persuna li, —  
 Kap. 12 suna li, —

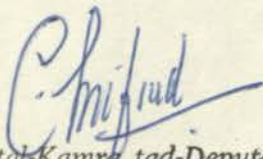
(a) fil-ħin li tagħmel delitt kontra s-sigurtà tal-Gvern jew kontra l-persuna (barra minn omiċidju involontarju jew offiża fuq il-persuna involontarja) jew id-delitt ta' serq jew ta' ħsara lil proprjetà (barra minn ħsara involontarja lil proprjetà), jew

(b) fil-ħin li tiġi arrestata għall-egħmil ta' xi delitt,

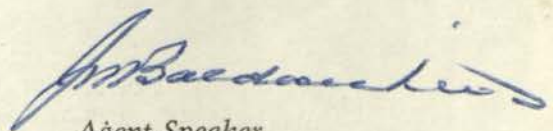
ikollha fuq il-persuna tagħha xi arma tan-nar, arma regolari, imitazzjoni ta' arma tan-nar jew imitazzjoni ta' arma regolari tkun ħatja ta' reat u tehel, meta tinsab ħatja, prigunerija għal żmien ta' mhux iżjed minn sentejn, kemm-il darba ma tippurvax li dak il-ħin kienet qed iġġorr dik l-arma tan-nar jew arma regolari għal xi għan legittimu.

L-Att ta' 27. Id-disposizzjonijiet ta' l-Att ta' l-1957 dwar il-Probation ta' Ħatjin, ma japplikawx għal reat kontra xi waħda mid-disposizzjonijiet ta' din l-Ordinanza."  
 ma japplikax.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 109 tad-29 ta' Novembru, 1977.



Skrivan tal-Kamra tad-Deputati



Agent Speaker



I assent.

*Austin G. K. G. G.*  
President

2 December, 1977

**ACT No. XXXVIII of 1977**

*AN ACT further to amend the Arms Ordinance, Cap. 106.*

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 Arms (Amendment) Act, 1977, and shall be read and construed as one with the Arms Ordinance, hereinafter referred to as "the principal law".

Amendment of section 13 of the principal law.

2. In subsection (1) of section 13 of the principal law, for the words "to a fine (*ammenda*) of not less than fifty cents or to detention" there shall be substituted the words "to a fine (*multa*) not exceeding fifty pounds or to imprisonment for a term not exceeding three months".

Amendment of section 14 of the principal law.

3. In subsection (2) of section 14 of the principal law, for the words "to a fine (*ammenda*) of not less than two pounds or to detention" there shall be substituted the words "to a fine (*multa*) not exceeding one hundred pounds or to imprisonment for a term not exceeding three months".

Amendment of section 18 of the principal law.

4. In section 18 of the principal law, for the words "for a term not exceeding three months" there shall be substituted the words "for a term not exceeding six months".

Amendment of section 19 of the principal law.

5. In section 19 of the principal law, for the words "of any fire-arm or arm proper" there shall be substituted the words "of any fire-arm, arm proper or knuckle duster".

6. In section 21 of the principal law, for the words "to a fine (*ammenda*) of not less than fifty cents" there shall be substituted the words "to a fine (*multa*) of not less than five pounds".

Amendment of section 21 of the principal law.

7. Section 25 of the principal law shall be amended as follows:

Amendment of section 25 of the principal law.

(a) the word "or" shall be added at the end of paragraph (b) of subsection (1) thereof;

(b) immediately after paragraph (b) of subsection (1) thereof there shall be added the following new paragraph:

"(c) any knuckle duster,";

(c) in subsection (1) thereof, for the words "to a fine (*multa*) not exceeding fifty pounds or to imprisonment not exceeding three months" there shall be substituted the words "to a fine (*multa*) of not less than fifty pounds but not exceeding two hundred pounds or to imprisonment for a term of not less than three months but not exceeding six months", and for the words "to a fine (*multa*) not exceeding two hundred pounds or to imprisonment for a term not exceeding six months" there shall be substituted the words "to a fine (*multa*) of not less than two hundred pounds but not exceeding five hundred pounds or to imprisonment for a term of not less than six months but not exceeding twelve months", and

(d) for the words "of any such knife" in subsection (2) thereof there shall be substituted the words "of any such knife or knuckle duster".

8. Immediately after section 25 of the principal law there shall be added the following two new sections:

Addition of new sections 26 and 27 to the principal law.

"Possession of fire-arms, etc.

Cap. 12

26. Saving any other provision of the Criminal Code applicable to the use of fire-arms, any person who, —

(a) at the time of his committing a crime against the safety of the Government or against the person (other than involuntary homicide or involuntary bodily harm) or the crime of theft or of injury to property (other than involuntary injury to property), or

(b) at the time of being arrested for the commission of any crime,

has on his person any fire-arm, arm proper, imitation fire-arm or imitation arm proper shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding two years, unless he proves that he was then carrying such fire-arm or arm proper for a lawful purpose.

Non-appli-  
cability of  
Probation  
of  
Offenders  
Act,  
1957.

27. The provisions of the Probation of Offenders Act, 1957, shall not be applicable for any offence against any of the provisions of this Ordinance.”.

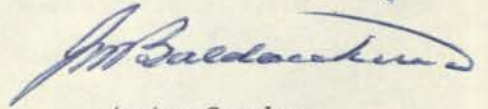
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Passed by the House of Representatives at Sitting No. 109 of the 29th November, 1977.



C. Mifsud

Clerk to the House of Representatives



J. M. Baldacchino

Acting Speaker.