



MALTA

ATT Nru. IX ta' l-1978

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

ATT biex ikompli jemenda l-Att dwar id-Dazju tas-Sisa fuq is-Sigaretti maħdumin bil-Makna, Kap. 94.

ACT No. IX of 1978

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Machine-made Cigarettes (Excise Duty) Act, Cap. 94.



Nagħti l-kunsens tiegħi.

Anton Buttigieg
President

17 ta' Marzu, 1978

ATT Nru. IX ta' l-1978

ATT biex ikompli jemenda l-Att dwar id-Dazju tas-Sisa fuq is-Sigarretti maħdumin bil-Makna, Kap. 94.

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

Titolu fil-qosor
u bidu fis-sehħ.

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1978 li jemenda l-Att dwar id-Dazju tas-Sisa fuq is-Sigarretti maħdumin bil-Makna, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar id-Dazju tas-Sisa fuq is-Sigarretti maħdumin bil-Makna, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

(2) Dan l-Att, barra mill-artikolu 4, għandu jitqies li beda jsehh fis-6 ta' Frar, 1978.

Emenda ta'
l-artikolu 2
ta' l-Att
prinċipali.

2. Fl-artikolu 2 ta' l-Att prinċipali, minnufih wara t-tifsira ta' "Ministru" għandha tiżdied it-tifsira li ġejja:

"il-kelma "preskritt" tfisser preskritt b'regolamenti taht dan l-Att."

Emenda ta'
l-artikoli 3 u 5
ta' l-Att
prinċipali.

3. Fis-subartikolu (1) ta' l-artikolu 3 u fis-subartikolu (1) ta' l-artikolu 5 ta' l-Att prinċipali, minflok il-kliem "hames ċenteżmi u hames milleżmi" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "żewġ ċenteżmi u hames milleżmi".

Sostituzzjoni
ta' l-artikolu 7
ta' l-Att
prinċipali.

4. Minflok l-artikolu 7 ta' l-Att prinċipali għandu jidhlo dan li ġej:

"7. (1) Ebda persuna m'għandha timmanifattura, tipproċessa jew tipprepara għall-bejgħ xi sigarretti maħdumin bil-makna mingħajr liċenza tal-Ministru.

(2) Kull liċenza maħruġa taht is-subartikolu (1) ta' dan l-artikolu għandha turi fuqha l-indirizz ta' kull post li għalih tkun tapplika l-liċenza.

(3) Kull liċenza bħal dik tkun valida sal-31 ta' Marzu li jiġi wara l-ġurnata li fiha tkun harġet jew ġiet imġedda.

(4) Għandu jithallas għall-ħruġ jew għat-tiġdid ta' kull liċenza taħt dan l-artikolu dak id-dritt li jista' jiġi preskritt mill-Ministru.

(5) Il-Ministru jista', mingħajr ma jagħti ebda raġuni għax jagħmel hekk, jirrifjuta l-ħruġ jew it-tiġdid ta' kull liċenza, u jista' wkoll jirrevoka liċenza maħruġa jew imġedda minnu meta d-detentur tal-liċenza jkun instab ħati ta' reat kontra xi waħda mid-disposizzjonijiet ta' dan l-Att jew ta' xi regolamenti magħmula bis-saħħa tiegħu.

(6) Kull liċenza maħruġa jew imġedda taħt dan l-artikolu tkun personali u ma tkunx trasferibbli."

5. Fis-subartikolu (1) ta' l-artikolu 9 ta' l-Att prinċipali, minflok il-kliem "bil-liċenza taħt l-artikolu 7" għandhom jidhlu l-kliem "li dwaru jkun hemm liċenza taħt l-artikolu 7".

Emenda ta' l-artikolu 9 ta' l-Att prinċipali.

6. Minflok is-subartikolu (1) ta' l-artikolu 11 ta' l-Att prinċipali għandu jidhol dan li ġej:

Emenda ta' l-artikolu 11 ta' l-Att prinċipali.

"(1) Il-Ministru jista' jagħmel regolamenti sabiex jiġu żgurati d-disposizzjonijiet ta' dan l-Att u sabiex jitwettqu aħjar id-disposizzjonijiet tiegħu u, b'mod partikolari, —

(a) sabiex jippreskrivi l-formola li għandha tintuża f'kull applikazzjoni għal liċenza li tinħareġ taħt l-artikolu 7 ta' dan l-Att, u

(b) sabiex jistabbilixxi d-drittijiet li għandhom jithallu dwar il-ħruġ jew it-tiġdid ta' kull liċenza bħal dik."

7. Id-disposizzjonijiet ta' l-artikolu 3 ta' dan l-Att m'għandhomx japplikaw dwar sigaretti fabrikati minn tabakk li jkun ġie meħlus mid-depożt qabel is-6 ta' Frar, 1978.

Riżerva.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 146 ta' l-14 ta' Marzu, 1978.


Skrivan tal-Kamra tad-Deputati


Speaker



I assent.

Anton Kuthique
President

17 March, 1978

ACT No. IX of 1978

AN ACT further to amend the Machine-made Cigarettes (Excise Duty) Act, Cap. 94.

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. (1) This Act may be cited as the Machine-made Cigarettes (Excise Duty) (Amendment) Act, 1978, and shall be read and construed as one with the Machine-made Cigarettes (Excise Duty) Act, hereinafter referred to as "the principal Act".

(2) This Act, with the exception of section 4, shall be deemed to have come into force on the 6th February, 1978.

Amendment of
section 2 of
the principal
Act.

2. In section 2 of the principal Act, immediately after the definition of "Minister" there shall be added the following definition:

"the expression "prescribed" means prescribed by regulations under this Act."

Amendment of
sections 3 and
5 of the
principal Act.

3. In subsection (1) of section 3 and in subsection (1) of section 5 of the principal Act, for the words "five cents five mills" wherever they occur there shall be substituted in each case the words "two cents five mills".

Substitution of
section 7 of
the principal
Act.

4. For section 7 of the principal Act there shall be substituted the following:

"7. (1) No person shall manufacture, process or prepare for sale any machine-made cigarettes without a licence from the Minister.

(2) Any licence issued under subsection (1) of this section shall show thereon the address of any premises covered by the licence.

(3) Any such licence shall be valid until the 31st March next following the day of its issue or renewal.

(4) There shall be paid for the issue or renewal of any licence under this section such fee as may be prescribed by the Minister.

(5) The Minister may, without assigning any reason for so doing, refuse the issue or renewal of any licence, and he may also revoke a licence issued or renewed by him where the licensee has been found guilty of an offence against any of the provisions of this Act or of any regulations made thereunder.

(6) Any licence issued or renewed under this section shall be personal and shall not be transferable.”.

5. In subsection (1) of section 9 of the principal Act, for the words “licensed under section 7” there shall be substituted the words “covered by a licence under section 7”.

Amendment of section 9 of the principal Act.

6. For subsection (1) of section 11 of the principal Act there shall be substituted the following:

Amendment of section 11 of the principal Act.

“(1) The Minister may make regulations for enforcing the provisions of this Act and for the better carrying out of its provisions and, in particular, —

(a) for prescribing the form to be used in any application for a licence to be issued under section 7 of this Act, and

(b) for establishing the fees to be paid in respect of the issue or renewal of any such licence.”.


7. The provisions of section 3 of this Act shall not apply in respect of any cigarettes manufactured from tobacco which was released from bond prior to the 6th February, 1978.

Saving.

Passed by the House of Representatives at Sitting No. 146 of the 14th March, 1978.



Clerk to the House of Representatives



Speaker