MALTA

ATT Nru. XXIII ta' l-1978

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT biex ikompli jemenda l-Kodiċi tal-Liġijiet tal-Pulizija, Kap. 13.

ACT No. XXIII of 1978

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Code of Police Laws, Cap. 13.

Naghti l-kunsens tieghi.

President

21 ta' Lulju, 1978

ATT Nru. XXIII ta' l-1978

ATT biex ikompli jemenda l-Kodiċi tal-Liġijiet tal-Pulizija, Kap. 13.

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-1978 li jemenda l-Kodiċi tal-Liġijiet tal-Pulizija, u għandu jinqara u jiftiehem ħaġa waħda mal-Kodiċi tal-Liġijiet tal-Pulizija, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

Tħassir ta' l-artikolu 196 tal-liġi prinċipali.

2. L-artikolu 196 tal-liġi prinċipali għandu jitħassar.

Emenda ta' l-artikolu 314 tal-liġi prinċipali.

3. Minnufih wara s-subartikolu (1D) ta' l-artikolu 314 tal-liġi prinċipali għandu jiżdied is-subartikolu ġdid li ġej:

"(1E) (a) Kull persuna li tagħmel reat kontra xi waħda mid-disposizzjonijiet ta' l-artikoli mill-188 sal-194 ta' dan il-Kodiċi, jew ta' xi regolamenti magħmula taħt l-artikolu 195 ta' dan il-Kodiċi, teħel, meta tinsab ħatja l-ewwel darba, multa ta' mhux inqas minn £10 jew priġunerija għal żmien ta' mhux iżjed minn xahar u, meta tinsab ħatja t-tieni darba jew wara, multa ta' mhux inqas minn £50 jew priġunerija għal żmien ta' mhux iżjed minn tliet xhur jew dik il-multa u priġunerija flimkien.

(b) Meta persuna tinsab ħatja ta' reat kif imsemmi fil-paragrafu (a) ta' dan is-subartikolu, il-Qorti għandha tissospendi l-liċenza relattiva għal żmien ta' mhux iżjed minn tnax-il xahar u għandha, fuq it-talba tal-prosekuzzjoni, tordna l-konfiska ta' l-ixkubetta, arma tan-nar, munizzjoni, arma, jew oġġett ieħor użat fl-egħmil tar-reat.

(ċ) Id-disposizzjonijiet ta' l-artikolu 23A tal-Kodiċi Kriminali m'għandhomx japplikaw meta wieħed jinsab ħati ta' reat kif imsemmi fil-paragrafu (a) ta' dan is-subartikolu.".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 193 tat-18 ta' Lulju, 1978.

Skrivan tal-Kamra tad-Deputati

Speaker

I assent.

President

21 July, 1978

ACT No. XXIII of 1978

AN ACT further to amend the Code of Police Laws, Cap. 13.

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 Code of Police Laws (Amendment) Act, 1978, and shall be read and construed as one with the Code of Police Laws, hereinafter referred to as "the principal law".

Repeal of section 196 of the principal law.

2. Section 196 of the principal law shall be repealed.

Amendment of section 314 of the principal law.

3. Immediately after subsection (1D) of section 314 of the principal law there shall be added the following new subsection:

"(1E) (a) Any person who commits an offence against any of the provisions of sections 188 to 194 of this Code, or of any regulations made under section 195 of this Code, shall, in the case of a first conviction, be liable to a fine (*multa*) of not less than £10 or to imprisonment for a term not exceeding one month and, in the case of a second or subsequent conviction, to a fine (*multa*) of not less than £50 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(b) When a person is found guilty of an offence as is referred to in paragraph (a) of this subsection, the Court shall suspend the relative licence for a period not exceeding twelve months and shall, at the request of the prosecution, order the forfeiture of the gun, firearm, ammunition, weapon, or other article used in the commission of the offence.

(c) The provisions of section 23A of the Criminal Code shall not apply in respect of any conviction for an offence as is referred to in paragraph (a) of this subsection.".

Passed by the House of Representatives at Sitting No. 193 of the 18th July, 1978.

Speaker

Clerk to the House of Representatives