

MALTA

ATT Nru. XV ta' l-1980

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

ATT biex ikompli jemenda l-Ordinanza ta' l-Ispirti, Kap. 64.

ACT No. XV of 1980

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Spirits Ordinance, Cap. 64.

Nagħti l-kunsens tiegħi.

(L.S.)

J. J. CREMONA
Aġent President

9 ta' Mejju, 1980

ATT Nru. XV ta' l-1980

ATT biex ikompli jemenda l-Ordinanza ta' l-Ispirti, Kap. 64.

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.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1980 li jemenda l-Ordinanza ta' l-Ispirti, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza ta' l-Ispirti, hawnhekk iżjed 'il quddiem imsejja "il-ligi prinċipali".

Emenda ta' l-artikolu 2 tal-ligi prinċipali.

2. Fl-artikolu 2 tal-ligi prinċipali minflok it-tifsira ta' "qawwa" għandu jidhol dan li ġej:

““gradi Gay Lussac (° G.L.)” tfisser il-qawwa alkolika b'volum ta' taħlita ta' ilma u *ethanol* espressa bħala partijiet ta' alkol kull 100 parti tat-taħlita, liema qawwa alkolika tiġi aċċertata bil-mezz ta' idrometru ta' l-alkol skond it-Tabelli ta' l-Alkol Internazzjonali;”.

Emenda ta' l-artikolu 12 tal-ligi prinċipali.

3. Fis-subartikolu (1) ta' l-artikolu 12 tal-ligi prinċipali minflok il-kelma “gallun” għandhom jidhlu l-kliem “ħames litri”.

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

4. Fis-subartikolu (5) ta' l-artikolu 14 tal-ligi prinċipali minflok il-kliem “ta' prova” għandhom jidhlu “57° Gay Lussac”.

Emenda ta' l-artikolu 15 tal-ligi prinċipali.

5. Fil-paragrafi (ċ) u (e) tas-subartikolu (1) ta' l-artikolu 15 tal-ligi prinċipali minflok il-kelma “galluni” kull fejn tinsab għandha tidhol f'kull każ il-kelma “litri”.

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

6. Fis-subartikolu (1) ta' l-artikolu 17 tal-ligi prinċipali, minflok il-kliem “*at proof*” għandhom jidhlu l-kliem “b'57° Gay Lussac”.

7. Fis-subartikolu (1) ta' l-artikolu 20 tal-liġi prinċipali minflok il-kliem "disa' deċimi ta' gallun ta' spirtu *at proof*" u "mitt gallun" għandhom jidhlu rispettivament il-kliem "disa' deċimi ta' litru ta' spirtu b'57° Gay Lussac" u "mitt litru".

Emenda ta' l-artikolu 20 tal-liġi prinċipali.

8. L-artikolu 21 tal-liġi prinċipali għandu jiġi emendat kif ġej:

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

(a) fis-subartikoli (1) u (2) tiegħu, il-kliem "ta' Sykes" għandhom jithassru; u

(b) fis-subartikolu (4) tiegħu, minflok il-kliem "minn erba' gradi ta' qawwa skond l-idrometru ta' Sykes" għandhom jidhlu l-kliem "minn żewġ gradi u nofs Gay Lussac".

9. Minflok is-subartikolu (1) ta' l-artikolu 22 tal-liġi prinċipali għandu jidhlo dan li ġej:

Emenda ta' l-artikolu 22 tal-liġi prinċipali.

"22. (1) Kull distillatur għandu jkollu u jzomm fid-distillerija tiegħu ktieb tar-records fl-għamla li ġejja u li jkun fih it-tagħrif li ġej —

Zmien minn

sa

KONT TAL-MOST				KONT TA' L-ISPIRTU			
Most ippreparat		Most attenwat		Spirtu fabbrikat			
Data	Numru tal-vaska	Densità qabel il-fermentazzjoni	Temperatura tal-most fi gradi Celsius	Data	Numru tal-vaski iddistillati	* Litri ta' most iddistillat	* Litri ta' likwidi mil-lambik
Numru ta' litri	Densità wara l-fermentazzjoni	Temperatura tal-most fi gradi Celsius	Gradi ta' attenwazzjoni	* Qawwa fi gradi Gay Lussac	* Numru ta' litri b'57° G.L.	* Attenwazzjoni medja tal-most	* Kwantità ta' spirtu b'57° G.L. fil-mija ta' most kull 5 gradi ta' attenwazzjoni

* Għandhom jimtlew mill-uffiċjal meta jikkunsinna l-ispirtu mir-riċipjent kollettur bid-distillatur."

Emenda ta' l-artikolu 23 tal-liġi prinċipali.

10. Minflok is-subartikolu (1) ta' l-artikolu 23 tal-liġi prinċipali għandu jidhrol dan li ġej:

“23. (1) Kull distillatur għandu jzomm fid-distillerija tiegħu ktieb-depożitu fil-għamla li ġejja u li jkun fih it-tagħrif li ġej —

Data	Bilanċ ta' l-aħħar kont	Kwantità mir-reċipjent kollettur ta' l-ispirtu			Data	Ikkunsinnat			
		Litri ta' likwidu	Qawwa fi gradi Gay Lussac	Litri b'57° G.L.		Litri ta' likwidu	Qawwa fi gradi Gay Lussac	Litri b'57° G.L.	Lil min ikkunsinnat jew għal liema għan ġie wżat.
	Litri b'57° G.L.	Litri ta' likwidu	Qawwa fi gradi Gay Lussac	Litri b'57° G.L.	Data	Litri ta' likwidu	Qawwa fi gradi Gay Lussac	Litri b'57° G.L.	Lil min ikkunsinnat jew għal liema għan ġie wżat.

Emenda ta' l-artikolu 31 tal-liġi prinċipali.

11. L-artikolu 31 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (2) tiegħu, minflok il-kliem “il-mitt gallun” għandhom jidhlu l-kliem “l-erba’ mija u ħamsin litru”; u

(b) fis-subartikolu (4) tiegħu, minflok il-kliem “ħamsa u għoxrin gallun” għandhom jidhlu l-kliem “mitt litru”.

Emenda ta' l-artikolu 33 tal-liġi prinċipali.

12. L-artikolu 33 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minflok il-kliem “ħamsa u għoxrin gallun” għandhom jidhlu l-kliem “mitt litru”; u

(b) fis-subartikolu (2) tiegħu minflok il-kliem “ħames galluni” u “ħamsa u erbgħin gallun” għandhom jidhlu rispettivament il-kliem “għoxrin litru” u “mitejn litru”.

Emenda ta' l-artikolu 34 tal-liġi prinċipali.

13. L-artikolu 34 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (2) tiegħu minflok il-kliem “ta’ prova” għandhom jidhlu l-kliem “b’57° Gay Lussac”; u

(b) fis-subartikolu (3) tiegħu minflok il-kliem “at proof” għandhom jidhlu l-kliem “b’57° Gay Lussac”.

Emenda ta' l-artikolu 35 tal-liġi prinċipali.

14. Is-subartikolu (1) ta' l-artikolu 35 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (ċ) tiegħu minflok il-kliem “bil-prova” għandhom jidhlu l-kliem “b’57° Gay Lussac”; u

(b) fil-paragrafi (e) u (f) tiegħu minflok il-kliem “ta’ prova” għandhom jidhlu l-kliem “b’57° Gay Lussac”.

(2) F'kull depożt ta' spirti għandu jinżamm ukoll ktieb imsejjah "Ktieb tal-mandati" fil-għamla ta' hawn taht —

Kont ta' l-ispirti li jidhlu					Kont tal-kunsinni					Nuqqas
Data tad-Depożtu										
Marki u numri										
Kemm tesa' litri										
Litri ta' likwidu										
Qawwa fi gradi Gay Lussac										
Litri b'57° Gay Lussac										
Dijamtru ta' żaqq il-bettija										
Kejl tal-likwidu f'centimetri										
Litri ta' likwidu										
Temperatura fi gradi Celsius										
Indikazzjoni fi gradi Gay Lussac										
Qawwa fi gradi Gay Lussac										
Litri b'57° Gay Lussac										
Qtigħ it-tara ta' litri b'57° Gay Lussac										
Litri b'57° Gay Lussac li għandhom iħallu d-dazju										

(Data tal-kunsinna)

(Firma ta' l-Uffiċjal)

Emenda ta' l-artikolu 50 tal-liġi prinċipali. **19.** Fis-subartikolu (1) ta' l-artikolu 50 tal-liġi prinċipali minflok il-kliem "disa' galluni" u "ħamsa u għoxrin gallun" għandhom jidhlu rispettivament il-kliem "erbghin litru" u "mitt litru".

Emenda ta' l-artikolu 51 tal-liġi prinċipali. **20.** Fis-subartikolu (1) ta' l-artikolu 51 tal-liġi prinċipali minflok il-kliem "żewġ galluni" għandhom jidhlu l-kliem "għaxar litri".

Emenda ta' l-artikolu 52 tal-liġi prinċipali. **21.** Fl-artikolu 52 tal-liġi prinċipali minflok il-kliem "żewġ galluni" għandhom jidhlu l-kliem "għaxar litri".

Emenda ta' l-artikolu 54 tal-liġi prinċipali. **22.** Fil-paragrafu (a) tas-subartikolu (4) ta' l-artikolu 54 tal-liġi prinċipali minflok il-kliem "f'galluni ta' prova" għandhom jidhlu l-kliem "f'litri b'57° Gay Lussac".

Emenda ta' l-artikolu 58 tal-liġi prinċipali. **23.** L-artikolu 58 tal-liġi prinċipali għandu jiġi emendat kif ġej:
(a) fis-subartikolu (2) tiegħu minflok il-kelma "galluni" għandha tidhol il-kelma "litri", u

(b) fis-subartikolu (9) tiegħu minflok il-kliem “*at proof*” għandhom jidhlu l-kliem “b’57° Gay Lussac”.

24. Fis-subartikoli (1) u (2) ta’ l-artikolu 60 tal-liġi prinċipali minflok il-kliem “galluni ta’ spirti ta’ prova skond l-idrometru Sykes (prova ta’ Londra)” għandhom jidhlu l-kliem “litri ta’ spirti b’57° Gay Lussac skond l-idrometru”.

Emenda ta’
l-artikolu 60
tal-liġi prinċipali.

25. Fis-subartikolu (1) ta’ l-artikolu 62 tal-liġi prinċipali l-kelma “Sykes” għandha titfassar.

Emenda ta’
l-artikolu 62
tal-liġi prinċipali.

26. Minflok is-subartikolu (2) ta’ l-artikolu 63 tal-liġi prinċipali għandu jidhul is-subartikolu ġdid li ġej:

Emenda ta’
l-artikolu 63
tal-liġi prinċipali.

“(2) Jekk il-kwantità ta’ spirti ikkalkolata b’57° Gay Lussac tinsab fi żmien li jittiehed il-kont li taqbeż il-kwantità li, skond il-ktieb-depożtu tan-negozjant jew bejjiegħ bl-imnut, imissha tinsab għandu, il-kwantità żejda tkun suġġetta għal konfiska, u n-negozjant jew il-bejjiegħ bl-imnut jehel multa ta’ mhux iżjed minn mitt lira flimkien mal-multu ta’ għaxar ċenteżmi għal kull litru żejjed.”.

27. Fl-artikolu 64 tal-liġi prinċipali, minflok il-kliem “ta’ prova” għandhom jidhlu l-kliem “b’57° Gay Lussac”.

Emenda ta’
l-artikolu 64
tal-liġi prinċipali.

28. L-artikolu 67 tal-liġi prinċipali għandu jiġi emendat kif ġej:

Emenda ta’
l-artikolu 67
tal-liġi prinċipali.

(a) minflok is-subartikolu (1) tiegħu għandu jidhul is-subartikolu ġdid li ġej:

“(1) Kull min ikollu għandu spirti kontra l-liġi jehel multa ta’ mhux iżjed minn mitt lira flimkien ma’ multa oħra ta’ għaxar ċenteżmi għal kull litru jew parti ta’ litru ta’ spirti li jkunu hekk għandu, u dawn l-ispiriti jistgħu jiġu maqbuda u konfiskati.”; u

(b) fis-subartikolu (2) tiegħu minflok il-kliem “żewġ galluni” għandhom jidhlu l-kliem “għaxar litri”.

29. Fis-subartikolu (1) ta’ l-artikolu 82 tal-liġi prinċipali, minflok il-kliem “żewġ galluni” għandhom jidhlu l-kliem “għaxar litri”.

Emenda ta’
l-artikolu 82
tal-liġi prinċipali.

30. Fis-sub-paragrafu (b) tal-paragrafu 2 ta’ l-Iskeda li tinsab mal-liġi “7.6 ċentimetri”.

Emenda ta’
tinsab mal-
liġi prinċipali.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 392 tas-7 ta’ Mejju, 1980.

C. AGIUS
Speaker

C. MIFSUD
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

J. J. CREMONA
Acting President

9th May, 1980

ACT No. XV of 1980

AN ACT further to amend the Spirits Ordinance, Cap. 64.

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 Spirits (Amendment) Act, 1980, and shall be read and construed as one with the Spirits Ordinance, hereinafter referred to as “the principal law”.

Amendment of section 2 of the principal law.

2. In section 2 of the principal law, for the definition of “proof” there shall be substituted the following:

“ “degrees Gay Lussac (° G.L.)” means the alcoholic strength by volume of a mixture of water and ethanol expressed as parts of alcohol per 100 parts of the mixture, such alcoholic strength being ascertained by means of an alcohol hydrometer in accordance with International Alcohol Tables;”.

Amendment of section 12 of the principal law.

3. In subsection (1) of section 12 of the principal law for the words “one gallon” there shall be substituted “five litres”.

Amendment of section 14 of the principal law.

4. In subsection (5) of section 14 of the principal law for the word “proof” there shall be substituted “57° Gay Lussac”.

Amendment of section 15 of the principal law.

5. In paragraphs (c) and (e) of subsection (1) of section 15 of the principal law for the word “gallons” wherever it occurs there shall be substituted in each case the word “litres”.

6. In subsection (1) of section 17 of the principal law for the words "at proof" there shall be substituted "57° Gay Lussac". Amendment of section 17 of the principal law.

7. In subsection (1) of section 20 of the principal law for the words "nine-tenths of a gallon of spirits at proof" and "hundred gallons" there shall be substituted respectively "nine-tenths of a litre of spirits at 57° Gay Lussac" and "hundred litres". Amendment of section 20 of the principal law.

8. Section 21 of the principal law shall be amended as follows: Amendment of section 21 of the principal law.
 (a) in subsections (1) and (2) thereof, the word "Sykes's" shall be deleted, and

(b) in subsection (4) thereof, for the words "than four degrees of strength as indicated by Sykes's hydrometer" there shall be substituted "than two and one half degrees Gay Lussac".

9. For subsection (1) of section 22 of the principal law there shall be substituted the following: Amendment of section 22 of the principal law.

"22. (1) Every distiller shall provide and keep in his distillery a record book which shall be in the following form and shall contain the following information —

Period from _____ to _____

WASH ACCOUNT					SPIRIT ACCOUNT										
Wash set up					Wash attenuated			Spirit manufactured							
Date	Number of vat	Number of litres	Density before fermentation	Temperature in degrees Celsius of wash	Density after fermentation	Temperature in degrees Celsius of wash	Number of degrees attenuated	Date	Number of vats distilled	Litres of wash distilled	* Liquid litres from still	* Strength in degrees Gay Lussac	* Number of litres at 57° G.L.	* Average attenuation of wash	* Return of spirits at 57° G.L. per cent of wash per 5 deg. of attenuation

* To be filled in by the proper officer when delivering spirit from receiver to distiller."

Amendment of section 23 of the principal law.

10. For subsection (1) of section 23 of the principal law there shall be substituted the following:

“23. (1) Every distiller must keep in his distillery a stock-book, which shall be in the following form and shall contain the following information —

Date	Balance from last account	Quantity from spirit receiver			Date	Delivered			
		Liquid litres	Strength in degrees Gay Lussac	Litres at 57° G.L.		Liquid litres	Strength in degrees Gay Lussac	Litres at 57° G.L.	To whom sent or for what purpose used”.
	Litres at 57° G.L.								

Amendment of section 31 of the principal law.

11. Section 31 of the principal law shall be amended as follows:

(a) in subsection (2) thereof, for the words “one hundred gallons” there shall be substituted “four hundred and fifty litres”, and

(b) in subsection (4) thereof, for the words “twenty-five gallons” there shall be substituted “one hundred litres”.

Amendment of section 33 of the principal law.

12. Section 33 of the principal law shall be amended as follows:

(a) in subsection (1) thereof, for the words “twenty-five gallons” there shall be substituted “one hundred litres”, and

(b) in subsection (2) thereof, for the words “five gallons” and “forty-five gallons” there shall be substituted respectively “twenty litres” and “two hundred litres”.

Amendment of section 34 of the principal law.

13. Section 34 of the principal law shall be amended as follows:

(a) in subsection (2) thereof, for the word “proof” there shall be substituted “57° Gay Lussac”, and

(b) in subsection (3) thereof, for the word “proof” there shall be substituted “57° Gay Lussac”.

Amendment of section 35 of the principal law.

14. Subsection (1) of section 35 of the principal law shall be amended as follows:

(a) in paragraph (c) thereof, for the words “in proof” there shall be substituted “at 57° Gay Lussac”, and

(2) A book to be called "Warrant Book" shall also be kept at every spirit warehouse in the following form —

Receipt account					Delivery account					Deficiencies				
Date of warehousing	Marks and Nos.	Capacity in litres	Liquid litres	Strength in degrees Gay Lussac	Litres at 57° Gay Lussac	Bung	Wet centimetres	Liquid litres	Temperature in degrees Celcius	Indication in degrees Gay Lussac	Strength in degrees Gay Lussac	Litres at 57° Gay Lussac	Allowed litres at 57° Gay Lussac	Charged litres at 57° Gay Lussac

(Date of delivery)

(Signature of Officer) ”.

Amendment of section 50 of the principal law.

19. In subsection (1) of section 50 of the principal law for the words "nine gallons" and "twenty-five gallons" there shall be substituted respectively "forty litres" and "one hundred litres".

Amendment of section 51 of the principal law.

20. In subsection (1) of section 51 of the principal law for the words "two gallons" there shall be substituted "ten litres".

Amendment of section 52 of the principal law.

21. In section 52 of the principal law for the words "two gallons" there shall be substituted "ten litres".

Amendment of section 54 of the principal law.

22. In paragraph (a) of subsection (4) of section 54 of the principal law for the words "gallons at proof" there shall be substituted "litres at 57° Gay Lussac".

Amendment of section 58 of the principal law.

23. Section 58 of the principal law shall be amended as follows:

(a) in subsection (2) thereof, for the word "gallons" there shall be substituted "litres", and

(b) in subsection (9) thereof, for the word "proof" there shall be substituted "57° Gay Lussac".

- 24.** In subsections (1) and (2) of section 60 of the principal law, for the words “gallons of spirits at proof by Sykes’s hydrometer (London proof)” there shall be substituted “litres of spirits at 57° Gay Lussac by hydrometer”. Amendment of section 60 of the principal law.
- 25.** In subsection (1) of section 62 of the principal law, the word “Sykes’s” shall be deleted. Amendment of section 62 of the principal law.
- 26.** For subsection (2) of section 63 of the principal law there shall be substituted the following new subsection: Amendment of section 63 of the principal law.
- “(2) If the quantity of spirits computed at 57° Gay Lussac found on taking the account exceeds the quantity which, according to the stock-book of the dealer or retailer, ought to be in his possession, the excess shall be liable to be forfeited, and the dealer or retailer shall be liable to a fine (*multa*) not exceeding one hundred pounds and to a further fine (*multa*) of ten cents for every litre of the excess.”
- 27.** In section 64 of the principal law, for the word “proof” there shall be substituted “57° Gay Lussac”. Amendment of section 64 of the principal law.
- 28.** Section 67 of the principal law shall be amended as follows: Amendment of section 67 of the principal law.
- (a) for subsection (1) thereof there shall be substituted the following new subsection:
- “(1) Every person unlawfully possessing spirits shall be liable to a fine (*multa*) not exceeding one hundred pounds and to a further fine (*multa*) of ten cents for every litre or part of a litre of spirits so possessed, and such spirits may be seized and shall be liable to be forfeited.”; and
- (b) in subsection (2) thereof for the words “two gallons” there shall be substituted “ten litres”.
- 29.** In subsection (1) of section 82 of the principal law, for the words “two gallons” there shall be substituted “ten litres”. Amendment of section 82 of the principal law.
- 30.** In sub-paragraph (b) of paragraph 2 of the Schedule to the principal law, for the words “three inches” there shall be substituted “7.6 centimetres”. Amendment of Schedule to the principal law.

Passed by the House of Representatives at Sitting No. 392 of the 7th May, 1980.

C. AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives