

MALTA

ATT Nru. XXVII ta' l-1980

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

ATT biex ikompli jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, Kap. 105.

ACT No. XXVII of 1980

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Traffic Regulation Ordinance, Cap. 105.

Nagħti l-kunsens tiegħi.

(L.S.)

ANTON BUTTIGIEG
President

25 ta' Lulju, 1980

ATT Nru. XXVII ta' l-1980

ATT biex ikompli jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, Kap. 105.

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-1980 li jemenda l-Ordinanza dwar ir-Regulament tat-Traffiku, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Ordinanza dwar ir-Regulament tat-Traffiku, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

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

2. L-artikolu 17 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) minflok is-subartikolu (5) tiegħu għandu jidhol dan li ġej:

“(5) Minkejja d-disposizzjonijiet ta' l-artikolu 17 A ta' din l-Ordinanza:

(a) meta s-sid ta' *motor bus* jonqos, għal xi raġuni tkun li tkun, barra minn dik imsemmija fil-paragrafu (b) ta' dan is-subartikolu, li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li fiha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz jew, meta jkun ha ħsieb li l-*motor bus* tiegħu tirrapporta għal dak ix-xogħol, jonqos li jieħu ħsieb li dik il-*motor bus* tkompli tagħmel dak is-servizz għall-bqija ta' dik il-ġurnata, hu jkun hati ta' reat u jehel, meta jinsab hati, multa ta' għoxrin lira meta jinsab hati l-ewwel darba, multa ta' ħamsin lira meta jinsab hati t-tieni darba jew wara, u, fil-każ tat-tielet reat fi żmien tnax-il xahar mill-ewwel reat, tħassir tal-liċenza tal-*motor bus* tiegħu:

Iżda s-sid ta' l-imsemmija *motor bus* ma jkunx hati ta' reat taħt dan il-paragrafu jekk —

(i) fil-każ li jonqos li jirrapporta għax-xogħol, jipprovdi *motor bus* oħra minflokha ta' l-istess xorta, klassi jew kategorija biex tirrapporta għax-xogħol fil-ħin stabbilit, jew jekk, għalkemm jonqos li hekk jipprovdi *motor bus* oħra minflokha, in-numru totali tal-*motor buses* għax-xogħol f'dik il-ġurnata ma jkunx inqas min-numru li għal dak iż-żmien ikun stabbilit u ppubblikat mill-Kummissarju tal-Pulizija bħala li hu biżżejjed sabiex is-servizz ma jkunx imfexx; jew

(ii) fil-każ li jonqos li jkompli jagħti s-servizz kif imsemmi qabel, jipprovdi *motor bus* oħra minflokha ta' l-istess xorta, klassi jew kategorija, sabiex tkompli tagħmel dak is-servizz fi żmien siegħa minnuqqas u għall-bqija ta' dik il-ġurnata;

(b) meta s-sid ta' *motor bus* jonqos li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li fiha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz jew, meta jkun ha ħsieb li l-*motor bus* tiegħu tirrapporta għal dak ix-xogħol, tonqos li tkompli tagħmel dak is-servizz għall-bqija ta' dik il-ġurnata, f'kull każ minhabba azzjoni miftehma mehuda minn seba' sidien jew aktar —

(i) jekk l-azzjoni li tittiehed tkun biex titmexxa 'l quddiem tilwima li jkollha x'taqsam mat-trasport pubbliku, u l-ħsieb li tittiehed dik l-azzjoni jkun ġie avżat lill-Kummissarju tal-Pulizija mill-għaqda li tirrappreżenta l-maġġoranza tas-sidien tal-*motor buses* mhux inqas minn tmienja u erbghin (48) siegħa qabel ma fil-fatt tittiehed, in-nuqqas ma jikkostitwixxix reat taħt dan l-artikolu;

(ii) jekk l-azzjoni ma tkunx biex titmexxa 'l quddiem tilwima hekk kif intqal qabel jew tittiehed mingħajr avviż kif intqal qabel, jew qabel ma jghaddu tmienja u erbghin (48) siegħa minn meta tigi mgħarrfa lill-Kummissarju tal-Pulizija, is-sid ikun hati ta' reat u jehel, meta jinsab hati, multa ta' mhux inqas minn ħamsin lira u t-thassir tal-licenza tal-*motor bus* tiegħu.”.

(ċ) minnufih wara s-subartikolu (5) tiegħu għandu jizzied is-subartikolu ġdid li ġej:

“(6) Meta għaqda li tirrappreżenta l-maġġoranza tas-sidien ta' *motor buses* hekk titlob, id-Direttur tax-Xogħol għandu jirreferi lill-Uffiċjal għall-Kontroll tax-Xogħol tat-Trasport Pubbliku kull nuqqas minn sid ta' *motor bus* li jieħu ħsieb li l-*motor bus* tiegħu tirrapporta għax-xogħol f'xi ġurnata li matulha l-*motor bus* tkun meħtieġa skond il-liġi li tagħmel servizz, u l-imsemmi Uffiċjal għandu jistharreg iċ-ċirkostanzi ta' dak in-nuqqas u jirrapporta dwarhom lid-Direttur tax-Xogħol u lill-għaqda li tagħmel it-talba għal kull azzjoni xierqa li tista' tittiehed skond l-istatut ta' dik l-għaqda.”.

Emenda ta'
l-Iskeda li
tinsab mal-
ligi
principali.

3. L-Iskeda li tinsab mal-ligi principali għandha tigi emendata biż-
żieda tal-partita li ġejja fit-tarf tagħha :

“Nuqqas ta’ għemil ta’ *trip* minn *motor bus* £5”.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 419 tat-23 ta’ Lulju, 1980.

C. AGIUS
Speaker

C. MIFSUD
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

ANTON BUTTIGIEG
President

25th July, 1980

ACT No. XXVII of 1980

AN ACT further to amend the Traffic Regulation Ordinance, Cap. 105.

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

2. Section 17 of the principal law shall be amended as follows: Amendment of section 17 of the principal law.
(a) for subsection (5) thereof there shall be substituted the following:

“(5) Notwithstanding the provisions of section 17A of this Ordinance:

(a) where the owner of a motor omnibus fails, for any reason whatsoever, other than that referred to in paragraph (b) of this subsection, to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service or, having caused his motor omnibus to report for such duty, fails to cause such motor omnibus to continue to perform such service for the whole of that day, he shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of twenty pounds for a first offence, to a fine (*multa*) of fifty pounds for a second or subsequent offence and, in the case of a third offence during a period of twelve months from the first offence, to the cancellation of the licence of his motor omnibus:

Provided that the owner of the said motor omnibus shall not be guilty of an offence under this paragraph if —

(i) in the event of failure to report for duty, he provides an alternative motor omnibus of the same type, class or category to report for duty at the appointed time, or if, though he fails to provide such an alternative motor omnibus, the total number of buses on duty on that day is not less than the number for the time being determined and published by the Commissioner of Police to be sufficient in order that the service will not be disrupted; or

(ii) in the event of failure to continue to perform the service as aforesaid, he provides an alternative motor omnibus of the same type, class or category, to continue that service within one hour from the failure and for the whole of the remainder of that day.

(b) where the owner of a motor omnibus fails to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, or, having caused his motor omnibus to report for such duty, it fails to continue to perform such service for the whole of that day, in either case as a result of a concerted action taken by seven or more owners —

(i) if the action taken is in furtherance of a dispute relating to any matter concerning the public transport, and the intention to take such action is notified to the Commissioner of Police by the association representing the majority of owners of motor omnibuses not less than forty-eight (48) hours before it is in fact taken, the failure shall not constitute an offence under this section;

(ii) if the action is not in furtherance of such a dispute as aforesaid or is taken without notice as aforesaid, or before the expiration of forty-eight (48) hours from its communication to the Commissioner of Police, the owner shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than fifty pounds and to the cancellation of the licence of his motor omnibus.”.

(c) immediately after subsection (5) thereof there shall be added the following new subsection :

“(6) Where an association representing the majority of owners of motor omnibuses so requests, the Director of Labour shall refer to the Public Transport Labour Control Officer any failure by the owner of a motor omnibus to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, and the said officer shall investigate the circumstances of the said failure and report his findings to the Director of Labour and to the association making the request for any action that may be appropriate in terms of the statute of such association.”.

3. The Schedule to the principal law shall be amended by the addition of the following item at the end thereof:

“Failure to perform trip by motor omnibus £5 ”.

Amendment of
Schedule to
the principal
law.

Passed by the House of Representatives at Sitting No. 419 of the 23rd July, 1980.

C. AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives