

MALTA

ATT Nru. XLIX ta' l-1981

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

ATT biex jemenda l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutarji u biex jemenda jew ihassar ligijiet ohra.

ACT No. XLIX of 1981

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Statute Law Revision Act, 1980 and to amend or repeal other laws.

Nagħti l-kunsens tiegħi.

(L.S.)

ANTON BUTTIGIEG
President

20 ta' Ottubru, 1981

ATT Nru. XLIX ta' l-1981

ATT biex jemenda l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutarji, u biex jemenda jew iħassar ligijiet oħra.

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

Titolu fil-qosor
u bidu fis-sehħ.

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1981 li jemenda l-Att dwar ir-Revizjoni tal-Ligijiet Statutarji.

(2) L-artikoli 2 u 3 ta' dan l-Att għandhom jinqraw u jiftiehm mu ħaġa waħda ma' l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutarji, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

(3) L-emendi għall-Kodiċi tal-Ligijiet tal-Pulizija, li hemm fit-Tieni Skeda li tinsab ma' dan l-Att, għandu jkollhom effett minn dik id-data li l-Ministru responsabbli għall-Ġustizzja jista' jistabbilixxi b'avviż fil-Gazzetta.

Emenda ta'
l-artikolu 4 ta'
l-Att prinċipali.

2. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-paragrafu (j) tas-subartikolu (1) tiegħu għandu jiġi numerat mill-ġdid bħala paragrafu (l);

(b) minnufih wara l-paragrafu (i) tas-subartikolu (l) tiegħu għandhom jidhlu ż-żewġ paragrafi ġodda li ġejjin:

“(j) li taqleb kull użin jew kejl f'użin jew f'kejl metriku li jikkorrispondi għalih vicin kemm jista' jkun, u għal dak l-għan il-Kummissjoni jkollha s-setgħa li ġġib għad-dritt kull decimale kif jidhrilha xieraq;

(k) li tagħmel kull zieda, ommissjoni jew tibdil li jkun konsegwenzjali għal xi ligi statutarja jew disposizzjoni tagħha;”

u

(ċ) fit-tarf tas-subartikolu (3) tiegħu għandhom jizdedu l-kliem li ġejjin:

“jew biex tneħħi kull konflitt bejn it-test Malti u t-test Inġliż f’xi liġi, u għal dawn l-għanijiet il-Kummissjoni jkollha s-setgħa li tibdel jew temenda wieħed miż-żewġ testi jew it-tnejn, magħdud it-test li jipprevali.”.

3. Minnufih wara s-subartikolu (3) ta’ l-artikolu 8 ta’ l-Att prinċipali għandu jiżdied is-subartikolu ġdid li ġej: Emenda ta’ l-artikolu 8 ta’ l-Att prinċipali.

“(4) Minkejja kull haġa li tinsab fid-disposizzjonijiet ta’ qabel ta’ dan l-artikolu, il-Ministru jista’, f’kull avviz mogħti taħthom, jistabbilixxi jew jispeċifika dati differenti għal taqsimiet differenti ta’ kull edizzjoni riveduta, u f’kull każ bħal dak l-imsemmija disposizzjonijiet għandhom hekk japplikaw.”.

4. Meta f’xi liġi jkun hemm riferenza għal lavuri furzati, jew lavuri furzati jew prigunerija, jew għal prigunerija b’lavuri furzati, dik ir-riferenza għandha tinqara u tiftiehem daqslikienu kienet riferenza għal prigunerija. Kif jiftiehem riferenzi għal lavuri furzati, eċċ.

5. Il-liġijiet murija fl-Ewwel Skeda li tinsab ma’ dan l-Att huma b’dan imħassra. Thassir ta’ certi liġijiet.

6. Il-liġijiet murija fl-Ewwel Kolonna tat-Tieni Skeda li tinsab ma’ dan l-Att għandu jkollhom effett sugġetti għall-emendi murija fit-Tieni Kolonna tagħha. Emendi ta’ certi liġijiet.

L-EWWEL SKEDA

(Artikolu 5)

Liġi dwar kif għandhom jissejġu l-Qrati u l-Imħallfin (Kap. 1)

Ordinanza dwar l-Ekwivalent Inġliż ta’ Wzin u Kejl Malti (Kap. 21)

Ordinanza dwar il-Kejl bil-Modd (Kap. 25)

Ordinanza ta’ l-1943 dwar il-Flas ta’ Ħaraġ fuq il-Wirt u Għoti (Disposizzjonijiet f’Emerġenza) (Ordinanza Nru. XV ta’ l-1943)

Ordinanza ta’ l-1946 dwar il-Pensjonijiet (Provdimenti Speċjali) (Ordinanza Nru. XVIII ta’ l-1946)

Ordinanza ta’ l-1947 dwar il-Ftuħ ta’ Kont tal-Ħsarat tal-Gwerra u tal-Bini mill-Ġdid (Ordinanza Nru. XVIII ta’ l-1947)

Att ta’ l-1969 dwar l-Ippjanar ta’ Bliet u Kampanja (Att Nru. XXXV ta’ l-1969)

IT-TIENI SKEDA

(Artikolu 6)

| <i>L-Ewwel Kolonna</i> <i>Ligi emendata</i> | <i>It-Tieni Kolonna</i> <i>Estensjoni ta' Emenda</i> |
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| Ligi dwar l-Irkantaturi (Kap. 6) | <p>Fl-artikolu 2, il-kliem “minghajr il-<i>Vendue Master</i>” għandhom jithassru.</p> <p>Minnufih wara l-artikolu 5 għandu jizdied l-artikolu gdid li ġej:</p> <p>“Emenda, 6. Il-Ministru jista’ b’ordni, jemenda, ihas- ecc., ta’ sar jew ibiddel it-Tariffa li tinsab ma’ din il-ligi.” Tariffa.</p> |
| Kodiċi Kriminali (Kap. 12) | <p>L-artikolu 9 għandu jithassar.</p> <p>Il-paragrafu (i) ta’ l-artikolu 19 għandu jithassar.</p> <p>Is-subartikolu (2) ta’ l-artikolu 22 għandu jithassar.</p> |
| Kodiċi tal-Ligijiet tal- Pulizija (Kap. 13) | <p>Fis-subartikolu (2) ta’ l-artikolu 48, minflok il-kliem “mill-Uffiċjal Mediku Distrettwali” għandhom jidhlu l-kliem “mill-uffiċjal mediku fis-servizz tal-Gvern”.</p> <p>Fl-artikolu 64A, minflok il-kliem minn “<i>ħlief in-nol</i> bażiku” sa “ta’ l-Ewwel Skeda li tinsab ma’ dan il-Kodiċi” għandhom jidhlu l-kliem “<i>ħlief skond it-tariffa</i> li tinsab fir-regolamenti magħmula taht l-artikolu 81 ta’ dan il-Kodiċi”.</p> <p>Minflok is-subartikolu (2) ta’ l-artikolu 81 għandu jidhol dan li ġej:</p> <p>“(2) Il-Ministru responsabbli għall-Pulizija jista’ jippreskrivi b’regolamenti tariffa ta’ nolijiet dwar veturi.”.</p> <p>Minflok l-artikolu 172 għandu jidhol dan li ġej:</p> <p>“Dhul mill- 172. Kull uffiċjal tal-Pulizija, mhux taht Pulizija. il-grad ta’ sotto-spettur, jista’ jidhol f’kull ħin f’lokal liċenzjat biex ibiegħ bl-imnut inbejjed, birra jew likuri spiritużi, sabiex ma jhallix isiru jew jikxef kontravvenzjonijiet għad-disposizzjonijiet ta’ dan il-Kodiċi jew ta’ xi regolamenti magħmula tahtu.”</p> <p>Minflok il-proviso għas-subartikolu (1) ta’ l-artikolu 230 għandu jidhol dan li ġej:</p> <p>“Izda d-disposizzjonijiet ta’ dan is-subartikolu ma jkunux ta’ ħsara għad-disposizzjonijiet ta’ xi regolamenti magħmula taht dan il-Kodiċi jew ta’ xi ligi oħra u li minn żmien għal żmien jistgħu jkunu fis-seħħ.”</p> <p>L-Ewwel Skeda li tinsab ma’ dan il-Kodiċi għandha tithassar.</p> |

| <i>L-Ewwel Kolonna</i> <i>Ligi emendata</i> | <i>It-Tieni Kolonna</i> <i>Estensjoni ta' Emenda</i> |
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| Kodiċi ta' Organizzazzjoni u Proċedura Ċivili (Kap. 15) | <p>Is-subartikolu (3) ta' l-artikolu 171 għandu jithassar.</p> <p>Minflok il-proviso għall-artikolu 571 għandu jidhol dan li ġej:</p> <p>“Izda l-Qorti tista', f'kazijiet urgenti, tordna lil xi xhud li jidher minn jum għal ieħor, jew minn siegħa għal oħra, jew ukoll fi żmien dak l-intervall ta' żmien li jista' jkun meħtieġ li hu jidher.”.</p> |
| Kodiċi tal-Kummerċ (Kap. 17) | <p>Fis-subartikolu (4) ta' l-artikolu 849, il-kelma “sterling” fit-test Inġliż għandha tithassar.</p> <p>Fil-proviso li hemm għall-artikolu 53, minflok il-kliem “mid-disposizzjonijiet ta' l-artikolu 1717 sa l-1721 inklużivament tal-Kodiċi hawn fuq imsemmi sa fejn jistgħu jgħoddu” għandhom jidhlu l-kliem “mid-disposizzjonijiet ta' l-Att ta' l-1952 li jirregola l-Kondizzjonijiet ta' l-Impieg, sa fejn applikabbli”.</p> |
| Kodiċi Ċivili (Kap. 23) | <p>Fil-artikolu 1422 u fis-subartikolu (2) ta' l-artikolu 2073, minflok il-kliem “il-Monti tal-Pietà” kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem “Il-Monti”.</p> |
| Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha (Kap. 51) | <p>Minflok l-artikolu 14 għandu jidhol dan li ġej:</p> <p>“14. Id-disposizzjonijiet ta' l-artikolu 6, minbarra l-paragrafi (ċ), (d) u (e), għandhom japplikaw ukoll, meta applikabbli, għal veterinarji.”.</p> <p>Fil-paragrafu (a) tas-subartikolu (1) ta' l-artikolu 16, fil-paragrafu (a) tas-subartikolu (1) ta' l-artikolu 17, fil-paragrafu (a) ta' l-artikolu 44, fil-paragrafu (a) tas-subartikolu (1) ta' l-artikolu 59, fil-paragrafu (a) ta' l-artikolu 67, fil-paragrafu (a) ta' l-artikolu 73B u fil-paragrafu (a) ta' l-artikolu 73E, minflok il-kliem “sudditu Inġliż” kull fejn jinsabu għandhom jidhlu, f'kull każ, il-kliem “ċittadin ta' Malta”.</p> <p>Fil-artikoli 47 u 48, minflok il-kliem “101° Fahrenheit”, kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem “38.3° Celsius”.</p> |
| Ordinanza dwar l-Iskejjel tat-Tfal Zgħar (Kap. 53) | <p>Il-paragrafu (ċ) ta' l-artikolu 99 għandu jithassar.</p> |
| Ordinanza dwar l-Esplożivi (Kap. 56) | <p>Is-subartikolu (2) ta' l-artikolu 4 għandu jithassar.</p> <p>Is-subartikolu (3) ta' l-artikolu 22 għandu jithassar.</p> <p>Is-subartikolu (2) ta' l-artikolu 38 għandu jithassar.</p> |

| <i>L-Ewwel Kolonna</i> <i>Ligi emendata</i> | <i>It-Tieni Kolonna</i> <i>Estensjoni ta' Emenda</i> |
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| Ordinanza dwar it-Tharis mill-Mard (Kap. 59) | Fl-artikolu 2, it-tifsira ta' "Malta" għandha tithassar. |
| Ordinanza ta' l-Ispirti (Kap. 64) | Fl-artikolu 31, minflok il-kliem "fl-Ordinanza dwar il- Hwejjeġ ta' l-Ikel, Mediċinali u Ilma għax-Xorb (Kapitolu 54)" għandhom jidhlu l-kliem "fl-Att ta' l-1972 dwar il- Hwejjeġ ta' l-Ikel, Mediċinali u Ilma tax-Xorb". |
| Ordinanza dwar l-Arkitetti (Kap. 72) | Fil-proviso għas-subartikolu (2) ta' l-artikolu 88, min- flok il-kliem "fl-lavuri furzati bir-rata ta' gurnata għal kull hamsin centezmu" għandhom jidhlu l-kliem "f'priġunerija bir-rata ta' gurnata għal kull hames liri". |
| Ordinanza dwar il-Ħaddiema d-Deheb u l-Ħaddiema l-Fidda (Argentiera) (Kap. 74) | Fis-subartikolu (1) ta' l-artikolu 6, minflok il-kliem "il-piena tal-mewt, jew tal-lavuri furzati għal kull żmien li jkun, jew tal-priġunerija" għandhom jidhlu l-kliem "il-priġunerija". |
| Ordinanza dwar it-Telegrafija mingħajr Fili (Kap. 78) | Fis-subartikolu (3) ta' l-artikolu 13, minflok il-kliem "fil-Monti tal-Pietà" għandhom jidhlu l-kliem "fil-Monti". |
| Ordinanza dwar l-Estetika tal-Bini (Kap. 135) | Fl-artikolu 2, it-tifsira ta' "Malta" għandha tithassar. |
| Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi (Kap. 136) | Is-subartikolu (2) ta' l-artikolu 7 u s-subartikoli (5) u (6) ta' l-artikolu 14 għandhom jithassru. |
| Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi (Kap. 136) | Fl-artikolu 2, minflok il-kliem "n-nefqa tagħhom tkun milqugħa bħala għandha tithallas taħt id-disposizzjonijiet ta' l-Ordinanza dwar il-Ħsarat tal-Gwerra (Ordinanza III ta' l-1943)" fit-tifsira ta' "fond belti qadim" għandhom jidhlu l-kliem "n-nefqa tagħhom kienet milqugħa bħala għandha tithallas taħt id-disposizzjonijiet ta' l-Ordinanza ta' l-1943 dwar il-Ħsarat tal-Gwerra". |
| Ordinanza dwar il-Biblijoteki Pubbliċi (Kap. 142) | Fis-subartikolu (1) ta' l-artikolu 25 bis, minflok il-kliem "għalhekk kellu jedd jew jista' jkollu jedd għal kumpens bis-saħħa ta' l-Ordinanza ta' l-1943 dwar il-Ħsarat tal- Gwerra (Ordinanza III tal-1943)" għandhom jidhlu l-kliem "għalhekk kien ikollu jedd jew seta' kellu jedd għal kum- pens bis-saħħa ta' l-Ordinanza ta' l-1943 dwar il-Ħsarat tal- Gwerra". |
| Ordinanza dwar il-Biblijoteki Pubbliċi (Kap. 142) | Il-proviso għas-subartikolu (2) ta' l-artikolu 4 għandu jithassar. |

| <i>L-Ewwel Kolonna</i> <i>Ligi emendata</i> | <i>It-Tieni Kolonna</i> <i>Estensjoni ta' Emenda</i> |
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| Ordinanza dwar il-Pensjonijiet (Kap. 143) | Fis-subartikolu (1) ta' l-artikolu 11, minflok il-kliem "mis-Segretarju ta' l-Istat" għandhom jidhlu l-kliem "mill-Prim Ministru". |
| Ordinanza dwar l-Organizzazzjoni tad-Dipartiment tas-Saħħa (Kap. 148) | <p>Fl-artikolu 15, il-kliem "s-Segretarju ta' l-Istat jew" għandhom jithassru.</p> <p>Minflok l-artikolu 5 għandu jidhol dan li ġej:</p> <p>"5. Id-Dipartiment għandu jikkonsisti minn daww istabbilimenti u servizzi kif minn żmien għal żmien jiġi dikjarat mill-Ministru li jagħmlu parti mid-Dipartiment."</p> |
| Ordinanza Elettorali dwar il-Jedd tal-Vot, il-Metodu ta' l-Elezzjoni u r-Registrazzjoni ta' l-Eletturi (Kap. 157) | <p>Fil-paragrafu (a) tas-subartikolu (1) ta' l-artikolu 32, minflok il-kliem "31 ta' Marzu" għandhom jidhlu l-kliem "31 ta' Diċembru".</p> <p>Fit-test Malti tas-subartikolu (2) ta' l-artikolu 33A, minnufih wara l-kliem "wara li jisma' lill-appellant" għandhom jidhlu l-kliem "u lir-Registatur Elettorali".</p> <p>Fit-test Malti tat-Tieni Skeda, minflok il-kliem "* (Jekk missier l-applikant ikun mejjet, aġti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)" għandu jidhol dan li ġej:—</p> <p>"* (Jekk missier l-applikant ikun mejjet, aġti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)</p> |
| Ordinanza dwar il-Mediċini Perikulużi (Kap. 161) | <p>Isem u kunjom xbubit omm l-applikant</p> <p>Post tat-twelid tagħha"</p> |
| Ordinanza Elettorali dwar il-Votazzjoni (Kap. 163) | <p>Fis-subartikolu (4) ta' l-artikolu 10, minflok il-kliem "Kunsill tal-Għaqda tan-Nazzjonijiet" għandhom jidhlu l-kliem "Organizzazzjoni tal-Gnus Magħquda".</p> <p>Fis-subartikolu (3) ta' l-artikolu 11, minflok il-kliem "tal-Għaqda tan-Nazzjonijiet" għandhom jidhlu l-kliem "ta' l-Organizzazzjoni tal-Gnus Magħquda".</p> <p>Il-paragrafu (a) tas-subartikolu (2) ta' l-artikolu 2 għandu jithassar.</p> <p>L-artikolu 21 għandu jiġi emendat kif ġej:</p> <p>(a) minflok is-subartikolu (2) għandu jidhol dan li ġej:—</p> <p>"(2) Meta persuna li isimha jkun jidher fl-aħħar Regjistru Elettorali rivedut, iżda li ma jkunx jidher fil-</p> |

L-Ewwel Kolonna
Liġi emendata

It-Tieni Kolonna
Estensjoni ta' Emenda

lista pubblikata skond is-subartikolu (3) ta' l-artikolu 11 ta' din l-Ordinanza, ma tkunx irċeviet id-dokument għall-votazzjoni jew, wara li tkun irċeviet dak id-dokument, tkun tilfitu jew iddistruġġietu, dik il persuna (anke jekk fil-każ tagħha ma tkunx inħarġet karta ta' l-identità li tkun għadha valida fiż-żmien imsemmi fl-artikolu 11 (1) ta' din l-Ordinanza) tista' mhux iktar tard mis-6.00 p.m. ta' l-Erbgħa li jiġi minnufih qabel ma tibda l-votazzjoni, tidher quddiem wiehed mill-Kummissjonarji, u jekk —

(a) tipprova l-identità tagħha billi tipproduċi l-karta ta' l-identità tagħha; u

(b) tagħmel dikjarazzjoni bil-ġurament quddiem dak il-Kummissjonarju li ma tkunx irċeviet id-dokument għall-votazzjoni jew li, wara li tkun irċeviet dak id-dokument, tkun tilfitu jew iddistruġġietu, u dawk id-dikjarazzjonijiet l-oħra bil-ġurament li l-Kummissjonarju jista' jeħtieġ, din għandha tingħata dokument għall-votazzjoni maħruġ speċjali għal hekk li jispeċifika bħala l-post tal-votazzjoni fejn dik il-persuna għandha tagħti l-vot tagħha post ta' votazzjoni msemmi għal hekk mill-Kummissjonarji; u f'kull każ bħal dak —

(i) dik il-persuna għandha tivvota biss fil-post tal-votazzjoni speċifikat fl-imsemmi dokument għall-votazzjoni; u

(ii) jekk isem dik il-persuna jkun jidher fuq xi lista msemmija fis-subartikolu (1) ta' l-artikolu 18 ta' din l-Ordinanza li ma tkunx ta' l-imsemmi post tal-votazzjoni, il-Kummissjonarji għandhom jieħdu ħsieb li isem dik il-persuna jiħassar minn fuq dik il-lista; u

(iii) lista tal-persuni kollha li lilhom ikun ġie maħruġ dokument għall-votazzjoni skond dan is-subartikolu għandha tinzamm fl-Uffiċċju tal-Kummissjonarji u tkun miftuħa għal spezzjoni minn kull kandidat jew mill-aġent tiegħu f'kull ħinijiet xierqa sakemm tagħlaq il-votazzjoni.”; u

(b) fis-subartikolu (10) tat-test Malti minflok il-kliem “Bla ħsara għad-disposizzjonijiet ta' din l-Ordinanza” għandhom jidhru l-kliem “Bla ħsara għad-disposizzjonijiet ta' l-artikolu 29 ta' din l-Ordinanza”.

Ordinanza dwar
Postijiet ta' Ħsara
għas-Saħħa (Kap. 164)

Fl-artikolu 7, il-kliem “jew, fin-nuqqas ta' dan il-proġett, taht ir-restrizzjonijiet u kondizzjonijiet li t-Town Planning Commission imsemmija fit-Taqsima 1 ta' dak il-Kodiċi jidhrilha sewwa li għandha tordna” għandhom jiħassru.

| <i>L-Ewwel Kolonna Liġi emendata</i> | <i>It-Tieni Kolonna Estensjoni ta' Emenda</i> |
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| <p>Ordinanza dwar l-Assigurazzjoni ta' Vetturi tal-Mutur għar-Riskji ta' Terzi Persuni (Kap. 165)</p> | <p>Fil-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 23, il-kliem "lis-Segretarju tal-Gvern jew" għandhom jithassru.</p> |
| <p>Att ta' l-1975 dwar l-Interpretazzjoni (Att Nru. VII ta' l-1975)</p> | <p>L-artikolu 3 għandu jiġi emendat kif ġej:—</p> <p>(a) fis-subartikolu (1) tiegħu t-tifsira ta' "Malta" għandha tithassar; u</p> <p>(b) minnufih wara s-subartikolu (1) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:—</p> |
| <p>Att ta' l-1975 dwar il-Karti ta' l-Identità (Att Nru. LI ta' l-1975)</p> | <p>"(1A) F'dan l-Att, u f'kull Att mgħoddi qabel jew wara l-bidu fis-seħħ ta' dan l-Att, "Malta" tfisser il-Gżira ta' Malta, il-Gżira ta' Għawdex u l-gzejjer l-oħra ta' l-Arċipelagu Malti, magħduda l-ibħra territorjali tagħhom."</p> |
| <p>Att ta' l-1978 dwar l-Estradizzjoni (Att Nru. XVIII ta' l-1978)</p> | <p>Fit-test Malti tal-proviso għas-subartikolu (1) ta' l-artikolu 6, minflok il-kliem "b'avviż fil-Gazzetta jistabbilixxi" għandhom jidhru l-kliem "b'avviż fil-Gazzetta jitermina."</p> |
| | <p>Minnufih wara d-disposizzjoni preżenti tas-subartikolu (1) ta' l-artikolu 7 għandu jiżdied il-proviso li ġej:</p> <p>"Iżda, sakemm ma jsirx ordni taħt dan l-artikolu li jkollu disposizzjoni fis-sens kuntrarju, ir-Repubblika ta' l-Italja u kull pajjiż ieħor li miegħu jkun sar arrangement kif imsemmi fis-subartikolu (3) ta' l-artikolu 30 ta' dan l-Att, ikunu meqjusa bħallikieku jkun sar ordni taħt dan l-artikolu li jispeċifikah bħala pajjiż barrani."</p> |

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 545 tad-19 ta' Ottubru, 1981.

CALCIDON AGIUS
Speaker

C. MIFSUD
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

ANTON BUTTIGIEG
President

20th October, 1981

ACT No. XLIX of 1981

AN ACT to amend the Statute Law Revision Act, 1980 and to amend or repeal other laws.

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 Statute Law Revision (Amendment) Act, 1981.

(2) Sections 2 and 3 of this Act shall be read and construed as one with the Statute Law Revision Act, 1980, hereinafter referred to as "the principal Act".

(3) The amendments to the Code of Police Laws, contained in the Second Schedule to this Act, shall come into force on such date as the Minister responsible for Justice may fix by notice in the Gazette.

Amendment of section 4 of the principal Act.

2. Section 4 of the principal Act shall be amended as follows:

(a) paragraph (j) of subsection (1) thereof shall be re-lettered as paragraph (i);

(b) immediately after paragraph (i) of subsection (1) thereof there shall be inserted the following two new paragraphs:

"(j) to convert any weight or measure into a metric weight or measure corresponding thereto as nearly as practicable, and for that purpose the Commission shall have power to round off any decimal as it may deem appropriate;

(k) to make any addition, omission or alteration which is consequential to any amendment to any statute law or provision thereof;" and

(c) at the end of subsection (3) thereof there shall be added the following words:

“or to remove any conflict between the Maltese and the English text of any law, and for these purposes the Commission shall have power to alter or amend either of those texts or both, including the prevailing text”.

3. Immediately after subsection (3) of section 8 of the principal Act there shall be added the following new subsection: Amendment of section 8 of the principal Act.

“(4) Notwithstanding anything contained in the foregoing provisions of this section, the Minister may, in any notice given thereunder, appoint or specify different dates for different parts of any revised edition, and in any such case the said provisions shall apply accordingly.”.

4. Where any enactment contains a reference to hard labour, or to hard labour or imprisonment, or to imprisonment with hard labour, such reference shall be read and construed as if it were a reference to imprisonment. Construction of references to hard labour, etc.

5. The enactments shown in the First Schedule to this Act are hereby repealed. Repeal of certain laws.

6. The enactments shown in the First Column of the Second Schedule to this Act shall have effect subject to the amendments shown in the Second Column thereof. Amendment of certain laws.

FIRST SCHEDULE

(Section 5)

Courts and Judges (Designation) Law (Cap. 1)

Maltese Weights and Measures (English Equivalents) Ordinance (Cap. 21)

Modd Measure Ordinance (Cap. 25)

Succession and Donation Duties (Emergency Provisions) Ordinance, 1943 (Ordinance No. XV of 1943)

Pensions (Special Provisions) Ordinance, 1946 (Ordinance No. XVIII of 1946)

War Damage and Reconstruction Account (Establishment) Ordinance, 1947 (Ordinance No. XVIII of 1947)

Town and Country Planning Act, 1969 (Act No. XXXV of 1969)

SECOND SCHEDULE

(Section 6)

| <i>First Column</i> <i>Enactment Amended</i> | <i>Second Column</i> <i>Extent of Amendment</i> |
|---|---|
| Auctioneers Law (Cap. 6) | <p>In section 2, the words “without the intervention of the Vendue Master” shall be deleted.</p> <p>Immediately after section 5 there shall be added the following new section:</p> <p>“Amend- ment etc., of Tariff. 6. The Minister may, by order, amend, repeal or substitute the Tariff to this law.”</p> |
| Criminal Code (Cap. 12) | <p>Section 9 shall be repealed.</p> <p>Paragraph (i) of section 19 shall be repealed.</p> <p>Subsection (2) of section 22 shall be repealed.</p> |
| Code of Police Laws (Cap. 13) | <p>In subsection (2) of section 48, for the words “by a Government District Medical Officer” there shall be substituted the words “by a medical officer in the service of the Government.”</p> <p>In section 64A, for the words from “other than the basic fare” to “of the First Schedule to this Code” there shall be substituted the words “other than in accordance with the tariff contained in regulations made under section 81 of this Code.”</p> <p>For subsection (2) of section 81 there shall be substituted the following:</p> <p>“(2) It shall be lawful for the Minister responsible for the Police to prescribe by regulations a tariff of fares in respect of vehicles.”</p> <p>For section 172 there shall be substituted the following:</p> <p>“Entry by Police. 172. It shall be lawful for any police officer, not below the rank of sub-inspector, to enter at any time any premises licensed for sale by retail of wine, beer or spirituous liquor, for the purpose of preventing or detecting any infringement of the provisions of this Code or of any regulations made thereunder.”</p> <p>For the proviso to subsection (1) of section 230 there shall be substituted the following:</p> <p>“Provided that the provisions of this subsection shall not be of prejudice to the provisions of any regulations made under this Code or any other law and which may from time to time be in force.”</p> |

| <i>First Column Enactment Amended</i> | <i>Second Column Extent of Amendment</i> |
|---|---|
| Code of Organization and Civil Procedure (Cap. 15) | <p>The First Schedule to this Code shall be repealed.</p> <p>Subsection (3) of section 171 shall be repealed.</p> <p>For the proviso to section 571 there shall be substituted the following:</p> <p>“Provided that it shall be lawful for the Court, in urgent cases, to order any witness to appear from day to day, or from hour to hour, or even only within such interval of time as may be necessary for him to appear.”</p> <p>In subsection (4) of section 849, the word “sterling” in the English text shall be deleted.</p> |
| Commercial Code (Cap. 17) | <p>In the proviso to section 53, for the words “by the provisions of sections 1717 to 1721 inclusive of the said Code, so far as applicable” there shall be substituted the words “by the provisions of the Conditions of Employment (Regulation) Act, 1952, as far as applicable”.</p> |
| Civil Code (Cap. 23) | <p>In section 1422 and in subsection (2) of section 2073, for the words “the Monte di Pietà” wherever they occur there shall be substituted in each case the words “Il-Monti”.</p> |
| Medical and Kindred Professions Ordinance (Cap. 51) | <p>For section 14 there shall be substituted the following:</p> <p>“14. The provisions of section 6, with the exception of paragraphs (c), (d) and (e), shall also apply, where applicable, to veterinary surgeons.”</p> <p>In paragraph (a) of subsection (1) of section 16, paragraph (a) of subsection (1) of section 17, paragraph (a) of section 44, paragraph (a) of subsection (1) of section 59, paragraph (a) of section 67, paragraph (a) of section 73B and paragraph (a) of section 73E, for the words “British subjects” wherever they occur there shall be substituted, in each case, the words “citizen of Malta”.</p> <p>In sections 47 and 48, for the words “101° Farenheit” wherever they occur there shall be substituted in each case the words “38.3° Celsius.”</p> <p>Paragraph (c) of section 99 shall be repealed.</p> |
| Infant-Schools Ordinance (Cap. 53) | <p>Subsection (2) of section 4 shall be repealed.</p> |
| Explosives Ordinance (Cap. 56) | <p>Subsection (3) of section 22 shall be repealed.</p> |

| <i>First Column</i> <i>Enactment Amended</i> | <i>Second Column</i> <i>Extent of Amendment</i> |
|--|---|
| Prevention of Disease Ordinance (Cap. 59) | <p>Subsection (2) of section 38 shall be repealed.</p> <p>In section 2, the definition of "Malta" shall be deleted.</p> |
| Spirits Ordinance (Cap. 64) | <p>In section 31, for the words "Food, Drugs and Drinking-water Ordinance (Chapter 54)" there shall be substituted the words "Food, Drugs and Drinking Water Act, 1972."</p> |
| Architects Ordinance (Cap. 72) | <p>In the proviso to subsection (2) of section 88, for the words "into hard labour at the rate of one day for every fifty cents" there shall be substituted the words "into imprisonment at the rate of one day for every five pounds."</p> |
| Goldsmiths and Silversmiths Ordinance (Cap. 74) | <p>In subsection (1) of section 6, for the words "to the death penalty or to hard labour for any term, or imprisonment" there shall be substituted the words "to imprisonment".</p> |
| Wireless Telegraphy Ordinance (Cap. 78) | <p>In subsection (3) of section 13, for the words "of the Monte di Pietà" there shall be substituted the words "of Il-Monti".</p> |
| Aesthetic Buildings Ordinance (Cap. 135) | <p>In section 2, the definition of "Malta" shall be deleted.</p> |
| Land Acquisition (Public Purposes) Ordinance (Cap. 136) | <p>Subsection (2) of section 7 and subsections (5) and (6) of section 14 shall be repealed.</p> |
| Public Libraries Ordinance (Cap. 142) | <p>In section 2, for the words "the cost of which is recognized as being payable under the provisions of the War Damage Ordinance (Ordinance No. III of 1943)" in the definition of "old urban tenement" there shall be substituted the words "the cost of which was recognized as being payable under the provisions of the War Damage Ordinance, 1943."</p> |
| | <p>In subsection (1) of section 25 <i>bis</i>, for the words "is thereby entitled or may be entitled to compensation under the War Damage Ordinance, 1943, (Ordinance No. III of 1943)" there shall be substituted the words "was thereby entitled or might have been entitled to compensation under the War Damage Ordinance, 1943."</p> |
| | <p>The proviso to subsection (2) of section 4 shall be deleted.</p> |

| <i>First Column</i> <i>Enactment Amended</i> | <i>Second Column</i> <i>Extent of Amendment</i> |
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| Pensions Ordinance (Cap. 143) | <p>In subsection (1) of section 11, for the words “by the Secretary of State” there shall be substituted the words “by the Prime Minister”.</p> <p>In section 15, the words “the Secretary of State or” shall be deleted.</p> |
| Department of Health (Constitution) Ordinance (Cap. 148) | <p>For section 5 there shall be substituted the following:</p> <p>“5. The Department shall comprise such establishments and services as may from time to time be declared by the Minister to form part of the Department.”</p> <p>In paragraph (a) of subsection (1) of section 32, for the words “31st day of March” there shall be substituted the words “31st day of December.”</p> |
| Electoral (Franchise, Method of Election and Registration of Voters) Ordinance (Cap. 157) | <p>In the Maltese text of subsection (2) of section 33A, immediately after the words “wara li jisma’ lill-appellant” there shall be added the words “u lir-Registratur Elettorali”.</p> <p>In the Maltese text of the Second Schedule, for the words “*(Jekk missier l-applikant ikun mejjet, agħti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)” there shall be substituted the following:</p> <p>“* (Jekk missier l-applikant ikun mejjet, agħti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)</p> |
| | <hr/> <p>Isem u kunjom xubiet omm l-applikant</p> <p>Post tat-twelid tagħha</p> <hr/> |
| Dangerous Drugs Ordinance (Cap. 161) | <p>In subsection (4) of section 10, for the words “Council of the League of Nations” there shall be substituted the words “United Nations Organization.”</p> <p>In subsection (3) of section 11 for the words “of the League of Nations” there shall be substituted the words “of the United Nations Organization.”</p> |
| Electoral (Polling) Ordinance (Cap. 163) | <p>Paragraph (a) of subsection (2) of section 2 shall be deleted.</p> |

| <i>First Column Enactment Amended</i> | <i>Second Column Extent of Amendment</i> |
|--|--|
| <p>Insanitary Areas Ordinance (Cap. 164)</p> | <p>Section 21 shall be amended as follows:—</p> <p>(a) for subsection (2) thereof there shall be substituted the following:—</p> <p>“(2) Where a person whose name appears in the last revised Electoral Register, but does not appear in the list published under subsection (3) of section 11 of this Ordinance, has not received the voting document, or after the receipt of such document, has lost or destroyed it, such person (even though in his respect no identity card was issued and was currently valid during the period mentioned in section 11 (1) of this Ordinance) may not later than 6.00 p.m. of the Wednesday immediately preceding the commencement of the poll, appear before one of the Commissioners, and if —</p> <p>(a) he proves his identity by the production of his identity card; and</p> <p>(b) makes a declaration on oath before any such Commissioner that he has not received the voting document or that, after the receipt of such document, he has lost or destroyed it, and such further declarations on oath as the Commissioner may require, he shall be given a voting document issued specially for the purpose specifying as the polling place where such person is to cast his vote a polling place designated for the purpose by the Commissioners; and in any such case —</p> <p>(i) such person shall vote only at the polling place specified in the voting document aforesaid; and</p> <p>(ii) if the name of such person appears on any list referred to in subsection (1) of section 18 of this Ordinance other than that of the polling place aforesaid, the Commissioners shall cause the name of such person to be struck off such list; and</p> <p>(iii) a list of all the persons to whom a voting document is issued under this subsection shall be kept at the Commissioners’ Office and shall be open to inspection by any candidate or his agent at all reasonable times until the poll closes.”; and</p> <p>(b) in subsection (10) of the Maltese text, for the words “Bla ħsara għad-disposizzjonijiet ta’ din l-Ordinanza” there shall be substituted the words “Bla ħsara għad-disposizzjonijiet ta’ l-artikolu 29 ta’ din l-Ordinanza”.</p> <p>In section 7, the words “or, in default of any such plan, subject to such restrictions and conditions as the Town Planning Commission referred to in Part 1 of that Code may think fit to impose” shall be deleted.</p> |

| <i>First Column</i> <i>Enactment Amended</i> | <i>Second Column</i> <i>Extent of Amendment</i> |
|---|--|
| Motor Vehicles Insurance (Third-party Risks) Ordinance (Cap. 165) | In paragraph (b) of subsection (1) of section 23, the words "to the Secretary to Government or" shall be deleted. |
| Interpretation Act, 1975 (Act No. VII of 1975) | Section 3 shall be amended as follows:— (a) in subsection (1) thereof the definition of "Malta" shall be deleted; and (b) immediately after subsection (1) thereof there shall be added the following new subsection:— “(1A) In this Act, and in every Act passed either before or after the commencement of this Act, "Malta" means the Island of Malta, the Island of Gozo and other islands of the Maltese Archipelago, including the territorial waters thereof.” |
| Identity Card Act, 1975 (Act No. LI of 1975) | In the Maltese text of the proviso to subsection (1) of section 6 for the words "b'avviż fil-Gazzetta jistabilixxi" there shall be substituted the words "b'avviż fil-Gazzetta jitermina”. |
| Extradition Act, 1978 (Act No. XVIII of 1978) | Immediately after the present provision of subsection (1) of section 7 there shall be added the following proviso: “Provided that, until an order is made under this section containing a provision to the contrary, the Republic of Italy and any other country with which there is an arrangement as is referred to in subsection (3) of section 30 of this Act shall be treated as if an order designating it as a foreign country had been made under this section.” |

Passed by the House of Representatives at Sitting No. 545 of the 19th October, 1981.

CALCIDON AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives