

431. L-Onor. Amanda Spiteri Grech tipproponi:

L-Ewwel Qari ta' Abbozz ta' Ligi msejjaħ “Att tal-2025 dwar il-Protezzjoni kontra Konsegwenzi Negattivi għal Persuni li Fiequ minn Mard Onkologiku (Dritt li Tintesa)”.

03.12.2025

ABBOZZ TA' LIĠI
msejjah

ATT sabiex jipprovdi għall-Protezzjoni kontra Konsegwenzi Negattivi għal Persuni li Fiequ minn Mard Onkologiku (Dritt li Tintesa).

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqa' f'dan il-Parlament u bl-awtorità tal-istess, harget b'liġi dan li ġej:-

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2025 dwar il-Protezzjoni kontra Konsegwenzi Negattivi għal Persuni li Fiequ minn Mard Onkologiku (Dritt li Tintesa). Titolu fil-qosor u bidu fis-sehh.

(2) Dan l-Att għandu jidhol fis-seħh fl-1 ta' Ġunju 2026.

2. F'dan l-Att, sakemm ir-rabta tal-kliem ma teħtieġx xort'ohra: Tifsir.

"Bord" tfisser il-Bord ta' Revizjoni stabbilit bl-artikolu 5;

"data tad-dijanjozi" tfisser l-ewwel jum meta professjonist mediku kwalifikat jiddetermina li persuna għandha marda onkologika;

"data tat-tmiem tat-trattament" tfisser id-data tal-aħħar trattament attiv skont il-protokoll mediku applikabbli, u f'każ ta' tilwima bejn il-persuna li fieqet u l-parti l-oħra, din id-data tista' tiġi determinata skont l-artikolu 7;

"ftehim dwar servizzi finanzjarji" tfisser kwalunkwe kuntratt ta' assigurazzjoni, ftehim bankarju, ftehim finanzjarju, jew kwalunkwe ftehim ieħor ancillari għalihom;

"kuntratt ta' servizz" u "kuntratt ta' impieg" għandu jkollhom t-tifsira mogħtija lilhom fl-artikolu 2 tal-Att dwar l-Impiegi u r-Relazzjonijiet Industrijali; Kap. 452.

"marda onkoloġika" tfisser kwalunkwe marda li tinvolvi tkabbir u tixrid anormali taċ-ċelloli fil-ġisem, b'mod komuni magħrufa bħala kanċer;

"Ministru" tfisser il-Ministru responsabbli għas-saħħa;

"parti l-oħra" tfisser il-parti li toffri ftehim dwar servizzi finanzjarji, kuntratt ta' servizz jew kuntratt ta' impjeg;

"perjodu stabbilit" tfisser il-perjodu ta' żmien li jkun iddekorra mid-data tat-tmiem tat-trattament mingħajr rikaduta;

"persuna li fieqet" tfisser persuna li kienet dijanjostikata b'marda onkoloġika u tinsab f'remissjoni wara trattament b'suċċess;

"rikaduta" tfisser ir-ritorn tal-marda onkoloġika wara t-tmiem tat-trattament, u ma għandhiex tinkludi kwalunkwe kwistjoni oħra tas-saħħa li tista' tinqala' fil-perjodu ta' wara t-tmiem tat-trattament anke jekk tkun konsegwenza diretta tal-marda onkoloġika;

"storja medika" tfisser kwalunkwe fajls mediċi relatati mad-dijanjozi u t-trattament ta' kwalunkwe marda onkoloġika, inkluż kwalunkwe rekords li jmorru lura għal qabel id-dijanjozi jekk jirreferu għat-testijiet relatati, u tinkludi wkoll kwalunkwe verifiki mediċi, testijiet u riżultati sussegwenti li jsiru wara t-tmiem tat-trattament inkwantu jirrelataw mal-marda onkoloġika, u għandha tinkludi wkoll kwalunkwe mistoqsija, talba jew żvelar, kemm bil-fomm kif ukoll bil-miktub, dwar jekk persuna qatt gietx iddijanjostikata b'marda onkoloġika jew trattata għaliha.

Dritt li tintesa.

3. (1) Għall-finijiet tad-dhul fi kwalunkwe kuntratt ta' servizz, kuntratt ta' impjeg jew ftehim dwar servizzi finanzjarji, l-istorja medika ta' persuna li fieqet ma għandhiex tintalab, tiġi kkunsidrata jew użata sabiex tiskoraġġixxi, tfixkel jew jigirrifjutat l-aċċess għal kwalunkwe kuntratt ta' servizz, kuntratt ta' impjeg, jew servizz finanzjarju, jew sabiex jiġu imposti kundizzjonijiet aktar onerużi, jew sabiex b'xi mod taffettwa l-kontenut tal-kuntratt ta' servizz, kuntratt ta' impjeg, jew ftehim dwar servizzi finanzjarji, jekk ikun għadda perjodu stabbilit ta' għaxar (10) snin mid-data tat-tmiem tat-trattament tal-persuna li fieqet:

Iżda fil-każ ta' dijanjozi qabel l-età ta' wieħed u għoxrin (21) sena, il-perjodu stabbilit għandu jitqassar għal ħames (5) snin mit-tmiem tat-trattament:

Iżda wkoll il-Ministru, bi qbil mal-Ministru responsabbli għall-finanzi u mal-Ministru responsabbli għax-xogħol, jista' b'regolamenti jippreskrivi perjodi stabbiliti iqsar taht tali kundizzjonijiet li jistgħu jiġu speċifikati u f'dak il-każ il-perjodi stabbiliti iqsar u l-kundizzjonijiet applikabbli għalihom jistgħu jiġu inklużi permezz ta' Skeda.

(2) L-istorja medika msemija f'dan l-artikolu ma tistax tintalab jew tinkiseb lanqas minn sorsi oħra li mhumiex il-persuna li fieqet jew il-parti l-oħra, u f'każ li tkun magħrufa jew disponibbli għall-parti l-oħra, tali storja medika ma għandhiex tiġi kkunsidrata jew użata sabiex jiġi rrifjutat aċċess għal kwalunkwe kuntratt ta' servizz, kuntratt ta' impieg, jew ftehim dwar servizzi finanzjarji, jew sabiex jiġu imposti kundizzjonijiet aktar onerużi jew sabiex jiġi bi kwalunkwe mod affettwat il-kontenut tal-kuntratt ta' servizz, kuntratt ta' impieg, jew ftehim dwar servizzi finanzjarji, jekk il-perjodu stabbilit f'dan l-Att ikun iddekorra.

(3) Fejn fil-waqt tad-dhul tal-ftehim dwar servizzi finanzjarji wara l-bidu fis-sehħ ta' dan l-Att, il-perjodu stabbilit ikun għadu ma għaddiex, il-ftehim dwar servizzi finanzjarji għandu jispeċifika li wara li jiddekorri l-perjodu stabbilit rilevanti, l-istorja medika tal-persuna li fieqet ma tistax tibqa' titqies, u kwalunkwe klawsola li taffettwa l-kontenut tal-ftehim dwar servizzi finanzjarji bbażata fuq l-istorja medika ma għandux ikollha effett mid-data tal-iskadenza tal-perjodu stabbilit:

Iżda l-istorja medika tal-persuna li fieqet miżmuma mill-parti l-oħra għandha, wara t-tmiem tal-perjodu stabbilit, titħassar u l-persuna li fieqet għandha tiġi avzata bil-miktub b'tali tħassir.

(4) Fejn ftehim dwar servizzi finanzjarji ikun eżistenti qabel il-bidu fis-sehħ ta' dan l-Att u jinkludi klawsola inkompatibbli ma' dan l-Att, u l-perjodu stabbilit ikun iddekorra jew se jiddekorri ma', jew wara l-bidu fis-sehħ ta' dan l-Att, il-klawsola rispettiva ma għandhiex tibqa' effettiva u għandha titqies nulla u bla effett skont l-artikolu 4 mid-data ta' meta jkun iddekorra l-perjodu stabbilit jew mid-data tal-bidu fis-sehħ ta' dan l-Att, skont liema waħda hija l-aktar tardiva:

Iżda l-istorja medika tal-persuna li fieqet miżmuma mill-parti l-oħra għandha, wara t-tmiem tal-perjodu stabbilit titħassar, u l-persuna li fieqet għandha tiġi avzata bil-miktub b'tali tħassir.

(5) Fejn l-istorja medika ta' persuna li fieqet tkun giet rikjesta meta l-persuna daħlet f'kuntratt ta' servizz jew kuntratt ta' impieg qabel id-dhul fis-sehħ ta' dan l-Att, u l-istorja medika għadha tinzamm mill-parti l-oħra, din għandha, wara t-tmiem tal-perjodu stabbilit,

tithassar u l-persuna li fieqet għandha tiġi avzata bil-miktub b'tali thassir.

In-nullità tal-klawsola ma ġgibx magħha n-nullità tal-kuntratt.

4. Fejn kwalunkwe klawsola f'kuntratt ta' servizz, kuntratt ta' impieg, jew ftehim dwar servizzi finanzjarji tikser xi dispożizzjoni ta' dan l-Att, il-klawsola rispettiva għandha tkun nulla u bla effett limitament għal tali ksur iżda tali ksur ma għandux jannulla l-kuntratt kollu:

Iżda n-nullità ta' tali klawsola ma għandhiex topera b'tali mod li ċċaħħad minn xi drittijiet l-persuna li fieqet setgħet akkwistat permezz tal-istess klawsola, f'liema każ il-klawsola jibqa' jkollha effett biss sal-punt imsemmi.

Bord ta' Revizjoni.

5. (1) Għandu jkun hemm Bord ta' Revizjoni li jkollu l-funzjonijiet stabbiliti f'dan l-Att.

(2) Il-Bord ta' Revizjoni għandu jkun magħmul minn President u żewġ (2) membri maħtura mill-Ministru. Il-President għandu jkun persuna li prattikat bħala avukat f'Malta għal perjodu jew perjodi li jammontaw, fit-total tagħhom, għal mhux anqas minn seba' (7) snin, u ż-żewġ (2) membri għandhom ikunu professjonisti mediċi li għandhom kwalifiki u esperjenza fil-qasam tal-mard onkologiku:

Iżda fejn fl-opinjoni tal-Ministru ma jkunx possibbli jew prattiku minhabba f'ċirkostanzi partikolari li l-Bord ikun magħmul kif imsemmi qabel, il-Ministru jista' jahtar membri tal-Bord kif iqis li jkun adattat għat-twettiq tal-funzjonijiet tal-Bord skont dan l-Att fiċ-ċirkostanzi:

Iżda wkoll il-Ministru jista' jahtar ukoll Presidenti u membri sostituti jekk il-kariga ta' President jew membru tkun battala jew jekk għal kwalunkwe raġuni tali President jew membru ma jkunx jista' jaqdbi l-funzjonijiet tal-kariga tiegħu. Il-Ministru jista' jappunta wkoll kompożizzjonijiet differenti tal-Bord.

(3) Il-President u l-membri tal-Bord għandhom jinhatru għal perjodu ta' tliet (3) snin, u għandhom ikunu eligibbli għal hatra mill-ġdid.

(4) Fl-eżercizzju tal-funzjonijiet tagħhom, il-President u l-membri tal-Bord ma għandhomx ikunu soġġetti għad-direzzjoni jew għall-kontroll ta' kwalunkwe persuna jew awtorità oħra.

(5) Il-Bord jista' jaġixxi minkejja kwalunkwe post battal fil-kompożizzjoni tiegħu.

(6) Il-Ministru għandu jahtar persuna sabiex taġixxi bħala

Segretarju tal-Bord.

(7) Il-President u l-Membri tal-Bord jistgħu jitneħħew mill-Ministru qabel l-iskadenza tal-kariga tagħhom unikament minhabba inkapaċità ppruvata li jwettqu l-funzjonijiet tal-kariga tagħhom kemm jekk tirriżulta minn inabilità tal-ġisem jew tal-moħħ jew xi kawża oħra, jew għal imġiba hażina ppruvata.

6. (1) Il-Bord għandu jwettaq il-funzjonijiet li ġejjin:

Funzjonijiet u
setgħat tal-Bord
ta' Revizjoni.

(a) id-determinazzjoni tad-data tad-dijanjozi u, jew id-data tat-tmjem tat-trattament skont il-proċedura stabbilita fl-artikolu 7;

(b) ir-rakkomandazzjoni ta' revizjoni u riduzzjoni tal-perjodi ta' preskrizzjoni għal mard onkoloġiku speċifiku li għandu jiġi inkluż mill-Ministru fl-Iskeda, skont il-progress xjentifiku u mediku u l-artikolu 3;

(ċ) kwalunkwe tali funzjoni oħra li tista' tiġi assenjata lilu mill-Ministru għall-implimentazzjoni xierqa ta' dan l-Att.

(2) Il-proċeduri quddiem il-Bord għandhom isiru bil-magħluq u għandhom ikunu kunfidenzjali.

(3) Il-Bord, fl-eżerċizzju tal-funzjonijiet tiegħu, għandu s-setgħa li jieħu deċiżjonijiet, jagħmel rakkomandazzjonijiet, joħroġ deċiżjonijiet u jirreferi għall-awtoritajiet rilevanti għal azzjoni, assistenza jew informazzjoni.

(4) Il-Bord għandu s-setgħa li jaċċessa r-rekords mediċi kollha miżmuma minn kwalunkwe fornitur tat-trattament tas-saħħa pubbliku jew privat li jkunu rilevanti għat-talbiet li jsirulu.

(5) Il-Bord jista', kull meta jqis neċessarju, jinvolti persuna waħda jew aktar, li jqis li għandhom kompetenza xierqa, sabiex jassistuh fit-twettiq ta' kompiti speċifiċi li jeħtieġu tali kompetenza u, għal dan il-għan, il-Bord jista' jimponi tali kundizzjonijiet li jqis meħtieġa.

(6) Il-Bord għandu fi tmjem kull sena, jew qabel jekk ikun mitlub, jagħmel rapport dwar l-attivitajiet tiegħu lill-Ministru. Ir-rapport imsemmi għandu jitqiegħed fuq il-Mejda tal-Kamra mill-Ministru f'forma li tirrispetta l-kunfidenzjalità tad-data personali:

Iżda r-rapport jista' jinkludi informazzjoni anonimizzata għal skopijiet statistiċi.

Determinazzjoni tad-dati tad-dijanjozi u t-tmiem tat-Trattament.

7. (1) F'kazijiet li għalihom japplikaw d-dispożizzjonijiet tal-artikoli 3(3), 3(4), u 3(5) jekk tinqala' tilwima dwar id-data tad-dijanjozi u, jew id-data tat-tmiem tat-trattament, kwalunkwe parti tista' tressaq applikazzjoni quddiem il-Bord għad-determinazzjoni tat-tilwim.

(2) Bla ħsara għall-generalità tal-artikolu 6(3), il-Bord jista' jitlob aċċess għal kwalunkwe data tal-istorja medika mill-persuna li fieqet, strettament għad-determinazzjoni tad-data tad-dijanjozi u, jew id-data tat-tmiem tat-trattament, iżda l-parti l-oħra ma għandhiex ikollha aċċess għal tali data.

(3) Id-determinazzjoni għandha ssir malajr kemm jista' jkun u mingħajr dewmien u l-Bord għandu jagħmel hiltu sabiex tali determinazzjoni tingħata sa mhux aktar tard minn gimgħa (1) minn meta ssir l-applikazzjoni:

Izda jekk il-Bord jagħmel talba għal data, il-limitu ta' żmien hawn fuq imsemmi jista' jiġi estiż għal perjodu ta' mhux aktar minn gimgħa (1) minn meta jirċievi d-data.

(4) Fid-determinazzjoni tat-tmiem tat-trattament, il-Bord ma għandux jikkunsidra xi trattament, medicina, testijiet jew verifiki mediċi oħra tas-saħħa li mhumiex amministrati speċifikament bhala parti mit-tneħħija jew l-eradikazzjoni diretta taċ-ċelloli tal-kanċer jew trattament dirett tal-marda onkoloġika. Sabiex jiġi evitat kull dubju, trattamenti fit-tul bħat-terapija bl-ormoni ma għandhomx joperaw sabiex jestendu l-perjodu stabbilit.

(5) Id-deċiżjonijiet imsemmija f'dan l-artikolu għandhom jiġu kkomunikati bil-miktub unikament lill-partijiet u ma jistgħux jiġu mqassma ulterjorment.

Setgħa li l-Ministru jagħmel regolamenti.

8. Il-Ministru jista' jagħmel regolamenti kif awtorizzat taht dan l-Att, inkluż li jagħmel Skedi annessi ma' dan l-Att fil-parametri tal-artikolu 3, u b'mod ġenerali għall-aħjar twettiq tad-dispożizzjonijiet ta' dan l-Att.

Reati.

9. Kwalunkwe persuna li ma tkunx il-persuna li fieqet, li tonqos milli tressaq d-dispożizzjonijiet ta' dan l-Att jew tonqos milli tikkonforma ma' kwalunkwe ordni jew talba magħmula mill-Bord għandha tkun hatja ta' reat u għandha tkun soġġetta meta tinstab hatja għal multa ta' mhux anqas minn ħames mitt euro (€500) u mhux aktar minn ħamest elef euro (€5000), kif ukoll għall-penali għal kull ġurnata li matulha jissussisti n-nuqqas ta' konformità ma' dan l-Att, liema penali ma għandhiex tkun ta' inqas minn għaxar euro (€10) u ta' mhux aktar minnmitt euro (€100) għal kull ġurnata.

Ghanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex jimplimentaw id-"dritt li tintesa" għall-persuni li fiequ mill-marda tal-kanċer sabiex jintemmu l-konsegwenzi negattivi kontra dawn il-persuni f'oqsma li jaffettwaw il-ħajja tagħhom ta' kuljum bħal fl-aċċess għal self bankarju u assigurazzjoni jew għall-impieg, u sabiex jiġihares id-dritt tagħhom għall-privatezza, id-dinjità, u t-trattament ugwali skont il-liġi.

**A BILL
entitled**

AN ACT to provide for the Protection against Adverse Consequences for Persons who recovered from Oncological Diseases (Right to be Forgotten).

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) The short title of this Act is the Protection against Adverse Consequences for Persons who recovered from Oncological Diseases (Right to be Forgotten) Act 2025.

(2) This Act shall come into force on 1st June 2026.

Interpretation.

2. In this Act, unless the context otherwise requires:

"Board" means the Review Board established by article 5;

"oncological disease" means any disease involving abnormal growth and spread of cells in the body, commonly known as cancer;

"date of diagnosis" means the first day a qualified medical professional determines a person has an oncological disease;

"date of end of treatment" means the date of the last active treatment in accordance with the applicable medical protocol, and which date in case of dispute between the recovered person and the other party may be determined in accordance with article 7;

"contract of service" and "contract of employment" shall have the meaning assigned to them in accordance with article 2 of the Employment and Industrial Relations Act;

"financial services agreement" means any insurance contract, banking agreement, financial agreement, or any other contract or agreement ancillary thereto;

"Minister" means the Minister responsible for health;

"medical history" means any medical records relating to the diagnosis and treatment of any oncological disease, including any records which may pre-date the diagnosis if they refer to the related testing, and also includes any follow-up medical check-ups, tests, and results following the end of treatment insofar as they relate to the oncological disease, and it shall also include any inquiry, request, or disclosure, whether oral or written, regarding whether a person has ever been diagnosed with or treated for any oncological disease;

"other party" means the party offering a financial services agreement, contract of service or contract of employment;

"established period" means the period of time which has elapsed since the date of the end of treatment without relapse;

"recovered person" or "person who recovered" means a person who had been diagnosed with an oncological disease and is in remission following successful treatment;

"relapse" means the recurrence of the oncological disease following the end of treatment, and shall not include any other health issues which may arise during the period following the end of treatment even if emanating as a direct consequence of the oncological disease.

3. (1) For the purposes of entering into any contract of service, contract of employment or financial services agreement, a recovered person's medical history shall not be requested, considered or used in order to dissuade, impede or refuse access to any contract of service, contract of employment or financial service, or to impose more onerous conditions or to affect in any way the content of the contract of service, contract of employment or financial services agreement, if an established period of ten (10) years has elapsed since the date of the end of treatment of the recovered person:

Recognition of
the right to be
forgotten.

Provided that in the case of diagnosis before the age of twenty one (21) years, the established period shall be shortened to five (5) years from the end of treatment:

Provided further that the Minister, with the concurrence of the Minister responsible for finance and the Minister responsible for

employment, may by means of regulations prescribe shorter established periods under such conditions as may be specified and in such case the shorter established periods and the conditions applicable thereto may be included in a Schedule.

(2) The medical history referred to in this article may not be requested or acquired even from sources other than the recovered person or the other party and if in any case it is made known or available to the other party it shall not be considered or used in order to refuse access to any contract of service, employment or financial services agreement, or to impose more onerous conditions or to affect in any way the content of the contract of service, contract of employment or financial services agreement, if the established period as established in this Act has elapsed.

(3) Where when entering into a financial services agreement subsequent to the coming into force of this Act, the established period has not yet elapsed, the financial services agreement is to specify that after the relevant established period elapses, consideration of the medical history of the recovered person may no longer be made and any clause which affects the content of the financial services agreement based on the medical history shall no longer have effect from the date when the established period elapses:

Provided that the medical history of the recovered person held by the other party shall, subsequent to the lapse of the established period be erased and the recovered person shall be notified in writing that such erasure has taken place.

(4) Where a financial services agreement exists prior to the coming into force of this Act and includes a clause which is incompatible with this Act, and the established period has elapsed or shall elapse on or after the coming into force of this Act, the respective clause shall cease to have effect and shall be considered null and void in accordance with article 4 as from the date on which the established period has elapsed or from the date of coming into force of this Act, whichever is the later:

Provided that the medical history of the recovered person which was held by the other party shall, subsequent to the established period elapsing, be erased, and the recovered person shall be notified in writing that such erasure has taken place.

(5) Where medical history of a recovered person was requested upon entering into a contract of employment or contract of service prior to the coming into force of this Act, and the medical history is still being held by the other party, it shall subsequent to the lapse of the

established period, be erased, and the recovered person shall be notified in writing that such erasure has taken place.

4. Where any clause in a contract of service, contract of employment or financial services agreement breaches any provision of this Act, the respective breaching clause shall be null and void limitedly to such breach:

Nullity of clause does not nullify contract.

Provided that the nullity of such clause shall not operate in such a way as to deny any rights which the recovered person may have acquired through the same clause, in which case the clause shall still have effect only to the said extent.

5. (1) There shall be a Review Board having the functions established in this Act.

Review Board.

(2) The Review Board shall be composed of a Chairperson and two (2) members appointed by the Minister. The Chairperson shall be a person who has practised as an advocate in Malta for a period or periods amounting, in the aggregate, to not less than seven (7) years, and the two (2) members shall be medical professionals having qualifications and experience in the field of oncological diseases:

Provided that where in the opinion of the Minister it is not be possible or practical in particular circumstances for the Board to be composed as aforesaid, the Minister may appoint members of the Board as he considers to be suitable for the carrying out of the functions of the Board in accordance with this Act in the circumstances:

Provided further that the Minister may also appoint substitute Chairpersons and members if the office of Chairperson or a member is vacant or if for any reason such Chairperson or member is unable to perform the functions of his office. The Minister may also appoint different compositions of the Board.

(3) The Chairperson and members of the Board shall be appointed for a period of three (3) years, and shall be eligible for re-appointment.

(4) In the exercise of their functions the Chairperson and members of the Board shall not be subject to the direction or control of any other person or authority.

(5) The Board may act notwithstanding any vacancy in its composition.

(6) The Minister shall appoint a person to act as Secretary to the

Board.

(7) The Chairperson and Members of the Board may be removed by the Minister prior to the expiry of their term of office only on the ground of proved inability to perform the functions of their office whether arising from infirmity of body or mind or any other cause, or for proven misbehaviour.

Functions and powers of the Review Board.

6. (1) The Board shall carry out the following functions:

(a) the determination of the date of diagnosis and, or the date of the end of treatment in accordance with the procedure established in article 7;

(b) the recommendation of the review and reduction of established periods for specific oncological diseases to be included by the Minister in the Schedule, in accordance with scientific and medical progress and article 3;

(c) any other such function as may be assigned to it by the Minister for the proper implementation of this Act.

(2) Proceedings before the Board shall be held *in camera* and shall be confidential.

(3) The Board shall, in the exercise of its functions, have the power to take decisions, make recommendations, issue rulings, and refer to the relevant authorities for action, assistance or information.

(4) The Board shall have the power to access all medical records held by any public or private health care provider which are relevant to the requests made to it.

(5) The Board may, whenever it deems necessary, engage one (1) or more persons, whom it considers to be in possession of suitable expertise, to assist it in carrying out specific tasks requiring such expertise, and, for this purpose, the Board may impose such conditions as it considers necessary.

(6) The Board shall at the end of each year, or earlier if so requested, make a report of its activities to the Minister. The said report shall be laid on the Table of the House by the Minister in a form which respects the confidentiality of personal data:

Provided that the report may include anonymised information for statistical purposes.

7. (1) In cases to which the provisions of articles 3(3), 3(4), and 3(5) apply, if a dispute arises as to the date of diagnosis and, or the date of the end of treatment, either party may submit an application before the Board for determination of the dispute.

Determination of dates of diagnosis and end of treatment.

(2) Without prejudice to the generality of article 6(3), the Review Board may request access to any medical history data from the recovered person, strictly for determination of the date of diagnosis and, or the date of the end of treatment, so however that the other party shall not have access to such data.

(3) The determination is to be made expeditiously and without delay and the Board shall endeavour to make the determination not later than one (1) week from when the application is made:

Provided that if the Board makes a request for data the above referred time limit may be extended for a period of not more than one (1) week from the receipt of data.

(4) In determining the end of treatment, the Board shall not take into account any treatment, medicine, testing or other health-checkups which are not specifically administered as part of the direct removal or eradication of cancer cells or direct treatment of the oncological disease. For the avoidance of doubt, long-term treatments such as hormone therapy shall not operate to extend the established period.

(5) The decisions referred to in this article shall be communicated in writing solely to the parties and may not be distributed further.

8. The Minister may make regulations to prescribe anything which may be prescribed under this Act, including the addition of Schedules to this Act within the parameters of article 3, and in general for the better implementation of the provisions of this Act.

Power of the Minister to make regulations.

9. Any person, not being the recovered person, who fails to abide by the provisions of this Act or fails to comply with any order or request made by the Board shall be guilty of an offence and shall be liable on conviction to a fine (*multa*) of not less than five hundred euro (€500) and not more than five thousand euro (€5000) for every day during which the failure to comply with this Act subsists as well as a daily penalty, which penalty shall not be less than ten euro (€10) and not more than one hundred euro (€100) for every day during which failure to comply with this Act subsists.

Offences.

Objects and Reasons

The objects and reasons of this Bill are to implement the "right to be forgotten" for persons who recovered from cancer in order to end adverse consequences against these persons in areas which affect their daily lives such as in access to banking loans and insurance, or to employment, and to uphold their right to privacy, dignity, and equal treatment under the law.