

Nru. 20

10. 12. 71

MALTA**KAMRA TAD-DEPUTATI**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Nutar Dott. J. Abela, LL.D., M.P., Ministru tal-Finanzi u Dwana, u moqri għall-Ewwel darba fis-Seduta tat-22 ta' Novembru, 1971.

ATT biex ikompli jemenda l-Ordinanza tad-Dwana, Kap. 60.

C. MIFSUD

*Skrivan tal-Kamra tad-Deputati***HOUSE OF REPRESENTATIVES**

A BILL introduced by the Honourable Not. Dr J. Abela, LL.D., M.P., Minister of Finance and Customs, and read the First time at the Sitting of the 22nd November, 1971.

AN ACT further to amend the Customs Ordinance, Cap. 60.

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI**msejjah**

ATT biex ikompli jemenda l-Ordinanza tad-Dwana, Kap. 60.

IL-MAESTA' Tagħha r-Regina, bil-parir u l-kunsens tal-Kamra tad-Deputati ta' Malta, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, ħarġet b'liġi dan li ġej:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1971 li jemenda l-Ordinanza tad-Dwana, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza tad-Dwana, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

Zieda ta' artikolu
gdid 5
mal-liġi
prinċipali.

2. Minnufih wara l-artikolu 4 tal-liġi prinċipali għandu jiżdied l-artikolu gdid li ġej:—

"Min iħalli
l-irmigġ
mingħajr
permess.

5. (1) Bla ħsara ta' kull permess ta' xi awtorità oħra li jista' jkun meħtieġ skond xi liġi oħra, ebda bastiment f'xi port f'dawn il-Gzejjer ma għandu jħalli l-irmigġ tiegħu għal ebda raġuni ħlief bil-permess tal-Kontrullur tad-Dwana.

(2) Jekk il-kaptan tal-bastiment, jew ir-rappreżentant tiegħu, jikser jew iħalli jew jippermetti li jinkisru, id-disposizzjonijiet ta' dan l-artikolu, hu jista' jeħel penali ta' mhux inqas minn għaxar liri u mhux iżjed minn ħamsin lira."

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

3. Fis-subartikolu (2) ta' l-artikolu 35 tal-liġi prinċipali, min-flok il-kliem "għandhom jiġu mibjugħa bl-irkant" għandhom jidhlu l-kliem "għandhom jiġu mibjugħa bl-irkant jew b'kull mod ieħor kif il-Ministru responsabbli għad-Dwana jista' jordna, iżda, jekk il-bejgħ

isir bl-irkant, l-irkantatur għandu, f'kull każ partikolari, jiġi nominat mill-imsemmi Ministru”.

4. L-artikolu 61 tal-liġi prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 61 tal-liġi prinċipali.

(a) fit-tarf tal-paragrafu (l) tiegħu għandha tizzied il-kelma “jew”, u

(b) minnufih wara l-paragrafu (l) tiegħu għandu jizzied il-paragrafu ġdid li ġej:—

“(m) jagħmel xi dikjarazzjoni jew jissottometti xi dokument jew informazzjoni li, bid-dehen tiegħu, tkun falza f'dettal sostanzjali, jew b'mod bla kont jagħmel dikjarazzjoni li tkun falza f'dettal sostanzjali.”.

Għanijiet u Raġunijiet

Il-Għan ta' dan l-Abbozz huwa li jemenda l-Ordinanza tad-Dwana hekk li jkun illegali li xi bastiment irmiġġat f'xi port f'dawn il-Gzejjer iħalli l-irmigġ tiegħu mingħajr il-permess tal-Kontrullur tad-Dwana.

L-Abbozz jipprovdi wkoll li, meta oġġetti iddepożitati f'imħażen ikunu se jinbiegħu bl-irkant, l-irkantatur għandu jiġi nominat kull darba.

Fl-abħharnett, l-Abbozz jipprovdi għal penali għal min jagħmel xi dikjarazzjoni falza jew min jissottometti xi dokument jew informazzjoni falza. Din l-emenda hi meħtieġa biex tagħti seħh għad-disposizzjonijiet ta' l-Iskim Generali ta' preferenzi ta' l-Unctad.

A BILL
entitled

AN ACT further to amend the Customs Ordinance, Cap. 60.

BE IT ENACTED by Her Majesty the Queen, by and with the advice and consent of the House of Representatives of Malta, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Customs (Amendment) Act, 1971, and shall be read and construed as one with the Customs Ordinance, hereinafter referred to as "the principal law".

Addition of new section 5 to the principal law.

2. Immediately after section 4 of the principal law there shall be added the following new section:

"Leaving of berth without permission.

5. (1) Saving any other permission of any authority which may be required under any other law, no vessel in any harbour in these Islands shall leave her berth for whatever purpose except with the permission of the Comptroller of Customs.

(2) If the master of the vessel, or his representative, shall contravene, or allow or permit to be contravened, the provisions of this section, he shall be liable to a penalty of not less than ten pounds but not exceeding fifty pounds."

Amendment of section 35 of the principal law.

3. In subsection (2) of section 35 of the principal law, for the words "be sold by public auction" there shall be substituted the words "be sold by public auction or in any other manner as the Minister responsible for Customs may direct, provided that, if the sale is to be made by public auction, the auctioneer shall, in each particular case, be appointed by the said Minister".

4. Section 61 of the principal law shall be amended as follows:—

Amendment of section 61 of the principal law.

(a) at the end of paragraph (l) thereof there shall be added the word "or", and

(b) immediately after paragraph (l) thereof there shall be added the following new paragraph:

"(m) makes any statement or furnishes any document or information which, to his knowledge, is false in a material particular, or recklessly makes any statement which is false in a material particular,".

Objects and Reasons

The object of this Bill is to amend the Customs Ordinance so as to make it unlawful for any vessel berthed in any harbour in these Islands to leave her berth without the permission of the Comptroller of Customs.

The Bill also provides that, where warehoused goods are to be sold by public auction, the auctioneer shall be appointed on each particular occasion.

Finally, the Bill provides for penalising the making of any false statement or the furnishing of any false document or information. This amendment is necessary to give effect to the provisions of the Unctad General Scheme of Preferences.