

**Nru. 21**

26. 11. 71

**MALTA****KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Dott. Anton Buttigieg, B.A., LL.D., M.P., Ministru tal-Gustizzja u Affarijiet tal-Parlament u moqri għall-Ewwel darba fis-Seduta tat-23 ta' Novembru, 1971.

A BILL introduced by the Honourable Dr Anton Buttigieg, B.A., LL.D., M.P., Minister of Justice and Parliamentary Affairs and read the First time at the Sitting of the 23rd November, 1971.

ATT biex ikompli jemenda l-Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi, Kap. 136.

AN ACT further to amend the Land Acquisition (Public Purposes) Ordinance, Cap. 136.

C. MIFSUD

*Skriivan tal-Kamra tad-Deputati*

C. MIFSUD

*Clerk to the House of Representatives*

## ABBOZZ TA' LIĠI

### msejjah

*ATT biex ikompli jemenda l-Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi, Kap. 136.*

IL-MAESTA' Tagħha r-Reġina, 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' jissejjah l-Att ta' l-1971 li jemenda l-Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

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

2. Is-subartikolu (1) ta' l-artikolu 21 tal-liġi prinċipali għandu jiġi emendat kif ġej:—

(a) minflok il-paragrafu (a) tiegħu għandu jidhol dan li ġej:—

“(a) persuna li għandha jew li kellha l-kariga ta' wiehed mill-Imhallfin tal-Maestà Tagħha, nominata mill-Gvernatur-Ġenerali, bħala *Chairman*,”; u

(b) minflok il-kliem “sitt xhur” kull fejn jinsabu fil-paragrafu (c) tiegħu għandha tidhol kull darba l-kelma “sena”.

Emenda ta' l-artikolu 24 tal-liġi prinċipali.

3. Fl-artikolu 24 tal-liġi prinċipali, minflok il-kliem kollha minn “Il-kwistjonijiet l-oħra kollha li jinqalghu” sa “iżda” għandu jidhol dan li ġej:—

“Meta, matul il-proċedimenti quddiem il-Bord, tinqala’ xi kwistjoni li mhijiex inkluża taht is-subartikolu (1) ta’ l-artikolu 23 ta’ din l-Ordinanza, il-Bord għandu jirriżerva li dik il-kwistjoni tiġi deċiża mill-Qorti Ċivili tal-Maestà Tagħha, Prim’Awla, u għandu jstabbilixxi żmien għall-parti li tqajjem dik il-kwistjoni li fih tressaqha b’ċitazzjoni quddiem l-imsemmija Qorti; il-Bord għandu mbagħad jaġġorna l-proċedimenti sakemm tingħata deċiżjoni finali fuqha mill-Qorti Ċivili jew sakemm iġhaddi l-imsemmi żmien, liema minnhom ikun l-aktar kmieni:

Izda, jekk il-parti li tqajjem dik il-kwistjoni quddiem il-Bord ma ġġibx l-azzjoni relattiva kif intqal qabel quddiem il-Qorti Ċivili, il-parti l-oħra tkun tista’ ġġib l-azzjoni bl-istess mod kif intqal hawn qabel, u f’dan il-każ il-proċedimenti quddiem il-Bord ma jitkoplewx qabel ma tingħata d-deċiżjoni finali tal-Qorti Ċivili:

Izda wkoll —”.

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### Għanijiet u Ragunijiet

Il-Għan ta’ dan l-Abbozz huwa li jemenda l-Ordinanza dwar l-Akkwist ta’ Artijiet għal Skopijiet Pubbliċi fil-kostituzzjoni tal-membri tal-Bord ta’ Arbitraġġ dwar Artijiet, u li jestendi minn sitt xhur għal sena ż-żmien ta’ kariga tal-membru tekniku li ma jkunx fl-impieg tal-Gvern.

L-Abbozz fih ukoll emenda oħra konsegwenzjali.

**A BILL**  
**entitled**

*AN ACT further to amend the Land Acquisition (Public Purposes) Ordinance, Cap. 136.*

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 Land Acquisition (Public Purposes) (Amendment) Act, 1971, and shall be read and construed as one with the Land Acquisition (Public Purposes) Ordinance, hereinafter referred to as “the principal law”.

Amendment of section 21 of the principal law.

2. Subsection (1) of section 21 of the principal law shall be amended as follows:—

(a) for paragraph (a) thereof there shall be substituted the following:—

“(a) a person who holds or has held the office of one of Her Majesty’s Judges, appointed by the Governor-General, as Chairman;”, and

(b) for the words “six months” wherever they occur in paragraph (c) thereof there shall be substituted in each case the words “one year”.

Amendment of section 24 of the principal law.

3. In section 24 of the principal law, for all the words from “All other questions arising” to “provided that” there shall be substituted the following:—

“Where, out of the proceedings before the Board, there arises any question which is not included under subsection (1) of section 23 of this Ordinance, the Board shall reserve such question to be decided by Her Majesty’s Civil Court, First Hall, and shall fix a time-limit for the party raising such question to bring it forward by writ of summons before the said Court; the Board shall then adjourn the proceedings until final judgement thereon has been given by the Civil Courts or until the expiry of the said time-limit, whichever shall be the earlier:

Provided that, if the party raising such a question before the Board does not bring forward the relative action as aforesaid before the Civil Court, it shall be lawful for the other party to bring forward the action in the same manner as hereinbefore stated, and in such case the proceedings before the Board shall not be resumed until after the final judgment of the Civil Courts:

Provided further that —”.

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### **Objects and Reasons**

The object of this Bill is to amend the Land Acquisition (Public Purposes) Ordinance in the composition of the members of the Land Arbitration Board, and to extend from six months to one year the term of office of the technical member not in the employment of the Government.

The Bill contains a further consequential amendment.