

**ABBOZZ TA' LIĠI**  
**imsejjah**

*ATT biex jemenda l-Att dwar l-Impjiegi u r-Relazzjonijiet Industrijali, Kap. 452.*

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:-

**1.** It-titolu fil-qosor ta' dan l-Att huwa l-Att ta' l-2009 li jemenda l-Att dwar l-Impjiegi u r-Relazzjonijiet Industrijali u għandu jinqara u jinftehem ħaġa waħda ma' l-Att dwar l-Impjiegi u r-Relazzjonijiet Industrijali, hawn iżjed 'il quddiem imsejjah "l-Att prinċipali". Titolu fil-qosor.

**2.** Fil- paragrafu (b) tas-subartikolu (1) ta' l-artikolu 26 ta' l-Att prinċipali, minnufih wara l-kliem "kondizzjonijiet ta' impieg" għandhom jidhlu l-kliem "jew tkeċċija". Emenda ta' l-artikolu 26 tal-Att prinċipali.

**3.** Fis-subartikolu (2) ta' l-artikolu 30 ta' l-Att prinċipali, il-kliem minn "jista' jordna li jithallsu" sal-kliem "bħala kumpens lill-parti aggravata", iż-żewg espressjonijiet inklużi, għandhom ikunu sostitwiti bil-kliem "għandu jordna l-ħlas ta' kumpens għat-telf u dannu li tkun sofriet il-parti aggravata bħala konsegwenza tal-ksur". Emenda ta' l-artikolu 30 ta' l-Att prinċipali.

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

**4.** Is-subartikolu (2) ta' l-artikolu 81 tal-Att prinċipali għandu jiġi emendat kif ġej :

(a) fil-paragrafu (b) tiegħu, minflok il-kliem “f’kull każ ieħor” għandhom jidhlu l-kliem “f’kull każ ieħor ħlief għall-każijiet fejn jiġi allegat ksur ta’ l-artikolu 26, 27, 28 jew 29” u minflok il-kliem “biex jirrimedja l-ksur”. għandhom jidhlu l-kliem “biex jirrimedja l-ksur; u”; u

(b) minnufih wara l-paragrafu (b) tiegħu kif emendat għandu jidhol il-paragrafu ġdid li ġej :

“(ċ) fil-każijiet fejn jiġi allegat ksur ta’ l-artikoli 26, 27, 28 jew 29 għandhom japplikaw id-dispożizzjonijiet tas-subartikolu (2) tal-artikolu 30.”.

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### Għanijiet u Raġunijiet

L-għan ta’ dan l-Abbozz huwa li jemenda l-Att dwar l-Impiegi u r-Relazzjonijiet Industrijali skont id-Direttiva tal-Kunsill 2002/73/KE tal-Unjoni Ewropea.

**A Bill  
entitled**

*AN ACT to amend the Employment and Industrial Relations Act, Cap. 452.*

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.** The short title of this Act is the Employment and Industrial Relations (Amendment) Act, 2009 and this Act shall be read and construed as one with the Employment and Industrial Relations Act, hereinafter referred to as “the principal Act”. Short title.

**2.** In paragraph (b) of sub-article (1) of article 26 of the principal Act, immediately after the words “conditions of employment” there shall be inserted the words “or dismissal”. Amendment of article 26 of the principal Act.

**3.** In sub-article (2) of article 30 of the principal Act, for the words from “may order the payment” to “compensation to the aggrieved party”, both expressions included, there shall be substituted the words “shall order the payment of compensation for loss and damage sustained by the aggrieved party as a consequence of the breach”. Amendment of article 30 of the principal Act.

**4.** Sub-article (2) of article 81 of the principal Act shall be amended as follows: Amendment of article 81 of the principal Act.

(a) in paragraph (b) thereof, for the words “in all other cases” there shall be substituted the words “in all other cases other than cases alleging a breach of articles 26, 27, 28 or 29” and for the words “in order to remedy the breach.” there shall be substituted the words “in order to remedy the breach; and”; and

(b) immediately after paragraph (b) thereof as amended there shall be inserted the following new paragraph:

“(c) in cases alleging a breach of articles 26, 27, 28 or 29 the provisions of sub-article (2) of article 30 shall apply.”.

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### **Objects and Reasons**

The object of this Bill is to amend the Employment and Industrial Relations Act in line with Council Directive 2002/73/EC of the European Union.