

Nagħti l-kunsens tiegħi.

(L.S.)

EDWARD FENECH ADAMI  
President

25 ta' Lulju, 2006

### **ATT Nru. X ta' l-2006**

*ATT biex jipprovdi għal miżuri konnessi ma' u anċillari għall-  
adozzjoni ta' l-euro bħala l-valuta legali ta' Malta*

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

### **TAQSIMA I**

#### **Preliminari**

**1.** (1) It-titolu ta' dan l-Att hu Att ta' l-2006 dwar l-Adozzjoni ta' l-Euro. Titolu u bidu  
fis-sehh.

(2) Dan l-Att għandu jibda fis-sehh f'dik id-data li l-Prim Ministru jista jstabbilixxi b'avviż fil-Gazzetta, u jistgħu jiġu hekk stabbiliti dati differenti għal disposizzjonijiet differenti u għal għanijiet differenti ta' dan l-Att.

**2.** F'dan l-Att, kemm-il darba r-rabta tal-kliem ma tkunx techiegħ xort'ohra:— Tifsir.

“Awtorità” jew “Awtoritajiet” tfisser kull dipartiment tal-gvern jew entità, kull ufficjal pubbliku jew impjegat fi hdan kull dipartiment tal-gvern jew entità jew korp imwaqqaf bil-liġi li l-Ministru jista jahtar minn żmien għal żmien għal xi għan wiehed jew aktar ta’ dan l-Att;

“euro” tfisser il-munita ta’ l-Unjoni Ewropea kif definita fir-Regolament tal-Kunsill (KE) 974/98 tat-3 ta’ Mejju 1998 fuq l-introduzzjoni ta’ l-euro;

“Ministru” tfisser il-Ministru responsabbli għall-Finanzi;

“ordnat” tfisser ordnat b’ordni jew b’regolamenti mahruġin taht dan l-Att;

“regolamenti” tinkludi ordni magħmula taht dan l-Att;

“Statut” tfisser il-Protokoll dwar l-Istatut tas-Sistema ta’ Banek Ċentrali Ewropea u tal-Bank Ċentrali Ewropew anness mat-Trattat;

“it-Trattat” għandha l-istess tifsira mogħti lilha bl-Att dwar l-Unjoni Ewropea.

## TAQSIMA II

### Poteri tal-Ministru

Poteri li jagħmel regolamenti.

**3.** Il-Ministru jista’ jagħmel regolamenti biex ihaffef l-adozzjoni ta’ l-euro u ġeneralment bil-għan biex tidhol fis-seħħ kull disposizzjoni ta’ dan l-Att u tat-Trattat u l-Istatut dwar l-adozzjoni ta’ l-euro, u b’mod partikolari, imma bla ħsara għall-ġeneralità ta’ dak hawn qabel imsemmi, il-Ministru jista jagħmel regolamenti:

(i) biex jordna perjodu jew perjodi fejn ikun meħtieġ bil-liġi li jintwerew prezzijiet kemm bl-euro kemm bil-lira Maltija;

(ii) biex jirregola l-wiri ta’ prezzijiet, u l-konverżjoni ta’ ammonti li jidhru fuq fatturi, riċevuti, rendikonti u dokumenti ohra simili, bl-euro f’kull żmien meta l-euro jkun għadu ma sarx il-munita ta’ Malta;

(iii) biex jillimita jew jipprojbixxi kull impożizzjoni ta’ hlasijiet għall-konverżjoni tal-lira Maltija fl-euro;

(iv) biex jipprovdi għall-konverżjoni fl-euro ta' ishma u titoli ta' ekwità f'kumpaniji u f'persuni legali oħra;

(v) biex jipprovdi għal proċeduri amministrattivi, penalitajiet u, jew multi, inklużi multi għal kull ġurnata li fiha n-nuqqas jew omissjoni tkompli, f'każ ta' ksur tad-disposizzjonijiet jew regolamenti magħmulin taħt dan l-Att u biex jinnomina l-Awtorità jew Awtoritajiet li jkunu entitolati li jmexxu l-imsemmija proċeduri u li jimponu l-imsemmija penalitajiet jew multi:

Izda meta jigu ordnati penalitajiet amministrattivi u, jew multi f'kull regolament mahruġ taħt dan l-Att, il-Ministru:

(a) għandu f'kull każ jipprovdi biex id-dritt għas-smiegh jiġi rispettata qabel ma tiġi imposta xi penali u, jew multa amministrattiva;

(b) m'għandux jordna xi multa amministrattiva li tkun anqas minn tliet mitt lira jew li teċċedi l-elf u hames mitt lira għal infrazzjoni amministrattiva li tista' tiġi ordnata u piena amministrattiva ta' mhux anqas minn hamsa u tletin lira u li ma tkunx teċċedi l-mitejn lira għal kull ġurnata li dik l-infrazzjoni amministrattiva tkompli wara li jkun ingħata avviz ta' dik l-infrazzjoni lill-persuna akkużata jew misjuba hatja li tkun għamlet dik l-infrazzjoni, skond ma jistgħu jordnaw dawk ir-regolamenti;

(ċ) m'għandux jipprovdi għas-sospensjoni ta' xi liċenza tal-kummerċ jew liċenza oħra għal perjodu ta' iktar minn hmistax-il ġurnata bhala penali amministrattiva;

(d) għandu f'kull każ, u mingħajr pregudizzju għad-dritt li l-Ministru għandu li jerga' jikkunsidra l-imposizzjoni ta' penali jew multa amministrattiva, jagħti d-dritt għal appell mid-deċiżjoni li tiġi imposta penali amministrattiva u, jew multa quddiem il-Qorti tal-Appell (Kompetenza Inferjuri) kif kostitwita taħt l-artikolu 41(6) tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili bla hsara għall-proċeduri u d-drittijiet li l-Ministru jista' jordna;

(e) jista' jipprovdi għall-infurzar ta' kull penali amministrattiva u, jew multa matul l-appell bla hsara għall-poteri tal-Qorti tal-Appell (Kompetenza Inferjuri) li tissospendi jew tibdel il-kundizzjonijiet ta' dan l-infurzar;

(f) jista' jipprovdi li multa amministrattiva imposta skond regolamenti maghmulin taht dan l-Att ghandha tikkostitwixxi titolu eżekuttiv ghal kull effett u skop ta' xi ligi;

(g) jista' jipprovdi ghal poteri ta' perkwiżizzjoni u dhul f' xi fond, ghal poteri biex jitlob informazzjoni u ghal obbligi li tinghata l-informazzjoni mitluba u ghall-imposizzjoni, fejn iħoss li jkun adatt, ta' obligazzjonijiet ta' kunfidenzjalità dwar l-informazzjoni miġbura;

(h) jista' jipprovdi dwar il-ħrug ta' ordnijiet bil-ghan li jiżgura konformità mad-disposizzjonijiet ta' dan l-Att jew ta' regolamenti mahruġin tahtu;

(i) jista' jipprovdi ghal perjodi ta' preskrizzjoni dwar reati amministrattivi kontra dan l-Att jew regolamenti mahruġin tahtu li ma jkunux ta' iktar minn sentejn;

(vi) biex jħares kull regolament, direttiva, deċiżjoni, rakkomandazzjoni jew att ieħor jew direzzjoni oħra ta' l-Unjoni Ewropea dwar il-munita euro;

(vii) biex jimplimenta kull obligazzjoni internazzjonali ta' Malta jew kull obligazzjoni internazzjonali li Malta jkollha l-intenzjoni li tadotta dwar il-munita euro;

(viii) biex jipprovdi fuq kull haġa relatata ma' l-implimentazzjoni, r-regolazzjoni u s-sorveljanza tal-adozzjoni ta' l-euro.

Poteri li jemenda ligijiet.

**4.** (1) Bla ħsara għad-dispożizzjonijiet ta' l-Att dwar l-Unjoni Ewropeja, l-Prim Ministru jista', bil-ghan li jiżgura li kull ligi oħra tkun tirrifletti l-adozzjoni ta' l-euro bħala l-munita ta' Malta u li l-obbligazzjonijiet tat-Trattat u dawk internazzjonali ta' Malta relatati ma', jew heġin mill-adozzjoni ta' l-euro bħala l-munita ta' Malta jiġu implimentati, jordna permezz ta' ordni li tiġi emendata kull ligi oħra għal dak l-ghan u li dik l-emenda ikollha effett minnufih bla ħsara għad-dispożizzjonijiet ta' l-artikolu 11 ta' l-Att dwar l-Interpretazzjoni li għandu jkun japplika għal kull ordni bhal dik.

(2) Ordnijiet li jsiru dwar l-emenda ta' ligijiet primarji u leġislazzjoni sussidjarja għall-konverżjoni ta' ammonti monetarji minn lira Maltija għall-euro jistgħu jsiru bl-ilsien Malti biss, jew bl-Ingliż biss meta xi leġislazzjoni bhal dik jew skeda tagħha tkun pubblikata bl-ilsien Ingliż biss.

(3) F'dan l-artikolu l-frazi "ammonti monetarji" tinkludi ammont speċifikat f'ċifri, kliem jew simboli jew f'kombinazzjoni ta' ċifri, kliem u simboli, huma kif inhuma espressi fl-ordni li jemenda ukoll jekk dawn jidhru b'mod differenti minn kif jidhru fil-leġislazzjoni primarja jew dik sussidjarja.

(4) Meta tkun qeghda ssir konverzjoni ta' xi ammont monetarju u jkun hemm xi varjazzjonijiet grammatikali ta' kliem korrispondenti li jkunu jfissru s-singular, il-plural, il-maskil jew il-femminil, dawk il-kliem jistgħu wkoll jiġu mibdula, jekk dan ikollu jsir minhabba s-sens u minkejja li ma jinghad xejn fl-ordni li jemenda, sabiex jiġu interpretati bħala l-plural, is-singular, il-femminil jew il-maskil rispettivament kemm fl-ordni pubblikat f'xi lsien wiehed jew fiż-żewġ ilsna, kemm fil-liġijiet jew regolamenti, jekk ikun hemm, fil-verżjoni fl-ilsien l-iehor li ma jkunx dak li jkun ġie pubblikat.

5. Il-Ministru jista' jahtar lil xi Awtorità waħda jew aktar Awtoritajiet f'Malta biex jiżguraw konformità ma' dan l-Att u, jew jinvestiga xi ksur ta' dan l-Att u jistgħu jiġu hekk imsemmija awtoritajiet differenti għal għanijiet jew oqsma ta' applikazzjoni differenti ta' dan l-Att.

Delegazzjoni ta'  
Awtorità.

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Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 421 tad-19 ta' Lulju, 2006.

ANTON TABONE  
*Speaker*

RICHARD J. CAUCHI  
*Skriivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

EDWARD FENECH ADAMI  
President

25th July, 2006

**ACT No. X of 2006**

*AN ACT to provide for measures connected with and ancillary to the adoption of the euro as the currency unit of Malta*

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:-

**PART I**

**Preliminary**

Title and commencement.

**1.** (1) The title of this Act is the Euro Adoption Act, 2006.

(2) This Act shall come into force on such date as the Minister may appoint by notice in the Gazette, and different dates may be so appointed for different provisions and different purposes of the Act.

Interpretation.

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

“Authority” or “Authorities” means any government department or entity, any public officer or employee within any government department or entity or any body established by law which the Prime Minister may designate from time to time for any one or more purposes of this Act;

“euro” means the currency unit of the European Union as defined in Council Regulation (EC) 974/98 of the 3 May 1998 on the introduction of the euro;

“Minister” means the Minister responsible for Finance;

“prescribe” means prescribe by order or by regulations made under this Act;

“regulations” includes an order made under this Act;

“Statute” means the Protocol on the Statute of the European System of Central Banks and of the European Central Bank annexed to the Treaty;

“the Treaty” has the same meaning assigned to it by the European Union Act.

## PART II

### Powers of the Minister

**3.** (1) The Minister may make regulations for facilitating the adoption of the euro and generally for the purpose of carrying into operation any of the provisions of this Act and of the Treaty and the Statute in respect of the adoption of the euro, and in particular, but without prejudice to the generality of the foregoing, the Minister may make regulations:

Power to make regulations.

(i) to prescribe a period or periods where it shall be mandatory to display prices both in euro and in Maltese lira;

(ii) to regulate the display of prices, and the conversion of amounts appearing in invoices, receipts, statements and other similar documents, in euro at any time when the euro is not yet the currency of Malta;

(iii) to limit or prohibit the imposition of charges for converting Maltese lira into euro;

(iv) to provide for the conversion of the value of shares and equity securities in companies and in other legal persons into euro;

(v) to provide for administrative procedures, penalties and, or fines, including daily fines for as long as the act or omission persists, in case of infringement of provisions or regulations made

under this Act and to designate the Authority or Authorities that shall be entitled to conduct the said procedures and impose the said penalties or fines:

Provided that in prescribing administrative penalties and, or fines in any regulations made under this Act, the Minister:

(a) shall in all cases provide for the right to be heard to be respected before any administrative penalty and, or fine is imposed;

(b) shall not prescribe any administrative fine that is less than three hundred liri or exceeds one thousand five hundred liri for any administrative infringement that may be prescribed and an administrative fine of not less than thirty five liri and not exceeding two hundred liri for each day during which such administrative infringement persists after notice of the said infringement has been given to the person accused of or found to have committed such infringement, as such regulations may prescribe;

(c) shall not provide for the suspension of any trading or other licence as an administrative penalty for a period in excess of fifteen days;

(d) shall in all cases, and without prejudice to the right of the Minister to reconsider the imposition of any administrative fine or penalty, provide for a right of appeal from the decision to impose an administrative penalty and, or fine to the Court of Appeal (Inferior Jurisdiction) as constituted in terms of article 41(6) of the Code of Organization and Civil Procedure subject to such procedures and fees as the Minister may prescribe;

(e) may provide for the enforcement pending appeal of any administrative penalty and, or fine subject to the power of the Court of Appeal (Inferior Jurisdiction) to suspend or vary the conditions of such enforcement;

(f) may provide that an administrative fine imposed in terms of regulations made under this Act shall constitute an executive title for all the effects and the purposes of any law;

(g) may provide for powers of search and entry into premises, for powers to demand information and for obligations to give demanded information and for the

imposition, where he deems appropriate, of obligations of confidentiality in respect of information obtained;

(h) may provide for the issuing of orders for the purpose of ensuring compliance with the provisions of this Act or of any regulations made thereunder;

(i) may provide for periods of prescription in respect of administrative offences against this Act or any regulations made thereunder which may not exceed two years;

(vi) to comply with any regulation, directive, decision, recommendation or other act or direction of the European Union in respect of the euro currency;

(vii) to implement any international obligation of Malta or any international obligation which Malta intends to assume in respect of the euro currency;

(viii) to provide on any other matter related to the implementation, regulation or supervision of euro adoption.

**4.** (1) Without prejudice to the provisions of the European Union Act the Prime Minister may, for the purpose of ensuring that any other law properly reflects the adoption of the euro as the currency of Malta and that Malta's Treaty and international obligations related to, or arising out of the adoption of the euro as the currency of Malta are implemented, by order prescribe that any other law be amended for the said purposes and that such amendment shall have effect immediately subject to the provisions of article 11 of the Interpretation Act which shall apply to any such order.

Power to amend laws.

(2) Orders made in relation to the amendment of primary laws and subsidiary legislation for the conversion of monetary amounts from the Maltese lira to the euro may be made in the Maltese language only, or in the English language only where any such legislation or schedule thereof is published in the English language only.

(3) In this article the term "monetary amounts" includes an amount specified in numerals, words or symbols or in a combination of numerals, words and symbols, howsoever expressed in the amending order even if they appear in a different manner than in the primary or subsidiary legislation.

(4) When in referring to any conversion of a monetary amount there are corresponding grammatical variations of words

importing the singular, the plural, the masculine or the feminine, such words may also be altered, if the sense so requires and notwithstanding nothing being said in the amending order, so as to be interpreted as the plural, the singular, the feminine or the masculine respectively both in the order published in any one or both languages, and in the laws and regulations, if any, in the language version other than that which shall have been published.

Delegation of  
Authority.

**5.** The Minister may designate one or more Authorities in Malta to ensure compliance with this Act and, or investigate any infringement of this Act and different authorities may be designated for different purposes or fields of application of this Act.

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Passed by the House of Representatives at Sitting No. 421 of 19th July, 2006.

ANTON TABONE  
*Speaker*

RICHARD J. CAUCHI  
*Clerk to the House of Representatives*