

ATT TA' L-2003 DWAR L-ILSIEN MALTI

Arrangament ta' l-Att

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SKEDA

Lista ta' Għaqdiet tal-Malti

Naghti l-kunsens tieghi.

(L.S.)

EDWARD FENECH ADAMI
President

20 ta' Lulju, 2004

ATT Nru. V ta' l-2004

ATT li jwaqqaf il-Kunsill Nazzjonali ta' l-Ilsien Malti biex jippromwovi l-Ilsien nazzjonali ta' Malta u jipprovdi l-għodda meħtieġa għat-twettiq ta' dan il-għan.

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

Titolu fil-qosor u bidu fis-sehh.

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att ta' l-2004 dwar l-Ilsien Malti.

(2) Dan l-Att għandu jibda jsehh f'dik id-data li l-Ministru responsabbli għall-edukazzjoni jista' b'avviż fil-Gazzetta jstabbilixxi, u dati differenti jistgħu jiġu hekk stabbiliti għal dispożizzjonijiet differenti u għal għanijiet differenti ta' dan l-Att.

Tifsir.

2. F'dan l-Att, kemm-il darba l-kuntest ma jeħtieġx xorta oħra –

“L-Akkademja” tfisser l-Akkademja tal-Malti magħrufa qabel bhala l-Għaqda tal-Kittieba tal-Malti li twaqqfet fl-14 ta' Novembru 1920;

“Direttur Eżekuttiv” ifisser il-persuna mahtura taht l-artikolu 12;

“Kumitat” jew “Kumitati” tfisser dak il-Kumitat jew Kumitati Tekniċi mahtur taht l-artikolu 8;

“Kummissjoni” tfisser il-Kummissjoni Teknika mwaqqfa bl-artikolu 7;

“Kunsill” tfisser il-Kunsill Nazzjonali ta’ l-Ilsien Malti mwaqqaf bl-artikolu 4;

“l-Ilsien Malti” tfisser l-Ilsien nazzjonali kif preskritt bl-artikolu 5 tal-Kostituzzjoni ta’ Malta;

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

“organi tal-Kunsill” tinkludi l-Kummissjoni u l-Kumitati;

“ortografija” tfisser l-ortografija ta’ l-Ilsien Malti bhala sistema standard tal-kitba fl-użu ta’ kuljum, imwaqqfa u aġġornata mill-Akkademja tal-Malti u kif imfissra fid-dokumenti: *Tagħrif fuq il-Kitba Maltija* maħruġ mill-Għaqda tal-Kittieba tal-Malti fis-sena 1924; *Żieda mat-Tagħrif* maħruġ fir-rivista ta’ l-Akkademja “Il-Malti”, fl-1984; u *Aġġornament tat-Tagħrif fuq il-Kitba Maltija*, maħruġ fir-rivista ta’ l-Akkademja “Il-Malti” fl-1992, u kif soġġetta għall-provvediment ta’ l-artikolu 5 (2);

“Politika Lingwistika” tfisser korp ta’ linji ta’ gwida biex jinfluwenzaw l-imġiba lingwistika ta’ poplu;

“preskritt” tfisser preskritt b’regolamenti magħmulin mill-Ministru taht id-dispożizzjonijiet ta’ dan l-Att;

“uffiċjal pubbliku” għandha l-istess tifsira bhal fl-artikolu 124 tal-Kostituzzjoni;

“sena finanzjarja” tfisser il-perjodu ta’ tnax-il xahar li jagħlaq fil-31 ta’ Diċembru ta’ kull sena:

Iżda l-ewwel sena finanzjarja tal-Kunsill tibda mad-dhul fis-sehh ta’ dan l-Att u tagħlaq fil-31 ta’ Diċembru tas-sena li tiġi minnufih wara;

“Università” tfisser l-Università ta’ Malta msemmija fl-artikolu 28 ta’ l-Att dwar l-Edukazzjoni, Kap. 327.

Prinċipji u dmirijiet.

3. (1) (a) Il-Malti huwa l-ilsien ta' Malta u element ewlieni ta' l-identità nazzjonali tal-Maltin.

(b) L-Ilsien Malti huwa parti essenzjali mill-wirt nazzjonali, li jiġġedded ta' kuljum fuq fomm il-Maltin, li jagħżel lill-poplu Malti minn kull poplu iehor u li jagħti lill-istess poplu l-aqwa mezz għall-espressjoni.

(c) L-Istat Malti jagħraf fl-Ilsien Malti espressjoni qawwija tan-nazzjonalità tal-Maltin, u għalhekk jagħtih l-għarfien xieraq u mehtieg kollu billi jagħraf l-importanza tiegħu fil-prinċipju u fil-prattika, u jgħasses biex dan l-ilsien ma jithassarx u ma jintilifx.

(d) L-Istat Malti għandu jipprovdi biex l-istudju ta' l-Ilsien Malti fil-manifestazzjonijiet lingwistiċi, letterarji u kulturali tiegħu jingħata dejjem importanza prijoritarja fl-iskejjel, kemm dawk statali kif ukoll dawk li m'humiex, sa mis-snin bikrin tat-tagħlim taċ-ċittadini Maltin kollha.

(e) L-Istat Malti jippromwovi b'kull mezz possibbli l-akbar użu ta' l-Ilsien Malti fl-edukazzjoni, fix-xandir u fl-istampa, fil-qrati, u fil-hajja politika, amministrattiva, ekonomika, soċjali u kulturali.

(f) L-Istat Malti għandu jkun minn ta' quddiem biex johloq l-opportunitajiet kollha possibbli għall-iżvilupp ta' l-Ilsien Nazzjonali u jara li jkollu d-dinjità li tixraqlu bhala tali.

(g) L-Istat Malti jagħraf l-importanza li fil-qafas tal-firxa tal-poplu Malti fid-dinja, l-Ilsien Malti jibqa' magħruf u jservi bhala mezz ta' rabta bejn il-Maltin.

(2) Id-dispożizzjonijiet ta' dan l-Artikolu m'humiex esegwibbli f'xi qorti tal-ġustizzja; madankollu l-prinċipji li jinsabu fihom huma fundamentali għall-harsien ta' l-Ilsien Malti u tkun il-mira ta' l-Istat li japplikahom u jimxi fuqhom.

TAQSIMA II

IL-KUNSILL, L-ORGANI TIEGħU U T-TMEXXIJA TAGħHOM

Twaqqif tal-Kunsill Nazzjonali ta' l-Ilsien Malti.

4. (1) Ikun hemm korp, li jkun magħruf bhala l-Kunsill Nazzjonali ta' l-Ilsien Malti, bil-ghan li jadotta u jipromwovi politika u strategija lingwistika xierqa u li jara li dawn jitwettqu u jiġu osservati

f'kull qasam tal-hajja Maltija, għall-ġid u l-iżvilupp ta' l-Ilsien nazzjonali u l-identità tal-poplu Malti.

(2) Il-Kunsill għandu jkun magħmul minn hdax-il membru kif ġej: Kompożizzjoni tal-Kunsill.

(a) President mahtur mill-Prim Ministru u magħżul minn fost persuni stabbiliti u kwalifikati fl-istudju tal-Malti u li jiġu rakkomandati mill-Akkademja tal-Malti u mid-Dipartiment tal-Malti fl-Università;

(b) żewġ persuni mahtura mill-Prim Ministru minn persuni nominati minn u minn fost il-membri tal-Kummissjoni Teknika:

Izda sakemm il-Kunsill jahtar il-Kummissjoni Teknika l-Prim Ministru jista' taht dan il-paragrafu jahtar żewġ persuni li hu jidhirlu idoneji;

(c) tliet persuni li jirrapprezentaw rispettivament lil u nominati mill-Akkademja, id-Dipartiment tal-Malti fl-Università, u l-Istitut tal-Lingwistika fl-Università;

(d) rappreżentant tad-Divizjoni ta' l-Edukazzjoni li ġej mill-qasam tal-Kurrikulu Nazzjonali nominat mill-Ministru;

(e) rappreżentant tal-Kunsill Malti għall-Kultura u l-Arti nominat mill-Kunsill;

(f) l-Avukat ġenerali jew rappreżentant tiegħu, liema rappreżentant ikun persuna esperta u involuta fit-tifsil u t-traduzzjoni tal-leġislazzjoni;

(g) rappreżentant elett skond kif jiġi preskritt minn u minn fost il-membri tal-Kumitati ta' l-Għaqdiet tal-Malti li huma mnizzla fl-Ewwel Skeda ta' dan l-Att;

(h) rappreżentant ta' l-Istitut tal-Ġurnalisti Maltin.

(3) Wiehed mill-membri l-oħra tal-Kunsill imsemmija fis-subartikolu (2) ta' dan l-artikolu għandu jinhatar mill-Prim Ministru bhala Vici-President tal-Kunsill biex jippresiedi hu f'kull assenza tal-President.

Personalità ġuridika
u rappreżentanza
tal-Kunsill.

(4) Il-Kunsill ikun korp magħqud b'personalità legali distinta u jkun kapaċi, bla hsara għad-dispożizzjonijiet ta' dan l-Att, jagħmel kuntratti, jakkwista u jiddisponi minn kull xorta ta' proprjetà għall-finijiet tal-funzjonijiet tiegħu, li jharrek u jiġi mharrek, u li jagħmel dak kollu u li jidhol f'dawk l-operazzjonijiet kollha hekk kif inhuma inċidentali jew iwasslu għall-eżerċizzju jew il-qadi tal-funzjonijiet tiegħu taht dan l-Att, inkluż li jislef jew jissellef flus.

(5) Ir-rappreżentanza legali tal-Kunsill għandha tkun fil-President u fid-Direttur Eżekuttiv flimkien:

Iżda l-Kunsill jista' jahtar lil xi wiehed jew aktar mill-membri jew l-uffiċjali jew l-impjegati tiegħu biex jidhru f'isem il-Kunsill fi proċedimenti ġudizzjarji u fuq kull att, kuntratt, strument jew dokument ieħor li jkun.

(6) Kull dokument magħmul jew mahruġ mill-Kunsill u ffirmat mill-President, jew mahruġ mid-Direttur Eżekuttiv u ffirmat minnu, jista' jinġieb bi prova u għandu, sakemm ma jiġix ippruvat il-kuntrarju, jintqies bħala strument magħmul jew mahruġ mill-Kunsill jew mid-Direttur Eżekuttiv.

Funzjonijiet tal-
Kunsill.

5. (1) Tkun il-funzjoni u jkun id-dmir tal-Kunsill li jippromwovi l-Ilsien Malti kemm f'Malta kif ukoll barra minn Malta billi jahdem bis-shih biex iqanqal għarfien u rispett għall-prinċipji msemmija fl-artikolu 3 ta' dan l-Att.

(2) Il-Kunsill għandu wkoll jagħmel kull aġġornament li jkun mehtieg fl-ortografija ta' l-Ilsien Malti, u minn żmien għal ieħor, skond il-htieġa, jistabbilixxi l-mod kif għandu jinkiteb il-kliem ġdid fil-Malti u l-kitba korretta ta' kliem u frażijiet li jidhlu fil-Malti minn ilsna oħra.

(3) Fil-qadi tal-funzjonijiet u d-dmirijiet tiegħu l-Kunsill għandu –

(a) jiżviluppa, jimmotiva u jtejjeb l-għarfien u l-espressjoni ta' l-Ilsien Malti;

(b) jippromwovi l-iżvilupp dinamiku ta' dawk il-karatteristiċi lingwistiċi li jidentifikaw lill-poplu Malti;

(c) b'konsultazzjoni ma' l-organi mwaqqfa b'dan l-Att, jadotta politika, pjan u strateġija lingwistika xierqa u jara li dawn ikunu mwettqa u osservati f'kull qasam tal-hajja Maltija;

(d) jara li l-politika lingwistika deċiża mill-Kummissjoni titqiegħed fil-prattika billi jiżgura l-implimentazzjoni effettiva u fidila tagħha;

(e) jivvaluta u jikkoordina x-xogħol li jsir minn għaqdiet u individwi fil-kamp ta' l-ilsien Malti u jrawwem atmosfera ta' kooperazzjoni bi pjan miftiehem;

(f) jiġbed l-attenzjoni ta' kull min jista' jikkontribwixxi fl-iżvilupp tal-Malti għall-hidma biex titwettagħ il-politika lingwistika u, fejn ikun meħtieġ, jagħti parir lill-Ministru biex jikkommissjona xogħol meħtieġ;

(g) ifittex riżorsi finanzjarji li jistgħu jingabru lokalment u minn barra biex ikun jista' jsaħħah l-attività tiegħu, u b'mod speċjali daww ir-riżorsi li diġà huma aċċessibbli minn organizzazzjonijiet lokali u internazzjonali għal skopijiet ta' riċerka, promozzjoni ta' l-ilsna mitkellma minn popli żgħar, u proġetti oħra ta' skambji ta' esperti u studjużi;

(h) jikkoopera ma' persuni, korpi u organizzazzjonijiet fl-oqsma diversi tal-hajja biex iżid u jkabbar l-għarfien u l-apprezzament ta' attivitajiet lingwistiċi u kulturali b'riżq l-ilsien Malti;

(i) iwaqqaf Ċentru Nazzjonali ta' l-ilsien Malti li, minbarra li jservi bħala s-*sede* tal-Kunsill, joffri riżorsi stampati u awdjovizivi meħtieġa lill-membri ta' l-għaqdiet tal-Malti, istituzzjonijiet u persuni oħra interessati;

(j) jiżgura aċċess sħiħ għal statistika u informazzjoni disponibbli għall-użu tal-Kunsill u l-organi tiegħu fil-qadi ta' dmiriethom taħt dan l-Att.

(4) Il-Kunsill għandu johloq u jzomm kuntatti regolari u frekwenti ma' għaqdiet lokali, nazzjonali u internazzjonali li jkollhom funzjonijiet tal-Kunsill, u magħhom jistabilixxi skambji ta' ideat u riżorsi.

6. (1) Bla hsara għal kull setgħa tal-Prim Ministru u tal-Ministru, kull inizjattiva meħuda taħt ta' dan l-Att għandha tkun soġġetta għad-deċiżjoni tal-Kunsill:

Poteri tal-Kunsill.

Iżda fi kwistjonijiet ta' natura lingwistika tekniko-xjentifika, b'mod partikulari fit-tweqqig tal-funzjoni tiegħu taht is-subartikolu (2) ta' l-artikolu 5 il-Kunsill għandu jaġixxi fuq il-parir tal-Kummissjoni:

Iżda wkoll, f'każ ta' nuqqas ta' qbil mal-Kummissjoni dwar deċiżjonijiet ta' natura lingwistika tekniko-xjentifika, il-Kunsill għandu l-jedd li ma jaċċettax il-pożizzjoni tal-Kummissjoni, għalkemm m'għandux dritt ibiddilha. Il-Kunsill iżda għandu f'dan il-każ jaġi lill-Kummissjoni r-reazzjonijiet tiegħu bil-miktub fi żmien erba' gimghat mid-data tad-deċiżjoni tiegħu.

(2) Id-deċiżjonijiet dwar il-kwistjonijiet ta' natura lingwistika tekniko-xjentifika msemmin fis-subartikoli preċedenti għandhom jidhlu fis-sehh bis-sahha ta' avviz pubblikat mill-Kunsill fil-Gazzetta.

Kummissjoni
Teknika.

7. (1) Il-Kunsill għandu jahtar Kummissjoni Teknika li tkun magħmula kif ġej -

(a) minn president; u

(b) mill-Kapijiet tal-Kumitati Tekniċi mwaqqfa bl-artikolu 8 ta' dan l-Att.

(2) Id-Direttur Eżekuttiv ikun is-Segretarju tal-Kummissjoni mingħajr jedd għall-vot.

Funzjonijiet tal-
Kummissjoni.

(3) Il-Kummissjoni għandha -

(a) tosserva, tanalizza u tiżen il-qagħda ta' l-Ilsien Malti fid-dawl tas-sitwazzjoni lingwistika ta' Malta;

(b) tfassal il-politika lingwistika u tirrakkomandaha lill-Kunsill;

(ċ) tinkoraġġixxi maturazzjoni fl-istudju dwar il-panifikazzjoni lingwistika b'korsijiet addattati fl-edukazzjoni għolja, kif ukoll permezz ta' boroż ta' studju lil zghażaġh promettenti, żjarat ta' panifikaturi barranin u l-holqien ta' librerija speċjalizzata dwar is-suġġett.

Kumitati Tekniċi.

8. (1) Il-Kunsill għandu jahtar Kumitati Tekniċi f'oqsma ta' speċjalizzazzjoni skond kemm ikun meħtieġ u għandu jiddefinixxi t-termini tal-hidma tagħhom.

(2) Kull Kumitat ikun organu konsultattiv għad-diskussjoni tal-politika lingwistika li għandha tiġi adottata f'oqsma speċjalizzati, bħalma huma t-terminoloġija partikulari, traduzzjoni, il-media, ir-riċerka

lingwistika, l-ortografija, il-letteratura u l-iżvilupp tal-Malti fl-informatika, u għandu jkun magħmul minn:

(a) Kap tal-Kumitat li jkun studjuż speċjalizzat fil-qasam partikulari, propost minn fost persuni kwalifikati rakkomandati mill-Akkademja tal-Malti u mid-Dipartiment tal-Malti fl-Università, bl-għażla tal-persuna f'idejn il-Kunsill;

(b) speċjalista propost mill-Kummissjoni fuq parir tal-Kap tal-Kumitat konċernat;

(ċ) żewġ membri magħzula għall-kontribut tagħhom fil-qasam partikulari tal-hajja li għalih ikun twaqqaf il-Kumitat propost mill-Kummissjoni fuq parir tal-Kap tal-Kumitat.

(3) Il-Kumitat jista' jikkooptja persuni oħra bħala membri osservaturi bid-dritt li jattendu u jiehdu sehem fid-diskussjoni iżda mingħajr dritt għall-vot.

(4) Kull Kumitat għandu:

Funzjonijiet tal-Kumitat.

(a) josserva l-qagħda ta' l-Ilsien Malti, jiddiskuti l-miżuri meħtieġa għall-iżvilupp tiegħu, u jfassal il-politika lingwistika fil-qasam partikulari tiegħu;

(b) jagħti l-fehma tiegħu lill-Kummissjoni dwar kwistjonijiet marbuta mal-qasam partikulari li għalih ikun twaqqaf.

9. (1) Il-Membri tal-Kunsill u ta' l-organi tiegħu jinhatru, jiġu nominati jew eletti għal tliet snin, imma l-membri li jiġu hekk mahtura, nominati u eletti jkunu eligibbli biex jinhatru, jiġu nominati jew eletti mill-ġdid meta jiskadi ż-żmien tagħhom fil-kariga.

Provvedimenti komuni għall-Kunsill u l-organi tiegħu.

(2) Persuna ma tkunx kwalifikata li tkun membru tal-Kunsill jew ta' xi wiehed mill-organi tiegħu jekk –

(a) tkun Ministru, Segretarju Parlamentari jew Membru tal-Kamra tad-Deputati; jew

(b) tkun Imhalled jew Magistrat.

(3) Bla hsara għad-dispożizzjonijiet ta' dan l-artikolu, il-kariga ta' membru tal-Kunsill jew ta' xi wiehed mill-organi tiegħu ssir vakanti:–

(i) meta jiskadi ż-żmien tiegħu fil-kariga, jew

(ii) jekk ikun hemm ċirkustanzi illi, li kieku ma kienx membru tal-Kunsill, kienu jwasslu għall-iskwalifika tiegħu milli jinhatar bhala tali, jew

(iii) jekk jirriżenja mill-Kunsill jew minn xi wiehed mill-organi tiegħu permezz ta' ittra indirizzata lill-awtorità kompetenti li tkun hatritu taht dan l-Att, jew

(iv) jekk konsistentement juri nuqqas ta' interess fil-hidma u l-laqghat tal-Kunsill jew l-organi tiegħu.

(4) Jekk membru jirriżenja jew jekk il-kariga ta' membru tal-Kunsill tkun xorta ohra vakanti jew jekk membru ma jkunx jista' għal xi raġuni jaqdi l-funzjonijiet tal-kariga tiegħu, l-awtorità kompetenti li tkun hatritu taht dan l-Att tista' tahtar persuna ohra bhala membru minflok fil-Kunsill jew fl-organu fejn il-post tiegħu jkun gie vakat.

(5) Membru tal-Kunsill li jkollu xi interess dirett jew indirett f'xi kuntratt magħmul jew propost li jiġi magħmul mill-Kunsill, li ma jkunx interess li jiskwalifika lil dak il-membru milli jibqa' membru, għandu jistqarr ix-xorta ta' l-interess tiegħu fl-ewwel seduta tal-Kunsill wara li jkun sar jaf bil-fatti relevanti. Din l-istqarrija għandha mbagħhad tiġi reġistrata fil-minuti tal-Kunsill, u l-membru li jkollu interess kif hawn qabel imsemmi għandu jirtira minn kull seduta li fiha jiġi diskuss dak il-kuntratt. Tali stqarrija għandha titwassal lill-Ministru mingħajr dewmien. Meta l-interess tal-membru jkun tali li jiskwalifikah milli jibqa' membru, huwa għandu jirrapporta l-fatt minnufih lill-Ministru u jagħti r-riżenja tiegħu.

Dispożizzjonijiet
dwar proċedimenti
tal-Kunsill u ta' l-
organi tiegħu.

10. (1) Il-Kunsill jew l-organi tiegħu għandhom jiltaqgħu daqstant drabi daqskemm mehtieg fuq sejha tal-president rispettiv tagħhom jew fuq talba ta' tnejn mill-membri l-ohra.

(2) Nofs l-ghadd u wiehed tal-membri li f'dak iż-żmien ikunu jikkostitwixxu l-Kunsill jew xi organu tiegħu jiffurmaw kworum.

(3) Id-deċiżjonijiet tal-Kunsill u l-organi tiegħu jittiehdu b'maġġoranza sempliċi tal-voti tal-membri preżenti u li jivvutaw:

Iżda deċiżjonijiet ta' natura tekniko-xjentifika lingwistika jittiehdu biss mill-Kunsill b'maġġoranza assoluta tal-membri, mill-Kummissjoni b'maġġoranza ta' żewġ terzi tal-membri, u mill-Kumitat b'maġġoranza ta' tliet kwarti tal-membri rispettivi.

(4) Il-president tal-Kunsill, jew ta' l-organi tieghu, jew fl-assenza tal-President tal-Kunsill il-Viċi-President, jew min jinhatar biex jagħmilha ta' president, ikollu vot oriġinali u fil-każ ta' egwaljanza ta' voti, vot deċiżiv.

(5) Minghajr preġudizzju għall-htigiet l-oħra ta' dan l-Att, ebda deċiżjoni tal-Kunsill ma tkun valida jekk ma tkunx mill-anqas appoġġjata minn tliet membri tal-Kunsill.

(6) Il-Kunsill jew xi organu tieghu jista' minn żmien għal iehor jistieden persuna tattendi għal xi seduta waħda jew aktar tieghu sabiex tagħti parir espert dwar xi haġa li jista' jkun qed jiddiskuti:

Iżda dik il-persuna għandha tkun mistiedna biss għal għadd limitat ta' seduti u f'dak li għandu x'jaqsam ma' xi suġġett speċifiku u minghajr ebda dritt għall-vot.

(7) Bla hsara għad-dispożizzjonijiet ta' dan l-Att u ta' xi regolamenti li jistgħu jiġu magħmula bis-saħħa tieghu, il-Kunsill u l-organi tieghu għandhom jirregolaw il-proċeduri tagħhom infushom.

(8) Bla hsara għad-dispożizzjonijiet imsemmija qabel f'dan l-artikolu, ebda att jew proċediment tal-Kunsill jew ta' xi organu tieghu m'għandu jkun invalidat unikament minhabba fl-eżistenza ta' xi vakanza fost il-membri.

(9) Kull att magħmul minn persuna li taġixxi bonafidi bhala membru tal-Kunsill jew ta' xi organu tieghu jkun validu bhallikieku kien membru minkejja li wara jiġi skopert xi difett fil-hatra jew kwalifiki tieghu.

11. (1) Il-Ministru għandu, darba kull tliet snin, ilaqqaq Forum Nazzjonali għall-Ilsien Malti, fejn jistieden il-partecipazzjoni tal-Kunsill, ta' l-organi tieghu, ta' l-Università, l-Akkademja u l-għaqdiet l-oħra tal-Malti, dipartimenti u entitajiet oħra tal-Gvern, rappreżentanti tal-Kunsilli Lokali, għaqdiet mhux governattivi, istituzzjonijiet edukattivi, kulturali u artistici sew pubbliċi sew privati, kif ukoll rappreżentanti tal-mezzi ta' komunikazzjoni awdjoviziva, u kull parti oħra li turi bil-miktub lill-Ministru li għandha interess. Forum Nazzjonali.

(2) Il-Forum għandu jiddiskuti l-politika nazzjonali dwar l-Ilsien Malti kif tkun fis-seħh minn żmien għal iehor, kif ukoll l-istat ta' l-Ilsien Malti b'mod ġenerali, wara li jisma' rapport dwar il-hidma tal-Kunsill u l-organi tieghu mhejji mid-Direttur Eżekuttiv.

(3) Il-Ministru ghandu jirregola l-proċeduri tal-Forum u jahtar il-President tiegħu.

(4) Il-proċedimenti tal-Forum ghandhom jiġu pubblikati u jintbagħtu lill-Ministru.

(5) Il-Ministru ghandu jagħti avviż pubbliku bil-quddiem mill-anqas xahar qabel ma jlaqqa' l-Forum.

Tmexxija ta' l-affarijiet tal-Kunsill u ta' l-organi tiegħu. Direttur Eżekuttiv.

12. (1) Bla hsara għad-dispożizzjonijiet l-oħra ta' dan l-Att, it-tmexxija ta' l-affarijiet u l-hidma tal-Kunsill jaqgħu taħt ir-responsabilità tal-Kunsill innifsu imma, hlief kif hawn qabel imsemmi, it-tmexxija eżekuttiva tal-Kunsill u l-organi tiegħu, l-amministrazzjoni u l-organizzazzjoni tagħhom u l-kontroll amministrattiv ta' l-uffiċjali u l-impjegati tagħhom, ikunu r-responsabilità ta' Direttur Eżekuttiv li jkollu wkoll dawk il-poteri l-oħra li jistgħu minn żmien għal iehor jiġu delegati lil mill-Kunsill.

(2) Id-Direttur Eżekuttiv ghandu jinhatar mill-Kunsill bi ftehim mal-Ministru għal perjodu ta' tliet snin u dak il-perjodu jista' jittawwal għal perjodi ulterjuri ta' tliet snin, soġġett għal twettiq ta' hidma sodisfaċenti:

Iżda l-ewwel Direttur Eżekuttiv jista' jinhatar mill-Ministru għal perjodu ta' tliet snin.

(3) Id-Direttur Eżekuttiv ghandu jattendi kull laqgħa tal-Kunsill iżda mingħajr jedd għall-vot:

Iżda l-Kunsill jista', jekk iqis xieraq, jitlob lid-Direttur Eżekuttiv biex ma jattendix għal xi seduta jew parti minn xi laqgħa.

(4) Id-Direttur Eżekuttiv ghandu, bla hsara għall-kontroll ġenerali u d-direzzjoni tal-Kunsill, ikun responsabbli għat-twettiq tal-funzjonijiet tal-Kunsill fl-eżerċizzju ta' dmirijietu u, mingħajr preġudizzju għall-ġeneralità ta' dak imsemmi hawn, huwa għandu -

(a) jassumi kull responsabilità għall-amministrazzjoni u l-organizzazzjoni u l-kontroll amministrattiv ta' l-uffiċjali u l-impjegati tal-Kunsill u l-organi tiegħu u, għal dak l-ghan, jassenja lil kull uffiċjal jew impjegat dawk id-dmirijiet li jistgħu jkunu meħtieġa;

(b) jiżviluppa l-istrategiji meħtieġa u jwettaq il-pjani tal-Kunsill;

(c) jaghti parir lill-Kunsill u l-organi tieghu fuq kull haġa li jistgħu jirreferulu jew fuq kull haġa li jqis li tkun mehtieġa jew spedjenti;

(d) ikun responsabbli għat-tfassil ta' pjan ta' hidma u għat-thejjija ta' l-estimi finanzjarji, għat-thaddim, dhul u hrug ta' fondi taht id-direzzjoni u bl-approvazzjoni tal-Kunsill u jzomm rekord dettaljat ta' kull dhul u hrug ta' fondi. Fit-thaddim tal-fondi u ż-żamma tar-rekords id-Direttur Eżekuttiv għandu josserva r-regolamenti finanzjarji tal-Gvern; u

(e) jaqdi dawk id-dmirijiet l-oħra li l-Kunsill jista' jassenjalu minn żmien għal iehor.

13. (1) Il-Ministru jista', minn żmien għal iehor, jagħti lill-Kunsill dawk id-direttivi bil-miktub li huwa jista' jqis mehtieġa dwar il-politika li għandha tiġi segwita mill-Kunsill fit-twettiq tal-funzjonijiet tiegħu, sakemm tali direttivi ma jkunux inkonsistenti mad-dispożizzjonijiet ta' dan l-Att, u l-Kunsill għandu, malajr kemm jista' jkun, iwettaq dawk id-direttivi kollha u jmessxi l-affarijiet tiegħu skond dawk id-direttivi.

Relazzjonijiet bejn il-Ministru u l-Kunsill.

(2) Il-Kunsill għandu jagħti lill-Ministru faċilitajiet għall-ksib ta' informazzjoni dwar il-proprjetà u l-attivitajiet tal-Kunsill u ta' l-organi tiegħu u jipprovdi prospettu, kontijiet u kull informazzjoni oħra f'dak ir-rigward, u jipprovdi kull faċilità għall-verifika ta' kull informazzjoni mogħtija, b'tali mod u f'dawk iż-żminijiet li huwa jista' jehtieġ.

TAQSIMA III

UFFIĊJALI U IMPJEGATI TAL-KUNSILL

14. Bla hsara għad-dispożizzjonijiet tal-Kostituzzjoni u ta' kull liġi oħra applikabbli għal dan, u mingħajr preġudizzju għad-dispożizzjonijiet l-oħra ta' dan l-Att, il-hatra ta' uffiċjali u impjegati oħra għall-qadi kif imiss u effiċjenti tal-funzjonijiet tal-Kunsill għandha ssir mill-Kunsill. Il-pattijiet u l-kundizzjonijiet ta' impjeg għandhom jiġu stabbiliti mill-Kunsill bi ftehim mal-Ministru fil-qafas ta' pattijiet u kundizzjonijiet applikabbli għall-impjegati fis-servizz pubbliku.

Hatriet ta' personal.

15. (1) Il-Prim Ministru jista', fuq talba tal-Kunsill, minn żmien għal iehor jordna li uffiċjal pubbliku jitqabbad jagħmel xogħol

Inkarigu ta' uffiċjali pubbliċi għal xogħol mal-Kunsill.

mal-Kunsill jew l-organi tiegħu f'dik il-kapaċità u b'seħh minn dik id-data li jistgħu jkunu speċifikati fl-ordni.

(2) Il-perjodu li matulu ordni kif imsemmija qabel tkun tapplika għal xi uffiċjal li jkun speċifikat fiha, għandu, kemm-il darba l-uffiċjal ma jirtirax mis-servizz pubbliku jew xorta oħra ma jibqax fil-kariga f'data li tiġi qabel, jew inkella għax tiġi speċifikata data differenti fl-ordni, jintemm mal-ġrajja ta' xi avveniment minn dawn li ġejjin, jiġifieri jekk:

(a) dak l-uffiċjal jaċċetta offerta ta' trasferiment għas-servizz tal-Kunsill u impjeg permanenti miegħu skond l-artikolu 17; jew

(b) il-Prim Ministru jirrevoka ordni magħmula minnu taħt dan l-artikolu għar-rigward ta' dak l-uffiċjal.

(3) Meta ordni kif imsemmija qabel tiġi revokata mill-Prim Ministru għar-rigward ta' xi uffiċjal, il-Prim Ministru jista' b'ordni ulterjuri jqabbd lil dak l-uffiċjal jagħmel xogħol mal-Kunsill f'dik il-kapaċità u b'seħh minn dik id-data li jistgħu jkunu speċifikati fl-ordni ulterjuri, u d-dispożizzjonijiet tas-subartikolu (2) għandhom, malli jiġri dan, ikunu japplikaw għall-perjodu ta' kemm iddum dik l-ordni ulterjuri għar-rigward ta' dak l-uffiċjal.

*Status ta' uffiċjali
pubbliċi inkarigati
jagħmlu xogħol
mal-Kunsill.*

16. (1) Meta uffiċjal pubbliku jitqabbd jagħmel xogħol mal-Kunsill taħt xi dispożizzjoni ta' l-artikolu 15, dak l-uffiċjal għandu, matul il-perjodu li fih dik l-ordni jkollha effett għar-rigward tiegħu, ikun taħt l-awtorità amministrattiva u l-kontroll tal-Kunsill imma huwa għandu għal kull għan u fini iehor jibqa' u jkun ikkunsidrat u ttrattat bħala uffiċjal pubbliku.

(2) Mingħajr preġudizzju għall-ġeneralità msemmija qabel, uffiċjal li jitqabbd jagħmel xogħol kif hawn qabel imsemmi -

(a) m'għandux matul il-perjodu li matulu huwa jkun hekk imqabbd -

(i) ikun prekluz mill-i applika għal trasferiment f'xi dipartiment tal-Gvern skond il-pattijiet u l-kundizzjonijiet ta' servizz marbuta mal-hatra taħt il-Gvern li kellu fid-data li fiha huwa hekk jitqabbd jagħmel ix-xogħol; jew

(ii) ikun hekk impjegat li r-remunerazzjoni u l-kundizzjonijiet tas-servizz tiegħu jkunu inqas favorevoli minn dawk li jkunu marbutin mal-hatra taħt il-Gvern u li jkun qed

igawdi fid-data msemija qabel jew li kieku kienu jkunu marbuta ma' dik il-hatra, matul dak il-perjodu, li kieku dak l-ufficjal ma kienx tqabbad jagħmel xogħol mal-Kunsill; u

(b) ikollu jedd li s-servizz tieghu mal-Kunsill jiġi kkunsidrat bhala servizz mal-Gvern għall-finijiet ta' pensjoni, gratwità, jew benefiċċju taħt l-Ordinanza dwar il-Pensjonijiet u l-Att dwar il-Pensjoni tar-Romol u l-Orfni, u ta' kull dritt jew privileġġ iehor li kien ikollu jedd għalih, u jkun responsabbli għal dak kollu li jista' jkun responsabbli għalih, li kieku ma tqabbadx jagħmel xogħol mal-Kunsill.

Kap. 93.

Kap. 58.

(3) Meta ssir applikazzjoni kif hemm provdut fis-subartikolu (2)(a)(i) ta' dan l-Artikolu għandha tingħatalha l-istess kunsiderazzjoni bħallikieku l-applikant ma kienx ġie mqabbad jagħmel servizz mal-Kunsill.

(4) Il-Kunsill għandu jhallas lill-Gvern dawk il-kontribuzzjonijiet li jistghu minn żmien għal iehor jiġu stabbiliti bhala pensjoni u gratwità li jista' jaqla' ufficjal li jitqabbad jagħmel xogħol mal-Kunsill kif imsemmi qabel matul il-perjodu li fih ikun qed jagħmel dak ix-xogħol.

17. (1) Il-Kunsill jista', bl-approvazzjoni tal-Prim Ministru, joffri lil ufficjal, li jkun imqabbad jagħmel xogħol mal-Kunsill taħt id-dispożizzjonijiet ta' l-artikolu 15, impjieg permanenti mal-Kunsill b'dik ir-remunerazzjoni u b'dawk il-pattijiet u l-kundizzjonijiet li ma jkunux inqas favorevoli minn dawk li dak l-ufficjal ikun qed igawdi fid-data ta' dik l-offerta.

Offerta ta' impjieg permanenti mal-Kunsill lil ufficjali pubblici inkarigati jagħmlu xogħol mal-Kunsill.

(2) Il-pattijiet u l-kundizzjonijiet kompriżi f'xi offerta magħmula kif imsemmi qabel m'għandhomx jintqiesu li jkunu inqas favorevoli unikament għaliex dawn ma jkunux f'kull rigward identici ma' jew ahjar minn dawk li l-ufficjal involut ikun qed igawdi fid-data ta' dik l-offerta, jekk dawk il-pattijiet u l-kundizzjonijiet, meħudin ilkoll flimkien, ikunu fil-fehma tal-Prim Ministru joffru benefiċċji sostanzjalment ekwivalenti jew ahjar.

(3) Kull ufficjal pubbliku li jaċċetta impjieg permanenti li jiġi offrut lilu mal-Kunsill, taħt id-dispożizzjonijiet tas-subartikolu (1) ta' dan l-Artikolu, għandu għall-finijiet kollha li ma jkunux dawk ta' l-Ordinanza dwar il-Pensjonijiet u l-Att dwar il-Pensjonijiet tar-Romol u l-Orfni, u bla hsara għad-dispożizzjonijiet tas-subartikolu (6), jispiċċa mis-servizz mal-Gvern u jidhol fis-servizz mal-Kunsill fid-data minn meta jaċċetta, u għall-finijiet ta' dik l-Ordinanza u ta' dak l-Att, daqskemm dawn ikunu applikabbli għalih, servizz mal-Kunsill għandu

Kap. 93.

Kap. 58.

jitqies bhala servizz mal-Gvern fil-parametri tat-tifsiriet relattivi rispettivament.

(4) Kull uffiċjal bhal dak imsemmi qabel li, minnufih qabel ma jaċċetta impjieg permanenti mal-Kunsill kellu jedd ghal benefiċċju taht l-Ordinanza dwar il-Pensjonijiet jew l-Att dwar il-Pensjoni tar-Romol u l-Orfni, ikompli jkollu dak il-jedd ghal benefiċċju taht dik l-Ordinanza u dak l-Att ghal kull fini bhallikieku s-servizz tiegħu mal-Kunsill kien servizz mal-Gvern.

(5) Il-Kunsill ghandu jhallas lill-Gvern dawk il-kontribuzzjonijiet li jistgħu minn żmien għal iehor jiġu stabbiliti mill-Ministru responsabbli għall-finanzi dwar in-nefqa ta' pensjonijiet u gratwitajiet li jaqla' uffiċjal li jkun aċċetta impjieg permanenti mal-Kunsill kif hawn qabel imsemmi matul il-perjodu li jibda għaddej mid-data minn meta dak l-uffiċjal ikun aċċetta.

(6) (a) Għall-ghanijiet ta' l-Ordinanza dwar il-Pensjonijiet, l-emolumenti pensjonabbli ta' dak l-uffiċjal pubbliku li jaċċetta impjieg mal-Kunsill meta jirtira għandhom jitqiesu li jkunu l-emolumenti pensjonabbli li jithallsu lil xi uffiċjal fis-servizz tal-Gvern fi grad u f'livell inkrementali li jikkorrispondu għall-kariga li jkollu l-uffiċjal meta jirtira minn mal-Kunsill.

(b) Għall-ghanijiet tal-paragrafu preċedenti, il-karigi u l-gradji salarjali ta' uffiċjal pubbliku li jaċċetta impjieg mal-Kunsill għandhom ikunu klassifikati kemm jista' jkun b'mod korrispondenti għall-gradji u livelli inkrementali fis-servizz tal-Gvern b'riferenza għad-deskrizzjoni tal-kariga, hila, fis-sengħa, responsabilità u fatturi oħra bhal dawn.

(c) Il-klassifikazzjoni msemmija fil-paragrafu (b) ta' dan is-subartikolu għandha ssir minn bord li jkun magħmul minn president li jinhatar mill-Ministru responsabbli għall-finanzi u minn żewġ membri oħra, wiehed li jinhatar mill-Ministru responsabbli ċentralment għall-politika dwar il-personal fis-servizz pubbliku u l-iehor li jinhatar mill-Kunsill. Il-klassifikazzjoni għandha tkun bla hsara għall-approvazzjoni finali tal-Ministru responsabbli għall-finanzi.

(d) Dik il-klassifikazzjoni għandha ssir fi żmien tliet xhur mill-aġġustament tas-salarji ta' l-impjegati li jkunu fis-servizz tal-Gvern u, jew, ta' impjegati tal-Kunsill.

(e) Ebda kariga ma tkun klassifikata fi grad oghla minn dak ta' Grad 3 fis-servizz tal-Gvern jew dak il-grad iehor oghla li l-

Ministru responsabbli għall-finanzi jista' minn żmien għal iehor jistabbilixxi b'avviż fil-Gazzetta.

(7) Minghajr preġudizzju għall-artikolu 113 tal-Kostituzzjoni, hadd ma jista', wara li ssir klassifikazzjoni kif imsemmija qabel, ikollu jedd għal drittijiet taht l-imsemmija Ordinanza dwar il-Pensjonijiet, li jkunu inqas favorevoli minn dawk li kien ikollu jedd għalihom qabel dik il-klassifikazzjoni.

TAQSIMA IV

DISPOŻIZZJONIJIET FINANZJARJI

18. Il-Ministru responsabbli għall-finanzi jista', wara konsultazzjoni mal-Ministru, jagħmel għotjiet bil-quddiem lill-Kunsill ta' dawk l-ammonti li jista' jaqbel li jkunu mehtieġa mill-Kunsill sabiex iwettaq id-dmirijiet tiegħu taht dan l-Att, u jista' jagħmel dawk l-għotjiet bil-quddiem b'dawk il-pattijiet u l-kundizzjonijiet li huwa jista', wara konsultazzjoni kif imsemmi qabel, iqis li jkunu adatti. Kull tali għotja bil-quddiem tista' ssir mill-Ministru responsabbli għall-finanzi mill-Fond Konsolidat, u minghajr ebda approprjazzjoni ulterjuri minbarra dan l-Att kif ukoll, b'ordni ffirmata minnu li tkun tawtorizza lill-*Accountant General* jagħti dawk il-flus bil-quddiem.

Għotjiet bil-quddiem mill-Gvern.

19. (1) Il-Kunsill għandu, sa tmiem Mejju ta' kull sena, jippreżenta lill-Ministru, pjan ta' hidma għat-tliet snin finanzjarji li jmiss flimkien ma' l-estimi ta' l-infiq u d-dhul kapitali u rikorrenti għas-sena finanzjarja li jmiss:

Estimi tal-Kunsill.

Iżda l-estimi għall-ewwel sena finanzjarja tal-Kunsill għandhom jiġu ppreparati u addottati f'dak iż-żmien li l-Ministru jista' jispeċifika b'avviż bil-miktub lill-Kunsill.

(2) Fit-tnejn ta' dawk l-estimi l-Kunsill għandu jikkunsidra kull fond u flejjes oħra li jistgħu jkunu dovuti li jithallsu lilu mill-Fond Konsolidat matul is-sena finanzjarja relevanti, kemm bis-sahha ta' dan l-Att jew ta' xi Att ta' approprjazzjoni, jew ta' xi liġi oħra.

(3) L-estimi għandhom isiru b'dak il-mod u għandu jkun fihom dik l-informazzjoni u dawk il-paraguni ma' snin preċedenti hekk kif il-Ministru responsabbli għall-finanzi jista' jordna.

(4) Għandha minnufih tintbagħat kopja ta' l-estimi mill-Kunsill, malli dawn jiġu addottati, lill-Ministru u lill-Ministru responsabbli għall-finanzi.

(5) L-estimi tal-Kunsill ma ghandhomx jidhlu fis-sehh qabel ma jiġu approvati mill-Ministru u l-Ministru responsabbli għall-finanzi.

In-nefqa tkun skond l-estimi approvati.

20. (1) M'ghandha ssir l-ebda nefqa mill-Kunsill jew l-organi tiegħu li taqbeż l-estimi kif approvati mill-Ministru kif provdut fl-artikolu 19.

(2) hlief għal flus iġġenerati mill-Kunsill innifsu jew li jiġu riċevuti minn sorsi mhux Statali, il-Kunsill għandu jibqa' fil-parametri tan-nefġiet kapitali u rikorrenti allokatu lill-Ministru kif awtorizzati mill-Ministru responsabbli għall-finanzi.

Kontijiet, verifika u żbanki.

21. (1) Il-Kunsill għandu jiżgura li jinżammu kif imiss kontijiet u *records* ohra li jirrigwardaw il-hidma tiegħu u ta' l-organi tiegħu u għandu jiżgura li tiġi ppreparata dikjarazzjoni relattiva ta' kontijiet dwar kull sena finanzjarja.

(2) Il-kontijiet tal-Kunsill għandhom ikunu verifikati minn awditur jew awdituri mahtura mill-Kunsill u jiġu approvati mill-Ministru:

Iżda l-Ministru responsabbli għall-finanzi jista', wara konsultazzjoni mal-Ministru, jitlob li l-kotba u l-kontijiet tal-Kunsill jiġu verifikati jew eżaminati mill-Awditur ġenerali li jkollu għal dak l-ghan is-setgħa li jagħmel dik il-verifika fiżika u kull aċċertament iehor li jista' jqis li jkunu mehtieġa.

(3) Il-Kunsill għandu, fuq talba tal-Ministru jew tal-Ministru responsabbli għall-finanzi, jippreżenta rapporti u kontijiet dwar l-amministrazzjoni skond ma jiġi ordnat. Il-Kunsill għandu jara li kopja tad-dikjarazzjoni tal-kontijiet verifikata kif imiss tintbagħat lill-Ministru u lill-Ministru responsabbli għall-finanzi flimkien ma' kopja ta' kull rapport magħmul mill-awdituri fuq dik id-dikjarazzjoni jew fuq il-kontijiet tal-Kunsill.

(4) Ċekkijiet li jinħarġu fuq, u kull hrug li jsir minn, xi kont tal-bank tal-Kunsill għandhom ikunu ffirmati mid-Direttur Eżekuttiv u għandhom ikunu kontrassenjati mill-President, jew minn dak il-membri jew uffiċjal iehor tal-Kunsill li jista' jiġi awtorizzat mill-Kunsill għal dak il-ghan.

Rapport annwali.

22. Il-Kunsill għandu, mhux aktar tard mill-31 ta' Marzu ta' kull sena jibgħat lill-Ministru kopja tad-dikjarazzjoni verifikata tal-kontijiet tiegħu għas-sena finanzjarja li tkun għadha kif għaddiet, kopja tar-rapport magħmul mill-awditur jew l-awdituri dwar dik id-dikjarazzjoni jew fuq il-kontijiet tal-Kunsill, flimkien ma' rapport li ikun jittratta b'mod ġenerali dwar l-attivitajiet tal-Kunsill matul dik is-sena finanzjarja u li jkun fih dik l-informazzjoni konnessa mal-proċedimenti u l-politika tal-Kunsill. Il-Ministru għandu jara li kopja ta' kull tali rapport titqiegħed

fuq il-Mejda tal-Kamra u li tiġi ppreżentata lill-Ministru responsabbli għall-finanzi u lill-Awditur ġeneral kemm jista' jkun malajr.

TAQSIMA V

MIXXELLANJI

23. Il-membri tal-Kunsill u l-uffiċjali u l-impjegati kollha tal-Kunsill għandhom jittqiesu li huma uffiċjali pubbliċi għal kull fini tal-Kodiċi Kriminali.

Persuni li jittqiesu bħala uffiċjali pubbliċi.
Kap. 9.

24. (1) Sabiex jinghata effett ahjar għad-dispożizzjoni ta' dan l-Att u bla ħsara għall-ġeneralità ta' dak imsemmi, il-Ministru jista', wara konsultazzjoni mal-Kunsill, jagħmel regolamenti dwar xi funzjoni tal-Kunsill u jista' b'regolamenti bħal dawk:

Setgħa li jsiru regolamenti.

(a) jemenda l-Iskeda li tinsab ma' dan l-Att;

(b) jirregola proċeduri amministrattivi u organizzattivi li għandhom jiġu segwiti mill-Kunsill, mill-organi tiegħu u mid-Direttur Eżekuttiv;

(ċ) jirregola kull haġa li għandha x'taqsam ma' l-uffiċjali u l-impjegati tal-Kunsill u li m'hijiex speċifikament diġà regolata b'dan l-Att;

(d) jirregola kull haġa li għandha x'taqsam ma' l-infiq u d-dhul tal-Kunsill, l-estimi u l-kontijiet tiegħu, u l-verifika tagħhom;

(e) jirregola l-mod kif isiru elezzjonijiet, u l-jedd għall-vot f'tali elezzjonijiet, tal-membru tal-Kunsill imsemmi fil-paragrafu (e) tas-subartikolu 4 (2).

L-EWWEL SKEDA

(Artikoli 4 u 24)

LISTA TA' GHAQDIET TAL-MALTI

- L-Ghaqda tal-Malti (Università) mwaqqfa fl-1931
- L-Ghaqda Letterarja Maltija mwaqqfa fl-1951
- L-Ghaqda tal-Poeti Maltin imwaqqfa fl-1975
- L-Ghaqda ta' l-Ghalliema tal-Malti mwaqqfa fl-2000

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 151 ta' l-14 ta' Lulju , 2004.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

THE MALTESE LANGUAGE ACT

Arrangement of the Act

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SCHEDULE

List of Maltese Language Associations

I assent.

(L.S.)

EDWARD FENECH ADAMI
President

20th July, 2004

ACT No. V of 2004

AN ACT to establish the National Council for the Maltese Language in order to promote the National Language of Malta and to provide the necessary means to achieve this aim.

BE IT ENACTED by the President, by and with the advice of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

PART I

PRELIMINARY

Short title and commencement.

1. (1) The short title of this Act is the Maltese Language Act, 2004.

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

Interpretation.

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

“L-Akkademja” means L-Akkademja tal-Malti previously known as l-Ghaqda tal-Kittieba tal-Malti established on the 14th November 1920;

“Commission” means the Technical Commission established by article 7;

“Committee” or “Committees” means the Technical Committee or Committees appointed under article 8;

“Council” means the National Council of the Maltese Language established by article 4;

“Executive Director” means the person appointed under article 12;

“financial year” means the period of twelve months closing on the 31st of December of each year:

Provided that the first financial year of the Council shall commence with the coming into force of this Act and terminate on the 31st day of December of the year immediately following;

“Linguistic Policy” means a body of guide-lines which influence the linguistic expression of a people;

“the Maltese Language” means the National Language as prescribed by article 5 of the Malta Constitution;

“Minister” means the Minister responsible for education;

“organs of the Council” includes the Commission and the Committees;

“orthography” means the orthography of the Maltese Language as the standard system of writing in everyday use, established and updated by L-Akkademja tal-Malti and as expounded in the documents: *Tagħrif fuq il-Kitba Maltija* published by the Għaqda tal-Kittieba tal-Malti in 1924; *Żieda mat-Tagħrif* published by L-Akkademja in its review *Il-Malti* in 1984; and *Aġġornament tat-Tagħrif fuq il-Kitba Maltija* published by L-Akkademja in its review *Il-Malti* in 1992, and as subject to the provision of article 5(2);

“prescribed” means prescribed by regulations made by the Minister under the provisions of this Act;

“public officer” has the same meaning as in article 124 of the Malta Constitution;

“University” means the University of Malta mentioned in article 28 of the Education Act.

3. (1) (a) Maltese is the language of Malta and a fundamental element of the national identity of the Maltese people.

(b) The Maltese Language is an essential component of the national heritage, being constantly developed in the speech of the Maltese people, distinguishing the Maltese people from all other nations and giving the same people their best means of expression.

(c) The Maltese State recognises the Maltese Language as a strong expression of the nationality of the Maltese, and for that purpose acknowledges its unique importance, and protects it from deterioration and perdition.

(d) The Maltese State shall make provision in such manner that the study of the Maltese Language in its linguistic, literary and cultural manifestations shall always be given primary importance in both state and other schools from the very first years of education of all Maltese citizens.

(e) The Maltese State shall promote through all possible means the widest use of the Maltese Language in education, broadcasting and the media, at the law courts, and in political, administrative, economic, social and cultural life.

(f) The Maltese State shall lead in the creation of all possible opportunities for the development of the National Language and to assert its merited dignity.

(g) The Maltese State recognises, within the wider context of the Maltese diaspora, that the Maltese Language should remain known by and considered as a binding element of the Maltese people.

(2) The provisions of this article shall not be enforceable in any court of law, but the principles therein contained are nevertheless fundamental to the safeguarding of the Maltese Language and it shall be the aim of the State to apply them and to comply therewith.

PART II

THE COUNCIL, ITS ORGANS
AND THEIR ADMINISTRATION

4. (1) There shall be a body, to be known as the National Council of the Maltese Language, having the aim of adopting and promoting a suitable language policy and strategy and to verify their performance and observance in every sector of Maltese life, for the benefit and development of the national language and the identity of the Maltese people.

Establishment of the National Council of the Maltese Language.

(2) The Council shall be made of eleven members as follows:

Composition of the Council.

(a) a Chairman appointed by the Prime Minister and chosen from among persons who are established and qualified in the study of Maltese and who are recommended by L-Akkademja tal-Malti and by the Department of Maltese Studies at the University;

(b) two persons appointed by the Prime Minister from persons nominated by and from among the members of the Technical Commission:

Provided that until the Council appoints the Technical Commission, the Prime Minister may under this paragraph appoint two persons whom he considers to be suitable;

(c) three persons respectively representing and nominated by L-Akkademja, the Department of Maltese Studies at the University, and the Institute of Linguistics at the University;

(d) a representative of the Education Division coming from the National Curriculum Department and nominated by the Minister;

(e) a representative of the Malta Council for Culture and the Arts nominated by it;

(f) the Attorney General, or his representative which representative shall be an expert involved in legal drafting and translation;

(g) a representative elected in such manner as may be prescribed by and from among the members of the Committees of the Maltese Language Associations listed in the First Schedule to this Act;

(h) a representative of the Institute of Maltese Journalists.

(3) One of the other members of the Council referred to in subarticle (2) of this article shall be appointed by the Prime Minister as Deputy Chairman of the Council to preside over the same Council whenever the Chairman is absent.

Legal personality
and Council
representation.

(4) The Council shall be a body corporate having a distinct legal personality and capable, subject to the provisions of this Act, to enter into contracts, purchase and dispose of any kind of property for the purposes of its functions, to sue and to be sued, and to enter all operations as may be incidental or conducive to the exercise or the performance of its functions under this Act, including the lending of money or requests for credit.

(5) The legal representation of the Council shall be vested jointly in the Chairman and in the Executive Director:

Provided that the Council may appoint any one or more of its members or officers or employees to act on behalf of the Council in judicial proceedings and on any act, contract, instrument or any document whatsoever.

(6) Any document made or issued by the Council and signed by the Chairman, or issued by the Executive Director and signed by him, may be produced as evidence and shall, unless otherwise proven, be deemed to be an instrument made or issued by the Council or by the Executive Director.

Functions of the
Council.

5. (1) It shall be the function and the duty of the Council to promote the Maltese Language both in Malta and in other countries by engaging actively to foster recognition and respect for the principles mentioned in article 3 of this Act.

(2) The Council shall also, update the orthography of the Maltese Language as necessary, and from time to time, establish the correct manner of writing words and phrases which enter the Maltese language from other tongues.

(3) In the execution of its functions and duties the Council shall –

(a) develop, motivate and enhance the recognition and expression of the Maltese Language;

(b) promote the dynamic development of such linguistic characteristics as identify the Maltese people;

(c) in consultation with the organs established by this Act, adopt a suitable linguistic policy backed by a strategic plan, and ensure that the same are put into practice and observed in all sectors of Maltese life;

(d) ensure that the language policy decided by the Commission is put into practice so as to ensure its effective and faithful implementation;

(e) evaluate and co-ordinate the work done by associations and individuals, in the Maltese language sector and to foster an atmosphere of co-operation through a consensual plan;

(f) draw the attention of all those who may contribute to the development of Maltese to work done in execution of the language policy and, where necessary, to advise the Minister to commission any necessary assignment;

(g) seek to obtain financial resources locally and overseas in order to be able to strengthen its activities, especially such resources as are already accessible to local and international organisations for research purposes, the promotion of spoken languages by small nations, and other projects relating to the exchange of experts and research programmes.

(h) co-operate with persons, bodies and organisations in various fields of life in order to increase and augment the recognition and appreciation of linguistic and cultural activities for the further advancement of the Maltese Language.

(i) establish a National Centre of the Maltese Language which, besides serving as the office of the Council, shall offer the necessary printed and audiovisual resources to members of Maltese language associations, institutions and other interested persons;

(j) ensure full access to available statistical data and information for the use of the Council and its organs in the execution of their duties under this Act.

(4) The Council shall establish and maintain regular and frequent contacts with local, national and international organisations which have functions similar to or complementary to those functions of the Council and establish exchanges of views and resources with them.

Powers of the Council.

6. (1) Subject to any power of the Prime Minister and the Minister, any initiative taken under this Act shall be subject to the decision of the Council:

Provided that on any linguistic issue of a technical-scientific nature, particularly in the execution of its function under subarticle (2) of article 5, the Council shall act on the advice of the Commission:

Provided further that in the case of any disagreement with the Commission on any decision of a technical-scientific linguistic nature, the Council shall have the right not to accept the position adopted by the Commission but the Council shall not have the right to alter the same. The Council however shall in such case give its reasons to the Commission in writing within four weeks from the date of such decision.

(2) Decisions of a technical-scientific linguistic nature referred to in the preceding subarticle shall come into force by virtue of a notice published by the Council in the Gazette.

Technical Commission.

7. (1) The Council shall appoint a Technical Commission to be composed as follows -

(a) a chairman; and

(b) the Heads of the Technical Committees established under article 8 of this Act.

(2) The Executive Director shall be the non voting Secretary of the Commission.

Functions of the Commission.

(3) The Commission shall -

(a) observe, analyse and evaluate the position of the Maltese Language in the context of the language situation in Malta;

(b) draft the Linguistic Policy and recommend it to the Council;

(c) encourage maturation in the study of linguistic planning with suitable courses in higher education, and also through study grants to promising young people, visits by overseas planners and the setting up of a specialised library on the subject.

Technical Committees.

8. (1) The Council shall appoint Technical Committees in sectors of specialisation as may be necessary and shall define their terms of activity.

(2) Each Committee shall be a consultative organ for the discussion of the linguistic policy to be adopted in specialised sectors, such as specific terminology, translations, the media, linguistic research, orthography, literature and the development of Maltese in information technology, and shall be composed of:

(a) a Head of Committee who shall be a person learned in such speciality, to be proposed from among qualified persons recommended by L-Akkademja tal-Malti and by the Department of Maltese at the University, with the choice of the person to be made by the Council;

(b) an expert to be proposed by the Commission on the advice of the Head of the relevant Committee;

(c) two members selected for their contribution in the particular sector of activities in relation to which the Committee is set up, to be proposed by the Commission on the advice of the Head of the Committee.

(3) The Committee may co-opt other persons as observer members with the right to attend and participate in the discussion but who shall not have a right to vote.

(4) Every Committee shall:

Functions of the Committee.

(a) observe the situation of the Maltese Language, discuss all necessary measures for its development, and draft the Linguistic Policy for its respective field;

(b) give its opinion to the Commission about issues connected with the respective field for which it was set up.

9. (1) The members of the Council and of its Organs shall be appointed, nominated or elected for three years, so however that the members so appointed, nominated or elected shall be eligible to be appointed, nominated or elected again when their term of office expires.

Common provisions to the Council and its Organs.

(2) No person shall be qualified to be a member of the Council or of any of its organs if –

(a) he is a Minister, Parliamentary Secretary or a member of the House of Representatives; or

(b) he is a Judge or Magistrate.

(3) Without prejudice to the provisions of this article, the office of a member of the Council or of any of its organs shall become vacant:—

(i) on the expiry of his term of office, or

(ii) if there are circumstances which, had such person not been a member of the Council, would have led to his disqualification from being appointed as such, or

(iii) if he resigns from the Council or from any one of its organs by addressing a letter to the competent authority which had appointed him under this Act, or

(iv) if he consistently shows a lack of interest in the activities and meetings of the Council or its organs.

(4) If a member resigns or if the office of a member of the Council is otherwise vacant or if a member cannot for any reason perform the functions of his office, the competent authority which had appointed him under this Act may appoint another person to substitute him as member on the Council or on such organ where his office became vacant.

(5) A member of the Council having any direct or indirect interest in any contract made or proposed to be made by the Council, which is not an interest that disqualifies such member from still being a member, shall state the nature of his interest during the first sitting of the Council after he becomes aware of the relevant facts. Such statement shall then be registered in the Council minutes, and the member having an interest as herebefore mentioned shall withdraw from all sittings during which such contract is discussed. Such statement shall be relayed to the Minister without delay. When the interest of the member is such as to disqualify him from still being a member, he shall report the fact immediately to the Minister and hand in his resignation.

Provisions relating to proceedings of the Council and of its Organs.

10. (1) The Council or its organs shall meet as many times as may be required following a call by their respective chairman or by request of any other two of its members.

(2) Half the number plus one of members who at the time constitute the Council or of its organs shall form a quorum.

(3) The decisions of the Council and its organs shall be made by simple majority of the votes of members present and voting:

Provided that decisions of a technical-scientific linguistic nature shall only be taken by the Council by an absolute majority of its members, by the Commission by a two-thirds majority of its members, and by the Committee by a three-quarters majority of its members respectively.

(4) The chairman of the Council, or of its organs, or in the absence of the Chairman of the Council the Deputy Chairman, or whosoever is appointed to act as chairman, shall have an original vote and in the case of an equality of votes, a casting vote.

(5) Without prejudice to any other requirement of this Act, no decision of the Council shall be valid unless it is at least supported by three members of the Council.

(6) The Council or any of its organs may from time to time invite any person to attend any one or more of its meetings in order to give expert advice about any matters which the Council may be discussing:

Provided that such person may only be invited for a limited number of sittings and only in relation to a particular issue and shall not have any right to vote.

(7) Subject to the provisions of this Act and of any regulations which may be made under it, the Council and its organs shall regulate their own procedures.

(8) Subject to the foregoing provisions in this article, no act or proceeding of the Council or of any of its organs shall be invalidated solely on account of the existence of any vacancy among its members.

(9) Any act made by a person who acts *bona fide* as a member of the Council or of any of its organs shall be valid as if he were a member notwithstanding that it is subsequently discovered that there was a defect in his appointment or qualifications.

11. (1) The Minister shall, once every three years, convene a National Forum on the Maltese Language, inviting the participation of the Council, of its organs, of the University, L-Akkademja and all other Maltese language associations, Government departments and Government entities, representatives of Local Councils, non-governmental organisations, educational, cultural and artistic institutions, both public and private, as well as representatives of the audio-visual communications and print media, and also any other party which shows in writing to the Minister that it has an interest.

(2) The Forum shall discuss the national policy on the Maltese Language as in force from time to time, and also the state of the Maltese Language generally, after hearing a report about the activities of the Council and its organs prepared by the Executive Director.

(3) The Minister shall regulate the procedures of the Forum and appoint its Chairman.

(4) The proceedings of the Forum shall be published and a copy shall be transmitted to the Minister.

(5) The Minister shall give previous public notice of at least one month before convening the Forum.

Administration of
the Council affairs
and of its organs.

12. (1) Subject to the other provisions of this Act, the administration of the affairs of the Council and of its activities shall be the responsibility of the Council itself so however that, saving the foregoing provisions, the executive administration of the Council and of its organs, their administration and organisation and the administrative control of their officers and employees, shall be the responsibility of the Executive Director who shall also have such other powers which may from time to time be delegated to him by the Council.

(2) The Executive Director shall be appointed by the Council with the concurrence of the Minister for a period of three years and such period may be extended for further periods of three years subject to a satisfactory performance of his functions:

Provided that the first Executive Director may be appointed by the Minister for a period of three years.

(3) The Executive Director shall attend each meeting of the Council but he shall not have the right to vote:

Provided that the Council may, if it so deems fit, request the Executive Director not to attend any sitting or part of a meeting.

(4) The Executive Director shall, subject to the general control and direction of the Council, be responsible for the performance of the functions of the Council in the exercise of his duties and, without prejudice to the generality of the foregoing, he shall -

(a) assume full responsibility for the administration and organisation and the administrative control of the officers and employees of the Council and its organs and, for such purpose, he shall assign to each officer or employee such duties as may be required;

(b) develop the required strategies and execute the plans of the Council;

(c) advise the Council and its organs on any matter which may be referred to him or about any other matter which he considers to be necessary or expedient;

(d) be responsible for the drafting of a plan of activity and for the preparation of the financial estimates, for the utilisation, receipt and expenditure of funds under the direction and with the approval of the Council and to keep a detailed record of every receipt and expenditure of funds. In the utilisation of funds and the keeping of records the Executive Director shall observe the Government financial regulations; and

(e) perform such other duties as the Council may assign to him from time to time.

13. (1) The Minister may, from time to time, give the Council such directions in writing as he may consider necessary relative to the policy to be followed by the Council in the execution of its functions, insofar as such directives are not inconsistent with the provisions of this Act, and the Council shall, as soon as possible, give effect to such directives and conduct its business accordingly.

Relations between the Minister and the Council.

(2) The Council shall supply the Minister with facilities to obtain information about the property and the activities of the Council and of its organs and also provide him with statements, accounts and all other information in that regard, and provide all facilities for the verification of any information supplied, in such manner and within such times as he may require.

PART III

OFFICERS AND EMPLOYEES OF THE COUNCIL

14. Subject to the provisions of the Malta Constitution and of any other law applicable thereto, and without prejudice to the other provisions of this Act, the appointment of officers and other employees for the due and efficient performance of the functions of the Council shall be made by the Council. The terms and conditions of employment shall be established by the Council in concurrence with the Minister within the framework of the terms and conditions applicable to public service employees.

Staff appointments.

Detailing of public officers for duty with the Council.

15. (1) The Prime Minister may, at the request of the Council, from time to time order that a public officer be detailed to perform duties with the Council or its organs in such capacity and with effect from such date as may be specified in the order.

(2) The period during which such order as aforementioned shall apply to any officer who is specified therein shall, insofar as such officer does not retire from the public service or otherwise ceases from remaining in office in a preceding date, or else because a different date is specified in the order, cease with the occurrence of any of the following events, namely if:

(a) such officer accepts an offer of transfer to the service of the Council and permanent employment therewith in terms of article 17; or

(b) the Prime Minister revokes an order made by him under this article relating to that officer.

(3) When such order as previously mentioned is revoked by the Prime Minister with regard to any officer, the Prime Minister may by further order engage such officer to perform duties with the Council in such capacity and with effect from such date as may be specified in the further order, and the provisions of subarticle (2) shall, upon such occurrence, apply to the period during which such further order subsists with regard to such officer.

Status of public officers detailed to work with the Council.

16. (1) When a public officer is detailed to work with the Council under any provision of article 15, such officer shall, during such period that the order has effect in his regard, be under the administrative authority and control of the Council but he shall, for all other intents and purposes, still be and be considered and treated as a public officer.

(2) Without prejudice to the aforementioned generality, an officer who is detailed as herein previously mentioned -

(a) shall not, during such period during which he is so engaged -

(i) be precluded from applying for a transfer to any other Government department according to the terms and conditions of service applicable to his appointment with Government applicable on the date when he was so detailed work; or

(ii) be employed in such manner that his remuneration and conditions of service are less favourable than those applicable to his appointment with Government and which he is enjoying on the aforementioned date or which would otherwise be applicable to that appointment, during such period, had that officer not been so detailed with the Council; and

(b) shall have the right to have his service with the Council considered as a service with Government for the purposes of his pension, gratuity, or benefit under the Pensions Ordinance and the Widows and Orphans Pensions Act, and of any other right privilege to which he would have been detailed, and he shall be responsible for all that which he may be responsible for, had he not been detailed with the Council.

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(3) When an application is made as provided in subarticle (2)(a)(i) of this article, it shall be given the same consideration as if the applicant was not detailed for service with the Council.

(4) The Council shall make such contributions to the Government as may from time to time be established as pension and gratuity which an officer who is detailed with the Council as aforementioned may earn during the period in which he is so detailed.

17. (1) The Council may, with the approval of the Prime Minister, offer to an officer, who is detailed with the Council under the provisions of article 15, permanent employment with the Council with such remuneration and under such terms and conditions being not less favourable than those which such officer enjoys on the date of such offer.

Offer of permanent employment with the Council made to public officers detailed with the Council.

(2) The terms and the conditions comprised in any offer made as aforementioned shall not be deemed to be less favourable solely because they are not identical in all respects with or better than those which the officer involved would be enjoying on the date of such offer, if such terms and conditions, taken together, are, in the opinion of the Prime Minister, benefits which are substantially equivalent or better.

(3) Every public officer who accepts permanent employment offered to him within the Council, under the provisions of subarticle (1) of this article, shall for all purposes other than those of the the Pensions Ordinance and the Widows and Orphans Pensions Act, and saving the provisions of subarticle (6), terminate his service with Government and enter service with the Council as from the date on which he accepts, and for the purposes of that Ordinance and of that Act, insofar as they are applicable to him, service with the Council

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shall be deemed as service with Government within the parameters of the respective relative meanings.

(4) Any officer as hereinbefore mentioned who, immediately before accepting a permanent employment with the Council had a right to a benefit under the Pensions Ordinance or the Widows and Orphans Pensions Act, shall continue to have such right to a benefit under such Ordinance and such Act for all purposes as if his service with the Council was service with the Government.

(5) The Council shall pay to Government such contributions which may from time to time be established by the Minister responsible for finance in respect of the expenditure relating to pensions and gratuities earned by an officer who has accepted permanent employment within the Council as herein previously mentioned during the period commencing on the date of acceptance of such officer.

(6) (a) For the purposes of the Pensions Ordinance, the pensionable emoluments of such public officer who accepts employment within the Council, on retirement shall be deemed to be the pensionable emoluments payable to an officer in Government service in a grade and at an incremental level which corresponds to the office held by the officer on retiring from service with the Council.

(b) For the purposes of the previous paragraph, the offices and salary grades of a public officer who accepts employment with the Council shall be classified as far as can be corresponding to the grades and increments levels in government service by reference to the office, skill, responsibility and other factors.

(c) The classification mentioned in paragraph (b) of this subarticle shall be made by a board composed of a chairman appointed by the Minister responsible for finance and of two other members, one of whom appointed by the Minister centrally responsible for staff policy in the public service and the other appointed by the Council. The classification shall be made subject to the final approval of the Minister responsible for finance.

(d) Such classification shall be made within three months from the adjustment of the salaries of employees in Government service and, or, of employees of the Council.

(e) No post may be classified at a grade higher than Grade 3 in Government service or such other higher grade which the Minister responsible for finance may from time to time by notice in the Gazette establish.

(7) Without prejudice to article 113 of the Constitution, no person may, after the classification as aforementioned, be entitled to rights under the said Pensions Ordinance, which are less favourable than those to which he would have been entitled prior to such classification.

PART IV

FINANCIAL PROVISIONS

18. The Minister responsible for finance may, after consultation with the Minister, give advances to the Council of such amounts as he may agree to be required by the Council to perform its duties under this Act, and he can give such advances under such terms and conditions as he may, after consultation as aforementioned, consider to be suitable. Any such advances may be made by the Minister responsible for finance out of the Consolidated Fund, and without any further appropriation other than this Act and, by order signed by him authorising the Accountant General to give such advances.

Financial advances
by the Government.

19. (1) The Council shall, not later than the end of May of each year, present to the Minister, a business plan for the next three financial years together with estimates of the capital and recurrent expenditure and income for the next financial year:

The Council budget.

Provided that the estimates for the first financial year of the Council shall be prepared and adopted within such time as the Minister may specify by notice in writing to the Council.

(2) In preparing its estimates the Council shall consider any other funds and monies which may be due to it out of the Consolidated Fund during the relevant financial year, whether by virtue of this Act or of any appropriation Act, or any other law.

(3) The estimates shall be made in such manner and shall contain such information and such comparisons with previous years as the Minister responsible for finance may order.

(4) A copy of the estimates shall be sent forthwith by the Council, as soon as they are adopted, to the Minister and to the Minister responsible for finance.

(5) The Estimates of the Council shall not enter into force until they are approved by the Minister and the Minister responsible for finance.

Expenditure to be according to the approved budget.

20. (1) No expenditure may be made by the Council or its organs which exceeds the estimates as approved by the Minister as provided in article 19.

(2) Saving any money generated by the Council itself or which is received from non-State sources, the Council shall operate within the limits of the capital and recurrent expenditure allocated to it by the Minister as authorised by the Minister responsible for finance.

Accounts, auditing and encashments.

21. (1) The Council shall ensure that proper accounts and other records are kept relating to its activities and those of its organs and shall ensure that a statement is prepared relative to the accounts of each financial year.

(2) The accounts of the Council shall be audited by an auditor or auditors appointed by the Council and they shall be approved by the Minister:

Provided that the Minister responsible for finance may, after consultation with the Minister, request that the books and accounts of the Council be audited or examined by the Auditor General who shall for that purpose have the power to effect such physical audit and any other verification which he may deem necessary.

(3) The Council shall, at the request of the Minister or of the Minister responsible for finance, present reports and accounts relating to the administration as may be required. The Council shall ensure that a copy of the duly audited statement of accounts is sent to the Minister and to the Minister responsible for finance together with a copy of any report made by the auditors relating to such statement or to the accounts of the Council.

(4) Cheques issued by, and any withdrawal from any bank account pertaining to the Council shall be signed by the Executive Director and shall be countersigned by the Chairman, or by such member or other officer of the Council as may be authorised by the Council for such purpose.

Annual report.

22. The Council shall, by not later than the 31st March of each year transmit to the Minister a copy of its audited statement of accounts for the immediately preceding financial year, a copy of the auditor's or the auditors' report relating to such statement or to the accounts of the Council, together with a report dealing in general with the activities of the Council during that financial year and which contains such

information relating to the proceedings and policy of the Council. The Minister shall ensure that a copy of any such report is laid on the Table of the House and is presented to the Minister responsible for finance and to the Auditor General as soon as possible.

PART V

MISCELLANEOUS

23. The members of the Council and all officers and employees of the Council shall be deemed to be public officers for all purposes of the Criminal Code. Persons considered as public officers. Cap. 9.

24. (1) In order to give better effect to the provisions of this Act and without prejudice to the generality of the aforementioned, the Minister may, after consultation with the Council, make regulations relating to any function of the Council and may by such regulations - Power to make regulations.

(a) amend the Schedule to this Act;

(b) regulate administrative and organisational procedures to be followed by the Council, by its organs and by the Executive Director;

(c) regulate any matter concerning the officers and employees of the Council and which is not already specifically regulated by this Act;

(d) regulate any matter concerning the expenditure and income of the Council, its estimates and accounts, and their audit;

(e) regulate the manner in which elections are held, and the right of Council members to vote in such elections as mentioned in paragraph (e) of subarticle 4(2).

FIRST SCHEDULE

(Articles 4 and 24)

LIST OF MALTESE LANGUAGE ASSOCIATIONS

- L-Ghaqda tal-Malti (Università) set up in 1931
- L-Ghaqda Letterarja Maltija set up in 1951
- L-Ghaqda tal-Poeti Maltin set up in 1975
- L-Ghaqda ta' l-Ghalliema tal-Malti set up in 2000

Passed by the House of Representatives at Sitting No. 151 of the 14th July, 2004.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives