VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,675, 8 ta' Novembru, 2016
Taqsima C

Nru. 179

8. 11. 2016

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Jason Azzopardi, M.P., u moqri għall-Ewwel darba fis-Seduta tal-10 ta' Ottubru, 2016.

ATT sabiex ikompli jemenda l-Kodici Kriminali, Kap. 9.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Jason Azzopardi, M.P., and read the First time at the Sitting of the 10th October, 2016.

AN ACT further to amend the Criminal Code, Cap. 9.

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

Abbozz ta' Liġi
msejjaħ

ATT sabiex ikompli jemenda l-Kodici Kriminali, Kap. 9.

Il-President, bil-kunsens u bil-parir tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħarġet b'liġi dan li ġej:

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2016 li jemenda l-Kodiċi Kriminali (Emenda Nru. 3) u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Kodiċi Kriminali, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi". Titolu fil-qosor. Kap. 9.

2. L-artikolu 515 tal-Kodiċi għandu jiġi emendat kif ġej: Emenda tal-artikolu 515 tal-Kodiċi.

(a) fis-subartikolu (1) tiegħu l-kliem "wara att ta' akkuża" għandhom jiġu mħassra; u

(b) minnufih wara s-subartikolu (2) tal-artikolu 515 għandu jiżdied dan is-subartikolu ġdid li ġej:

"(3) Fil-każ li ssir ir-referenza bis-saħħa tal-artikolu 515(1)(a), għandhom, *mutatis mutandis,* japplikaw id-dispożizzjonijiet tal-artikoli 574 sa 587.".

Għanijiet u raġunijiet

L-għan ta' dan l-Abbozz huwa sabiex f'każijiet eċċezzjonali fejn jiġi ppruvat li tkun saret amminstrazzjoni ħażżina tal-ġustizzja l-Qorti tal-Appell Kriminali jkollha s-setgħa tistħarreġ mill-ġdid każ li jkun ġie referut lilha wara kundanna minn kwalsiasi Qorti ta' Ġustizzja Kriminali.

VERŻJONI ELETTRONIKA

A Bill
entitled

AN ACT further to amend the Criminal Code, Cap. 9.

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:-

Short title.

Cap. 9.

1. The short title of this Act is the Criminal Code (Amendment No. 3) Act, 2016, and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to as "the Code".

Amendment to article 515 of the Code.

2. Article 515 of the Code shall be amended as follows:

(a) in sub-article (1) thereof the words "on indictment" shall be deleted; and

(b) immediately after sub-article (2) thereof there shall be added the following the new sub-article:

"(3) In the case of a reference made under the provisions of article 515(1)(a) the provisions of article 574 to 587 shall, *mutatis mutandis,* apply.

Objects and Reasons

The aim of this Bill is to empower the Court of Criminal Appeal, in exceptional cases, to treat a new any conviction meted out by any Court of Criminal Justice where a miscarriage of justice took place.

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