

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,390, 6 ta' Marzu, 2015*

*Taqsim C*

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## **Nru. 88**

06. 03. 2015

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

#### **HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Ligi mressaq mill-Onorevoli Justyne Caruana, M.P., Segretarju Parlamentari għad-Drittijiet ta' Persuni b'Dizabilità u Anzjanità Attiva, f'isem il-Ministru għall-Familja u Solidarjetà Soċjali, u moqri għall-Ewwel darba fis-Seduta tal-4 ta' Marzu, 2015.

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A BILL introduced by the Honourable Justyne Caruana, M.P., Parliamentary Secretary for Rights of Persons with Disability and Active Ageing, on behalf of the Minister for the Family and Social Solidarity, and read the First time at the Sitting of the 4th March, 2015.

**ATT biex jipprovdi għat-twaqqif tal-Kunsill dwar il-Lingwa Maltija tas-Sinjali, u għal hwejjeġ ancillari jew konsegwenzjali għal dan.**

**AN ACT to provide for the setting up of the Sign Language Council of Malta, and for matters ancillary or consequential thereto.**

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



### **Abbozz ta' Liġi msejjah**

*ATT biex jipprovdi għat-twaqqif tal-Kunsill dwar il-Lingwa Maltija tas-Sinjali, u għal hwejjeġ ancillari jew konsegwenzjali għal dan.*

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

**1.** (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2015 dwar ir-Rikonoxximent tal-Lingwa Maltija tas-Sinjali. Titolu fil-qosor u bażi.

(2) Dan l-Att hu bbażat fuq il-prinċipji tal-konsolidament ta' drittijiet tal-bniedem, opportunitajiet indaqs u drittijiet lingwistiċi.

**2.** F'dan l-Att sakemm ir-rabta tal-kliem ma teħtieġx Tifsir. xort'ohra:

"komunità ta' persuni neqsin mis-smiġh" tfisser -

(a) grupp lingwistiku u kulturali distint ta' persuni li għandhom dizabilità fis-smiġh u li jużaw il-Lingwa Maltija tas-Sinjali bħala l-ewwel lingwa jew il-lingwa favorita; u

(b) persuni li għandhom dizabilità fis-smiġh u li jidentifikaw ruħhom mal-grupp ta' persuni msemmi fil-paragrafu (a);

"Kumitat" tfisser il-Kumitat tal-Affarijiet Soċjali tal-Kamra tad-Deputati jew kwalunkwe kumitat ieħor li jissostitwixxi dak il-kumitat;

"Kunsill" tfisser il-Kunsill għal-Lingwa Maltija tas-Sinjali ta' stabbilit taht l-artikolu 7;

"Lingwa Maltija tas-Sinjali" tfisser il-lingwa viżiva jew tal-ġesti li hija l-ewwel lingwa jew il-lingwa favorita f'Malta tal-grupp lingwistiku u kulturali distint tal-komunità ta' persuni neqsin mis-smigh;

"Ministru" tfisser il-Ministru responsabbli għad-drittijiet tal-persuni b'dizabilità;

"traduzzjoni", tfisser l-espressjoni bil-miktub bil-Malti jew bl-Ingliż jew biż-żewġ lingwi ta' messaġġi espressi bil-Lingwa Maltija tas-Sinjali; u l-espressjoni bis-sinjali tal-Lingwa Maltija tas-Sinjali ta' kliem miktub bil-Malti jew bl-Ingliż jew biż-żewġ lingwi.

Dikjarazzjoni,  
għan u prinċipju  
gwida.

**3. (1)** Ir-Repubblika ta' Malta tirrikonoxxi l-Lingwa Maltija tas-Sinjali bħala espressjoni tal-kultura u ċertifikazzjoni għal opportunitajiet indaqs u l-inkluzjoni. L-għan ta' dan l-Att huwa sabiex jippromwovi u jzomm haġ l-użu tal-Lingwa Maltija tas-Sinjali billi jiddikjara l-Lingwa Maltija tas-Sinjali bħala l-lingwa uffiċjali ta' Malta u jippermetti li jsiru regolamenti li jwaqqfu *standards* ta' kompetenza għat-tifsir tal-Lingwa Maltija tas-Sinjali.

(2) Il-prinċipju gwida ta' dan l-Att huwa li l-komunità ta' persuni neqsin mis-smigh għandha tiġi kkonsultata fuq materji relatati mal-Lingwa Maltija tas-Sinjali inkluża l-promozzjoni tal-użu u l-iżvilupp tal-Lingwa Maltija tas-Sinjali.

Użu tal-Lingwa  
Maltija tas-  
Sinjali.

**4.** Il-Lingwa Maltija tas-Sinjali hija dikjarata bħala lingwa uffiċjali ta' Malta u l-Gvern ta' Malta għandu jippromwovi permezz tal-mezzi kollha possibbli l-użu l-aktar wiesgħa tal-Lingwa Maltija tas-Sinjali fl-informazzjoni u s-servizzi kollha governattivi, fl-educazzjoni, fix-xandir, fil-*media*, fil-qrati u fil-ħajja politika, amministrattiva, ekonomika, soċjali u kulturali.

Limitazzjonijiet.

Kap. 413.

**5.** L-obbligi taht dan l-Att huma soġġetti għal dawk il-limiti kif iċ-ċirkustanzi jistgħu jagħmlu raġonevoli u neċessarji skont it-termini tal-Att dwar Opportunitajiet Indaqs għal Persuni b'Dizabilità, jekk jkunu ttieħdu jew saru l-miżuri u l-pjanijiet kollha raġonevoli għall-konformità ma' dan l-Att.

Użu ta' lingwa  
ohra.

**6.** Ebda haġa f'dan l-Att ma għandha taffettwa d-dritt ta' xi komunità lingwistika ohra f'Malta jew id-dritt ta' persuna li tuża l-lingwa ta' dik il-komunità jew ta' persuna, li mhijiex il-Lingwa Maltija tas-Sinjali.

7. Għandu jkun stabbilit Kunsill li jkun magħruf bħala l-Kunsill tal-Lingwa tas-Sinjali ta' Malta, hawn iżjed 'il quddiem imsejjah "il-Kunsill".

Twaqqif tal-Kunsill tal-Lingwa tas-Sinjali ta' Malta.

8. L-għanijiet tal-Kunsill huma li:

Għanijiet tal-Kunsill.

(a) jagħti pariri lill-Ministru fil-materji kollha li għandhom x'jaqsmu mal-lingwa tas-sinjali;

(b) jappoġġja r-riċerka relatata mal-lingwa tas-sinjali;

(ċ) jappoġġja l-iżvilupp tal-lingwa tas-sinjali u jhegġeg u jsaħħah ir-rikonoxximent u l-espressjoni tal-Lingwa Maltija tas-Sinjali;

(d) jippromwovi l-iżvilupp dinamiku ta' dawn il-karatteristiċi lingwistiċi kif identifikati mill-komunità Maltija ta' persuni neqsin mis-smiġh;

(e) f'konsultazzjoni mal-komunità ta' persuni neqsin mis-smiġh, jadotta politika lingwistika xierqa appoġġjata minn pjan strateġiku, u jizgura li dawn huma mhaddma u osservati fis-setturi kollha tal-ħajja Maltija;

(f) jevalwa u jikkoordina x-xogħol magħmul minn assoċjazzjonijiet u individwi, fis-settur tal-Lingwa Maltija tas-Sinjali u jippromwovi atmosfera ta' kooperazzjoni permezz ta' pjan konsenswali;

(g) ifittex li jikseb riżorsi finanzjarji lokali jew barra minn Malta sabiex ikun jista' isaħħah l-attivitajiet tiegħu, speċjalment dawk ir-riżorsi li huma diġà aċċessibbli għal organizzazzjonijiet lokali u internazzjonali għal finijiet ta' riċerka;

(h) jikkoopera ma' persuni, korpi u organizzazzjonijiet fis-settur tad-dizabilità sabiex iżid u jkabbar ir-rikonoxximent u l-apprezament tal-Lingwa Maltija tas-Sinjali u l-attivitajiet kulturali għall-avvanz tal-Lingwa Maltija tas-Sinjali;

(i) jippreskrivi u jistabbilixxi regolamenti dwar l-istandards ta' kompetenza li persuna li ser taġixxi bħala interpretu tal-Lingwa Maltija tas-Sinjali għandu jkollha u jzomm registru ta' Interpreti tal-Lingwa tas-Sinjali rikonoxxuti;

(j) iwettaq dawk l-attivitajiet l-oħra kif jistgħu jiġu lillu assenjati mill-Ministru.

9. (1) Il-Kunsill għandu jkun kompost minn mhux aktar minn hames membri, li jigu mahtura mill-Ministru, u wiehed minnhom għandu jkun nominat bhala *Chairperson*.

(2) Il-membri għandhom jinhatru minn fost dawk il-persuni li għandhom l-għarfien f'materji relatati mal-lingwa tas-sinjali, servizzi anċillari, proċeduri tas-servizz pubbliku, l-edukazzjoni jew oqsma oħra relatati mas-sinjal; għall-inqas wiehed mill-membri tal-Kunsill għandu jkun persuna ġejja mill-komunità ta' persuni neqsin mis-smiġh u membru ieħor għandu jigi nominat wara konsultazzjoni mal-Ministru responsabbli għall-edukazzjoni.

(3) Il-membri tal-Kunsill għandhom jinhatru għal perjodu ta' tlett snin, iżda jkunu eligibbli għal hatra mill-ġdid fl-iskadenza tat-terminu tal-kariga tagħhom. Kull membru jista', qabel l-iskadenza tat-terminu tal-kariga tiegħu, jirriżenja permezz ta' ittra mibgħuta lill-Ministru.

(4) Persuna m'għandhiex tikkwalifika biex jkollha kariga bhala membru tal-Kunsill jekk hi, jew kienet, Ministru, Segretarju Parlamentari, membru tal-Kamra tad-Deputati, membru ta' awtorità tal-gvern lokali, jew tkun uffiċjal pubbliku, hliet uffiċjal pubbliku li huwa kwalifikat sabiex jinhatar bhala *Chairperson* tal-Kunsill taht is-subartikolu (2).

(5) Mingħajr hsara għad-dispożizzjonijiet ta' dan l-artikolu, il-kariga ta' membru tal-Kunsill għandha ssir vakanti -

(a) mal-iskadenza ta' tliet snin mid-data tal-hatra tiegħu; jew

(b) jekk ikun hemm ċirkustanzi li, li kieku ma kienx membru tal-Kunsill, kienu jwasslu għal-iskwalfika milli jinhatar bhala membru.

(6) Membru tal-Kunsill jista' jitnehha mill-kariga mill-Ministru, iżda jista' jitnehha biss minhabba f'inkapaċità li jaqdi l-funzjonijiet tal-kariga tiegħu (kemm jekk minhabba f'mard mentali jew korporali jew għal xi raġuni oħra) jew għal imġieba hazina.

(7) Jekk il-kariga ta' membru tal-Kunsill tkun vakanti jew jekk membru għal xi raġuni ma jistax jaqdi l-funzjonijiet tal-kariga tiegħu, il-Ministru għandu jahtar persuna li hija kwalifikata sabiex tinhatar membru bhala membru temporanju tal-Kunsill, u kull persuna hekk mahtura għandha, mingħajr hsara għad-dispożizzjonijiet tas-subartikoli (5) u (6), tieqaf milli tkun membru meta persuna tinhatar sabiex timla' dik il-vakanza jew, skont il-każ, meta l-membru li ma setax jaqdi l-funzjonijiet tal-kariga tiegħu jerga'

jibda' jaqdi dawn il-funzjonijiet.

**10.** (1) Il-Kunsill għandu, fi żmien sentejn snin mid-data tal-bidu fis-seħh ta' dan l-Att, u darba kull sentejn wara, ihejji rapport dwar -

Rapport.

(a) it-tħaddim ta' dan l-Att mill-bidu tiegħu u kull sentejn wara l-ewwel rapport; u

(b) jekk huma neċessarji jew mixtieqa emendi għall-finijiet u l-kontentut ta' dan l-Att.

(2) Il-Kunsill għandu jiżgura li persuni jew organizzazzjonijiet li jirrapprezentaw l-interessi tal-membri tal-komunità ta' persuni neqsin mis-smiġħ huma kkonsultati fuq il-materji li jkunu ser jiġu kkunsidrati fir-rapport.

(3) Il-Ministru għandu, mill-aktar fis u sa mhux aktar tard minn tmien ġimgħat wara li jkun irċieva kopja ta' kull rapport bħal dan, jew jekk fi kwalunkwe żmien matul dak il-perjodu li l-Kamra tad-Deputati ma tkunx f'sessjoni, fi żmien tmejn ġimgħat mill-bidu tas-sessjoni li jkun imiss, iqieghed kopja ta' kull rapport bħal dan fuq il-Mejda tal-Kamra tad-Deputati. Ir-Rapport għandu wara jiġi diskuss mill-Kumitat.

**11.** Ir-rapport jista' jiġi inkluz fi kwalunkwe rapport magħmul fir-rigward tal-Att dwar Opportunitajiet Indaqgħal Persuni b'Dizabilità u fuq il-progress li jkun qed isir dwar l-implimenazzjoni tal-Politika Maltija Nazzjonali għal Persuni b'Dizabilità u l-Istrateġija applikabbli kif ukoll fir-rigward ta' kwalunkwe proċedura ta' rappurtagġ meħtieġa f'konformità mal-obbligi li johorġu mill-Konvenzjoni ta' Ġnus Maqgħuda dwar id-Drittijiet tal-Persuni b'Dizabilità.

Inkluzjoni tar-Rapport f'rapporti oħra. Kap. 413.

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### Għanijiet u Raġunijiet

L-għanijiet ta' dan l-Abbozz ta' Liġi huma għat-twaqqif, kompożizzjoni u funzjonijiet tal-Kunsill għal-Lingwa tas-Sinjali ta' Malta, li qed jitwaqqaf sabiex tintlaħaq sitwazzjoni fejn il-komunità ta' persuni neqsin mis-smiġħ tiġi konsultata f'materji li jirrigwardaw il-Lingwa Maltija tas-Sinjali; l-Abbozz ta' Liġi jipprovdi wkoll għall-promozzjoni tal-użu u l-iżvilupp tal-Lingwa Maltija tas-Sinjali, waqt li jiddikjara li l-Lingwa Maltija tas-Sinjali għandha titqies bhala lingwa uffċjali ta' Malta, u għal hwejjeġ oħra anċillari jew konsegwenzjali għal dan.

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**A Bill  
entitled**

*AN ACT to provide for the setting up of the Sign Language Council of Malta, and for matters ancillary or consequential thereto.*

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 and basis.

**1.** (1) The short title of this Act is the Maltese Sign Language Recognition Act, 2015.

(2) This Act is based on the principles of the consolidation of human rights, equal opportunities and linguistic rights.

Interpretation.

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

"Committee" means the Social Affairs Committee of the House of Representatives or any other committee substituting the same;

"Council" means the Sign Language Council of Malta established under article 7;

"deaf community" means -

(a) the distinct linguistic and cultural group of people who have a hearing impairment and who use Maltese Sign Language as their first or preferred language; and

(b) people who have a hearing impairment and who identify with the group of people referred to in paragraph (a);



"Maltese Sign Language" means the visual and gestural language that is the first or preferred language in Malta of the distinct linguistic and cultural deaf community;

"Minister" means the Minister responsible for the rights of persons with a disability;

"translation", in relation to Maltese Sign Language, means the written expression in Maltese or English or both of messages expressed in Maltese Sign Language; and the signed expression in Maltese Sign Language of words written in Maltese or English or both.

**3.** (1) The Republic of Malta recognises the Maltese sign language as an expression of culture and endorsement for equal opportunities and inclusion. The purpose of this Act is to promote and maintain the use of Maltese Sign Language by declaring the Maltese Sign Language to be an official language of Malta and empowering the making of regulations setting competency standards for the interpretation of Maltese Sign Language.

Declaration, scope and guiding principle.

(2) The guiding principle of this Act is that the deaf community should be consulted on matters relating to Maltese Sign Language including the promotion of the use and development of Maltese Sign Language.

**4.** The Maltese Sign Language is declared to be an official language of Malta and the Government of Malta shall promote through all possible means the widest use of the Maltese Sign Language in all government information and services, education, broadcasting, media, at the law courts, and in political, administrative, economic, social and cultural life.

Use of Maltese Sign Language.

**5.** The obligations under this Act are subject to such limits as circumstances make reasonable and necessary in terms of the Equal Opportunities (Persons with Disability) Act, if all reasonable measures and plans for compliance with this Act have been taken or made.

Limitations. Cap. 413.

**6.** Nothing contained in this Act shall affect the right of any other linguistic community in Malta or the right of any person to use the language of that community or person which is not the Maltese Sign Language.

Use of other language.

**7.** There shall be established a Council to be known as the Sign Language Council of Malta, hereinafter referred to as "the Council".

Establishment of Sign Language Council of Malta.

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Purposes of the Council.

**8.** The purposes of the Council are:

(a) to advise the Minister in all matters related to sign language;

(b) to support research related to sign language;

(c) to support the development of sign language and motivate and enhance the recognition and expression of the Maltese Sign Language;

(d) to promote the dynamic development of such linguistic characteristics as identified by the Maltese deaf community;

(e) in consultation with the deaf community, 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;

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

(g) to 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;

(h) to co-operate with persons, bodies and organisations in the disability sector in order to increase and augment the recognition and appreciation of Maltese Sign Language and cultural activities for the further advancement of the Maltese Sign Language;

(i) to prescribe and establish regulations about the standards of competency that a person who is to act as an interpreter of Maltese Sign Language must attain and keep a register of recognised Maltese Sign Language Interpreters;

(j) to undertake such other activities as may be assigned to it by the Minister.

Composition of the Council.

**9.** (1) The Council shall be composed of not more than five members, who shall be appointed by the Minister, one of whom shall be appointed as Chairperson.

(2) The members shall be appointed from amongst persons who are knowledgeable in matters relating to sign language, ancillary services, public service procedures, education or in other areas related to signing; at least one of the members of the Council shall be a person belonging to the deaf community and another member shall be appointed in consultation with the Minister responsible for education.

(3) The members of the Council shall be appointed for a term of three years, but shall be eligible for re-appointment on the expiration of their term of office. Any member may, before the expiration of his term of office, resign by letter addressed to the Minister.

(4) A person shall not be qualified to hold office as a member of the Council if he is, or was, a Minister, Parliamentary Secretary, a member of the House of Representatives, a member of a local government authority, or if he is a public officer other than a public officer who is qualified to be appointed chairperson of the Council under sub-article (2).

(5) Subject to the provisions of this article, the office of a member of the Council shall become vacant -

(a) at the expiration of three years from the date of his appointment; or

(b) if any circumstances arise that, if he were not a member of the Council, would cause him to be disqualified for appointment as such.

(6) A member of the Council may be removed from office by the Minister, but such member may be removed only for inability to discharge the functions of his office (whether arising from infirmity of mind or of body or any other cause) or for misbehaviour.

(7) If the office of a member of the Council is vacant or if a member is for any reason unable to perform the functions of his office, the Minister shall appoint a person who is qualified to be appointed to be a member to be a temporary member of the Council, and any person so appointed shall, subject to the provisions of sub-articles (5) and (6), cease to be such a member when a person has been appointed to fill the vacancy or, as the case may be, when the member who was unable to perform the functions of his office resumes those functions.

**10.** (1) The Council shall, within two years after the date on which this Act comes into force, and once every two years thereafter, prepare a report on - Report.

(a) the operation of this Act since its commencement, and every two years after the first report; and

(b) whether any amendments to the scope and contents of this Act are necessary or desirable.

(2) The Council shall ensure that persons or organisations that are representative of the interests of the members of the deaf community are consulted on the matters to be considered in the report.

(3) The Minister shall, at the earliest opportunity and not later than eight weeks after he has received a copy of such report, or if at any time during that period the House of Representatives is not in session, within eight weeks from the beginning of the next following session, cause a copy of such report to be laid on the Table of the House of Representatives. The report shall then be discussed by the Committee.

Inclusion of  
Report in other  
reports.  
Cap. 413.

**11.** The report may be included in any report made in relation to the Equal Opportunities (Persons with Disability) Act and on the progress being made in implementing the Malta National Disability Policy and applicable Strategy and also in relation to any reporting procedure required pursuant to the obligations emanating from the UN Convention on the Rights of Persons with Disability.

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### Objects and Reasons

The objects of this Bill are to provide for the setting up, composition and functions of the Sign Language Council of Malta, which is being set up in order to achieve a situation where the deaf community is consulted on matters relating to Maltese Sign Language; the Bill also provides for the promotion of the use and development of Maltese Sign Language, whilst declaring that the Maltese Sign Language is to be considered an official language of Malta, and for other matters ancillary or consequential thereto.

