

## ABBOZZ TA' LIĠI msejjah

*ATT sabiex jistabbilixxi u jassigura approċċ inter-ministerjali u tul il-ħajja li jaħdem favur l-edukazzjoni fiżika u dieti sani u bbilanċjati għat-tnaqqis tal-livell ta' obezità fost il-gruppi kollha ta' etajiet.*

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

### TAQSIM TAL-ATT

		Artikoli
Taqsim I	Dispożizzjonijiet Ġenerali	1 - 3
Taqsim II	Kunsill Konsultattiv dwar Stili ta' Ħajja Sana	4 - 5
Taqsim III	Stili ta' Ħajja Sana għat-Tfal	6 - 8
Taqsim IV	Stili ta' Ħajja Sana għall-Adulti u l-Anzjani	9 - 10
Taqsim V	Reati u Pieni	11

### TAQSIMA I Dispożizzjonijiet Ġenerali

**1.** (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2014 dwar Stili ta' Ħajja Sana (Biex Titnaqqas l-Obezità). Titolu fil-qosor u bidu fis-seħh.

(2) Dan l-Att għandu jidhol fis-seħh 3 xhur wara l-pubblikazzjoni tiegħu fil-Gazzetta.

**2.** F'dan l-Att sakemm ir-rabta tal-kliem ma tkunx teħtieġ Tifsir.

xort'ohra –

"Kunsill Konsultattiv" tfisser il-Kunsill Konsultattiv dwar Stili ta' Hajja Sana stabbilit bl-artikolu 4;

Kap. 327

"kurrikulu" tfisser il-Qafas ta' Kurrikulu Nazzjonali għall-iskejjel kollha fil-livell tal-edukazzjoni obbligatorja kif jipprovdi l-artikolu 47 tal-Att dwar l-Edukazzjoni;

Kap. 327

"il-Ministru" tfisser il-Ministru responsabbli għas-Saħħa;

"skejjel" għandu jkollha l-istess tifsira mogħtija lilha taħt l-artikolu 2 tal-Att dwar l-Edukazzjoni;

Kap. 464.

"speċjalista" tfisser professjonist fil-kura medika li jkollu ismu mnizzel fit-taqsimha adatta tar-registru tal-ispeċjalisti miżmum mill-Kunsill rilevanti skont l-Att dwar il-Professjonijiet tas-Saħħa.

Skop.

**3.** L-għan ewlieni ta' dan l-Att huwa li jistabbilixxi u jiżgura approċċ inter-ministerjali tul il-hajja li jaħdem favur l-edukazzjoni fiżika u dieti sani bbilanċjati għat-tnaqqis tal-livell tal-obeziżità fost il-gruppi kollha tal-etajiet.

## TAQSIMA II

### Kunsill Konsultattiv dwar Stili ta' Hajja Sana

Kunsill  
Konsultattiv  
dwar Stili ta'  
Hajja Sana.

**4.** (1) Għandu jiġi stabbilit Kunsill Konsultattiv dwar Stili ta' Hajja Sana.

(2) Il-Kunsill Konsultattiv dwar Stili ta' Hajja Sana jista' jwaaqqaf sotto-komitati sabiex jittrattaw materji differenti u speċifiċi relatati ma' stili ta' hajja sana kif jidhirlu xieraq.

(3) Il-Kunsill Konsultattiv għandu jkun magħmul kif speċifikat hawn taħt, u l-Ministru jista' b'regolamenti, jemenda l-kompożizzjoni tiegħu u jipprovdi dwar kull materja oħra jew proċedura kif jidhirlu meħtieġ għall-aħjar twettiq tal-funzjonijiet tal-Kunsill Konsultattiv:

(a) is-Segretarju Permanenti fl-Uffiċċju tal-Prim Ministru, jew ir-rappreżentant tiegħu, bħala *Chairman*;

(b) is-Supretendent tas-Saħħa Pubblika, jew ir-rappreżentant tiegħu;

(ċ) id-Direttur Ġenerali għal Servizzi Edukattivi, jew ir-rappreżentant tiegħu;

(d) il-Kummissarju tal-Pulizija, jew ir-rappreżentant

tiegħu;

(e) id-Direttur għal Kunsilli Lokali, jew ir-rappreżentant tiegħu;

(f) id-Direttur għas-Servizzi Soċjali, jew ir-rappreżentant tiegħu;

(g) id-Direttur Ġenerali tal-Kummerċ, jew ir-rappreżentant tiegħu;

(h) rappreżentant tal-Kunsill Malti għall-Ispport;

(i) speċjalista fil-Pedjatrija;

(j) speċjalista fil-Ġerjatrija;

(k) Uffiċjal Edukattiv (Edukazzjoni Fizika);

(l) professjonist fin-nutrizzjoni.

(4) Il-Kumitat Konsultattiv għandu jiltaqa' kemm il-darba jkun meħtieġ u għandu jirregola l-proċeduri tiegħu.

**5.** (1) Il-Kunsill Konsultattiv għandu, b'mod ġenerali, ikun il-konsulent prinċipali għall-Gvern dwar kull materja relatata ma' stili ta' ħajja sana.

Funzjonijiet u dmirijiet tal-Kunsill Konsultattiv.

(2) B'mod partikolari għandu jkun id-dmir tal-Kunsill Konsultattiv illi:

(a) jagħti pariri lill-Ministru dwar materji relatati mas-saħħa u mal-attività fizika u n-nutrizzjoni;

(b) jagħti pariri lill-Ministru dwar politika, pjanijiet ta' azzjoni u regolamenti maħsuba sabiex inaqqsu l-obeżità fost il-pubbliku;

(c) jagħti pariri lill-Ministru responsabbli għall-Edukazzjoni dwar materji mitluba taħt l-artikoli 7 u 8;

(d) jagħti pariri lill-Ministru responsabbli għall-Intern dwar materji mitluba taħt l-artikolu 8;

(e) jagħti pariri lill-Ministru responsabbli għall-Kunsilli Lokali dwar materji mitluba taħt l-artikolu 9;

(f) jinkoraġġixxi approċċ inter-ministerjali f'kull materja relatata mal-attività fizika u ma' stil ta' ħajja sana;

(g) jinkoraġġixxi approċċ tul il-ħajja, mill-konċepiment sal-anzjanità, għall-attività fiżika u l-istil ta' ħajja sana.

### TAQSIMA III

#### Stili ta' Ħajja Sana għat-Tfal

Korsijiet għall-  
ġenituri dwar  
stili ta' ħajja  
sana.

6. Kull kors maħsub għall-ġenituri prospettivi, għandu jinkludi *inter alia*, suġġetti relatati mal-benefiċċji ta' approċċ tul il-ħajja ta' stil ta' ħajja sana, inkluż dwar il-benefiċċji tal-attività fiżika u ta' dieta tajba bilanċjata, flimkien man-nuqqasijiet assoċjati ma' imġieba sedentarja.

Eżerċizzju  
fiżiku fl-iskejjel.

7. (1) Kull student fl-iskejjel kollha liċenzjati f'Malta, mill-età ta' qabel l-iskola obbligatorja sat-tmien tal-edukazzjoni obbligatorja, għandu jkun allokat numru ta' sigħat għall-edukazzjoni fiżika bhala parti mill-kurrikulu stabbilit, li l-minimu tagħhom għandu jkun stabbilit b'regolamenti mill-Ministru responsabbli mill-Edukazzjoni, flimkien mal-Ministru, u wara li jkun mogħti l-parir mill-Kunsill Konsultattiv.

(2) Kull skola liċenzjata f'Malta għandu jkollha assenjati speċifikament magħha numru ta' għalliema tal-Edukazzjoni Fizika skont kif ikun meħtieġ u proporzjonali man-numru ta' studenti fl-istess skola.

(3) Kull attività relatata mal-*isport*, inkluż iżda mhux limitat biss għall-*iSports Days*, għandha tkun obbligatorja għall-istudenti kollha.

(4) Kull faċilità sportiva ġewwa l-bini tal-iskola, jew li tmiss magħha, għandha tkun, għall-inqas waqt il-ħin tal-iskola, speċifikament u b'mod esklussiv għall-użu tal-edukazzjoni fiżika msemmija fis-subartikolu (1).

Ikel permess fl-  
iskejjel u fil-  
vicinanzi  
tagħhom.

8. (1) Għandha tiġi stabbilita lista komprensiva ta' ikel li jista' jinbiegħ u jiġi kkunsmat fl-iskejjel, kemm fil-*canteens* jew minn postijiet oħra.

(2) Mingħajr preġudizzju għall-generalità ta' dak imsemmi fis-subartikolu (1), il-bejgħ ta' kull xarba, għajr għall-ilma u l-meraq tal-frott ippreparat frisk, kemm jekk minn magni tal-bejgħ jew xort' oħra, huwa strettament projbit. Aktar minn hekk, l-istudenti u l-ġenituri jew il-gwardjani tagħhom għandhom ikunu mhegġa jgibu magħhom l-iskola dak l-ikel biss li jidher fil-lista komprensiva msemmija hawn qabel. Għandu jiġi nkoraġġut u faċilitat il-konsum ta' ilma fl-iskejjel, speċjalment billi jkun hemm aċċess għall-ilma tax-xorb madwar il-bini tal-iskola kollha.

(3) Il-Ministru responsabbli għall-Edukazzjoni, flimkien mal-Ministru għandu, b'regolamenti, u wara li jkun mogħti l-parir mill-Kunsill Konsultattiv, jistabbilixxi l-lista msemmija fis-subartikolu (1) hawn qabel. Din il-lista għandha tkun riveduta darba fis-sena, jew qabel, skont kif ikun meħtieġ.

(4) Il-Ministru responsabbli mill-Intern, flimkien mal-Ministru għandu, b'regolamenti, u wara li jkun mogħti l-parir mill-Kunsill Konsultattiv, jistabbilixxi lista ta' ikel li m'għandux jinbiegħ jew jiġi kkunsmat minn distanza, liema distanza għandha tkun stabbilita bl-istess regolamenti, mid-dawra ta' kull skola liċenzjata f'Malta, għal dak il-perjodu, ukoll stabbilit bir-regolamenti, qabel tibda u wara li tispicċa l-iskola.

(5) Kull min jikser xi waħda mid-dispożizzjonijiet ta' dan l-artikolu, jinsab hati ta' reat kontra dan l-Att.

#### TAQSIMA IV

##### Stili ta' Hajja Sana għall-Adulti u l-Anzjani

9. (1) Kull Kunsill Lokali f'Malta għandu jiddedika perċentwali definit minn qabel tan-nefqa annwali tiegħu b'dak il-mod li jippromwovi l-*isport* u l-attività fiżika permezz ta', *inter alia*, l-istallazzjoni ta' ġinnażji f'postijiet fil-beraħ.

Investiment mill-Kunsilli Lokali fi stili ta' hajja sana.

(2) Il-Ministru responsabbli mill-Kunsilli Lokali għandu, b'regolamenti u wara li jkun mogħti l-parir mill-Kunsill Konsultattiv, jistabbilixxi l-perċentwali minn nefqa annwali ta' kull Kunsill Lokali, kull wieħed skont il-fondi disponibbli, għall-għanijiet tas-subartikolu (1).

(3) Kull Kunsill Lokali li joffri korsijiet għar-residenti, kemm jekk b'xejn jew bi ħlas, għandu jinkludi fil-lista ta' korsijiet li joffri tal-inqas kors wieħed li jippromwovi l-attività fiżika u kors ieħor dwar il-benefiċċji ta' dieta bilanċjata u nutrizzjoni sana.

10. (1) Kull ċentru ta' matul il-jum għall-adulti u l-anzjani, kemm jekk immexxi mill-gvern kif ukoll mill-privat, għandu jinkludi fost l-attivitajiet li jorganizza lezzjonijiet dwar l-attività fiżika u dwar in-nutrizzjoni sana.

Attività fiżika u nutrizzjoni fiċ-ċentri ta' matul il-jum u fid-djar għall-anzjani.

(2) Kull dar residenzjali għall-anzjani liċenzjata sabiex topera f'Malta għandha, b'mod ġenerali tiegħu hsieb l-attività fiżika u dieti sani għar-residenti kollha, f'kull każ skont il-kundizzjonijiet ta' saħħa ta' kull resident. B'mod partikolari, kull resident għandu jkollu inkluz fil-pjan ta' kura tiegħu jew tagħha, jekk u sakemm possibbli, kemm l-attività fiżika rakkomandata u kemm il-ħtigiet ta' dieta tiegħu jew tagħha.

(3) Kull min jikser xi waħda mid-dispożizzjonijiet ta' dan l-artikolu jinsab hati ta' reat kontra dan l-Att.

**TAQSIMA V**  
**Reati u Pieni**

Reati u pieni.

**11.** Kull persuna li tikser xi dispożizzjonijiet ta' dan l-Att jew ta' xi regolamenti magħmula tahtu, tkun ħatja ta' reat kontra dan l-Att u teħel, meta tinsab ħatja, multa ta' mhux anqas minn ħames mitt euro (€500) u mhux iżjed minn elfejn u ħames mitt euro (€2,500).

---

**Għanijiet u Raġunijiet**

L-għanijiet ta' dan l-abbozz huma sabiex jiġi stabbilit u jiġi assigurat approċċ inter-ministerjali u tul il-ħajja li jaħdem favur l-educazzjoni fizika u dieti sani u bbilancjati għat-tnaqqis tal-livell ta' obezità fost il-gruppi kollha ta' etajiet.

---

**A BILL  
entitled**

*AN ACT to establish and ensure an inter-ministerial lifelong approach favouring physical education and healthy balanced diets for a healthy lifestyle reducing the level of obesity throughout all age groups.*

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:-

**ARRANGEMENT OF ACT**

	Articles
Part I    General Provisions	1 - 3
Part II    Advisory Council On Healthy Lifestyles	4 - 5
Part III    Healthy living for Children	6 - 8
Part IV    Healthy living for Adults and the Elderly	9 - 10
Part V    Offences and Penalties	11

**PART I  
General Provisions**

**1.** (1) The short title of this Act is the Healthy Lifestyle (Reducing Obesity) Act, 2014. Short title and coming into force.

(2) The provisions of this Act shall come into force three months after the date of its publication in the Gazette.

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

"Advisory Council" means the Advisory Council On Healthy Lifestyle established by article 4;

Cap. 327. "curriculum" means the National Curriculum Framework for all schools at compulsory educational level as provided for by article 47 of the Education Act;

"the Minister" means the Minister responsible for Health;

Cap. 327. "schools" shall have the same meaning assigned to it under article 2 of the Education Act;

Cap. 464. "specialist" means a health care professional whose name is entered in the appropriate part of the specialist register kept by the relevant Council in accordance with the Health Care Professions Act.

Scope. **3.** This Act intends to establish and ensure an inter-ministerial lifelong approach favouring physical education and healthy balanced diets for a healthy lifestyle reducing the level of obesity throughout all age groups.

## **PART II**

### **Advisory Council On Healthy Lifestyles**

Advisory  
Council On  
Healthy  
Lifestyles.

**4.** (1) There shall be established an Advisory Council On Healthy Lifestyles.

(2) The Advisory Council On Healthy Lifestyles may set up sub-committees to deal with different and specific matters related to a healthy lifestyle as it may deem necessary.

(3) The Advisory Committee shall be composed as provided hereunder, and the Minister may by regulations amend its composition and provide for any other matter or procedure he may deem necessary for the better implementation of the functions of the Advisory Council:

(a) the Permanent Secretary in the Office of the Prime Minister, or his representative, as Chairman;

(b) the Superintendent of Public Health, or his representative;

(c) the Director General for Educational Services, or his representative;

(d) the Commissioner of Police, or his representative;

(e) the Director for Local Councils, or his representative;

(f) the Director for Social Welfare, or his



representative;

(g) the Director General Commerce, or his representative;

(h) a representative of the Kunsill Malti *ghall-Isport*;

(i) a specialist in Paediatrics;

(j) a specialist in Geriatrics;

(k) an Education Officer (Physical Education); and

(l) a nutritionist.

(4) The Advisory Committee shall meet as often as necessary and shall regulate its own procedures.

5. (1) It shall be the duty of the Advisory Council, in general, to be the chief adviser to Government on any matter related to healthy lifestyles.

Functions and  
duties of the  
Advisory  
Council.

(2) In particular, it shall be the duty of the Advisory Council to:

(a) advise the Minister on matters relating to health and physical activity and nutrition;

(b) advise the Minister on policies, action plans and regulations intended to reduce obesity among the general public;

(c) advise the Minister responsible for Education on matters required under articles 7 and 8;

(d) advise the Minister responsible for Home Affairs on matters required under article 8;

(e) advise the Minister responsible for Local Councils on matters required under article 9;

(f) encourage an inter ministerial approach to issues related to physical activity and a healthy lifestyle;

(g) encourage a lifelong approach, from conception till old age, to physical activity and a healthy lifestyle.

**PART III**  
**Healthy Living for Children**

Parental courses on healthy lifestyles.

6. Every course intended for prospective parents, shall include, *inter alia*, topics related to the benefits of a lifelong approach to healthy lifestyles, including the benefits of physical activity and of a good balanced diet, together with the shortcomings associated with sedentary behaviour.

Physical activity in schools.

7. (1) All students in every licensed school in Malta, from pre-schooling age until the end of compulsory education, shall be allocated a number of hours, the minimum of which shall be established by regulations by the Minister responsible for Education, in conjunction with the Minister, after being duly advised by the Advisory Council, for physical education as part of the established curriculum.

(2) Every licensed school in Malta shall have assigned specifically to it that number of Physical Education teachers as necessary and proportionate to the number of students in the same school.

(3) All sports-related activities, including but not limited to Sports Days, shall be obligatory to all students.

(4) All sports facilities within the school premises, or adjacent to it, shall be, at least during school hours, specifically and exclusively allocated for the physical education mentioned in sub-article (1).

Food consumption in schools and in their proximity.

8. (1) There shall be established a comprehensive list of food items that may be sold and consumed on school premises, whether in the school canteens or otherwise.

(2) Without prejudice to the generality of subarticle (1), the sale of all drinks, with the exception of water and freshly prepared fruit juices, whether from any vending machine or otherwise, shall be strictly prohibited. Moreover, students and their parents or guardians shall be encouraged to bring with them for lunch only food items that appear on the comprehensive list mentioned above. Consumption of water in schools shall be specifically encouraged and facilitated, especially through a greater and easier access to drinking water throughout the school premises.

(3) The Minister responsible for Education, in conjunction with the Minister shall, by regulations, and after receiving the advice of the Advisory Council, establish the list mentioned in sub-article (1). Such a list shall be reviewed on an annual basis, or before, as

deemed necessary.

(4) The Minister responsible for Home Affairs, in conjunction with the Minister, shall, by regulations, and after receiving the advice of the Advisory Council, establish a list of food items which cannot be sold or otherwise consumed, within a range, to be established by the same regulations, from the perimeter of any licensed school in Malta, for that period of time also established by the regulations prior to, and after, normal school hours.

(5) Whosoever contravenes any of the provisions of this article shall be guilty of an offence against this Act.

#### PART IV

#### Healthy living for Adults and the Elderly

9. (1) Every Local Council in Malta shall dedicate a predefined percentage of its annual budget in a way to promote sports and physical activities through, *inter alia*, the installation of gymnasias in open air spaces.

Investment by Local Councils in healthy lifestyles.

(2) The Minister responsible for Local Councils shall, by regulations, and after receiving the advice of the Advisory Council, establish the percentage of the annual budget for every Local Council, each according to the available funds, for the purpose of sub-article (1).

(3) Every Local Council offering courses for residents, whether free of charge or against payment, shall include in its list of courses at least one course which promotes physical activity and another which promotes the benefits of a balanced diet and a healthy nutrition.

10. (1) Every day care centre for adults and the elderly, whether under public or private management, shall include amongst its activities lessons in physical activity and in healthy nutrition.

Physical activity and nutrition in day care centres and old people's homes.

(2) Every old people's home licensed to operate in Malta shall in general cater for the physical activity and for a healthy diet, of its residents, each according to his or her health condition. In particular, every resident shall have included, if and as possible, in his or her care plan, both the physical activity recommended, and also his or her dietary requirements.

(3) Whosoever contravenes any of the provisions of this article shall be guilty of an offence against this Act.

**PART V**  
**Offences and Penalties**

Offences and penalties.

**11.** Any person who contravenes any provision under this Act or under any regulations issued thereunder, shall be guilty of an offence against this Act and shall, on conviction, be liable to a fine (*multa*) of not less than five hundred euro (€500) and not exceeding two thousand and five hundred euro (€2,500).

---

**Objects and reasons**

The objects of this Bill are to establish and ensure an inter-ministerial lifelong approach favouring physical education and healthy balanced diets for a healthy lifestyle reducing the level of obesity throughout all age groups.

---