

Abbozz ta' Liġi msejjah

Att biex jemenda l-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità, Kap. 258.

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. It-titolu fil-qosor ta' dan l-Att hu Att tal-2014 li jemenda l-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità u għandu jinqara u jiftiehem haġa waħda mal-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità, hawnhekk iżjed 'il quddiem f'dan l-Att imsejjah "l-Att prinċipali".

Titolu fil-qosor.
Kap. 258.

2. L-artikolu 4 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Sostituzzjoni tal-artikolu 4 tal-Att prinċipali.

"Pussess ta' karti tal-identità.

4. Kull persuna ta' nazzjonalità Maltija li għandha 'l fuq minn erbghatax-il sena għandu jkollha fil-pussess tagħha karta tal-identità valida, u għal dawn il-finijiet, għandha tapplika għaliha skont id-disposizzjonijiet ta' dan l-Att, mhux aktar tard minn xahar wara l-għeluq tagħha ta' erbghatax-il sena. Fil-każ ta' persuni li huma ta' nazzjonalità Maltija u għadhom kemm irritornaw lura Malta bl-intenzjoni li jgħixu f'Malta b'mod permanenti, dawn għandhom jagħmlu talba għal hruġ ta' karta tal-identità ġdida mhux iżjed tard minn xahar wara li jirritornaw lura Malta."

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Emenda tal-artikolu 5 tal-Att prinċipali.

3. Is-subartikolu (2) tal-artikolu 5 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok il-kliem "id-data li fiha tindika l-bidu tal-validità tagħha u meta tiskadi, u n-numru tal-att ta' twelid tagħha kif mgħoti mir-Registru Pubbliku", għandhom jidhlu l-kliem "id-data li fiha tindika l-bidu tal-validità tagħha u meta tiskadi, u numru ta' identifikazzjoni tad-detentur li jista' jkun jew in-numru tal-att ta' twelid kif mgħoti mir-Registatur Pubbliku jew kull numru ieħor kif jista' jiġi mogħti lilha mill-uffiċjal awtorizzat"; u

(b) fil-paragrafu (b) tiegħu, minnufih wara l-kliem "l-indirizz tal-post prinċipali ta' residenza" għandhom jidiedu l-kliem "f'Malta".

Emenda tal-artikolu 8 tal-Att prinċipali.

4. Is-subartikolu (2) tal-artikolu 8 għandu jiġi imħassar u s-subartikolu (1) tiegħu għandu jiġi enumerat mill-ġdid bħala l-artikolu 8 shih.

Għanijiet u Raġunijiet

L-għanijiet u raġunijiet ta' dan l-Abbozz ta' Liġi huma primarjament biex jirrevedu numru ta' dispożizzjonijiet fl-Att sabiex tkun evitata diskriminazzjoni kontra żewġ kategoriji ta' ċittadini: emigranti li jirritornaw li l-użu tal-karta tal-identità tagħhom bħala dokument tal-ivvjaġġar kienet qiegħda tiġi miċhuda għall-ewwel sitt xhur ta' residenza (billi dan ma kienx japplika fil-każijiet l-oħra kollha) u ċittadini li ma jkunux f'pożizzjoni li jirregistraw l-Att ta' Twelid tagħhom fir-Registru Pubbliku (u għalhekk ma jkunux jistgħu japplikaw għal dokument ta' Identità għaliex in-numru tad-dokument tal-identità kien marbut esklużivament man-Numru tar-Registru Pubbliku). Emenda waħda addizzjonali tikkjarifika li l-indirizz li għandu jiġi registrat fid-dokument ta' Identità għandu jinsab fil-Gzejjer Maltin.

**A Bill
entitled**

AN ACT to amend the Identity Cards and Other Identity Documents Act, Cap. 258.

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: -

1. The short title of this Act is the Identity Cards and Other Identity Documents (Amendment) Act, 2014 and it shall be read and construed as one with the Identity Cards and Other Identity Documents Act hereinafter referred to as "the principal Act".

Short title.
Cap. 258.

2. Article 4 of the principal Act shall be substituted by the following:

Substitution of
article 4 of the
principal Act.

"Possession of
identity cards.

4. Every Maltese national over the age of fourteen years shall be in possession of a valid identity card and for this purpose he shall make application therefor in accordance with the provisions of this Act not later than one month after his fourteenth birthday. In the case of Maltese nationals returning to Malta with the intention of setting up permanent residence, these shall make an application for the issue of a new identity card not later than one month after their return to Malta."

3. Sub-article (2) of article 5 of the principal Act shall be amended as follows:

Amendment of
article 5 of the
principal Act.

(a) for the words "the date on which its validity commences and expires, and his act of birth number as given by the Public Registry", there shall be substituted the words "the

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date on which its validity commences and expires, and an identifying number of the holder which may either be his act of birth number as given by the Public Registry or any other number as may be assigned to him by the authorised officer"; and

(b) in paragraph (b) thereof, immediately after the words "the address of the principal place of residence", there shall be added the words "in Malta".

Amendment of
article 8 of the
principal Act.

4. Sub-article (2) of article 8 of the principal Act shall be deleted and sub-article (1) thereof shall be renumbered as the whole article 8.

Objects and Reasons

The objects and reasons of this Bill are primarily to review a number of provisions within the Act in order to avoid discrimination against two categories of citizens: returning migrants whose use of the identity document as a travel document was being prohibited for the first six months of residence (whereas this did not apply in all other cases) and citizens who are not in a position to register their Act of Birth at the Public Registry (and consequently cannot apply for an Identity document because the identity document number was exclusively linked to the Public Registry Number). One additional amendment clarifies that the address to be recorded in the Identity document shall be located in the Maltese Islands.
