ABBOZZ TA’ LIĠI
msejjaħ

Att biex jemenda l-Att dwar Tfal u Żgħażagħ (Ordnijiet għall-Ħarsien), sabiex jipprovdi mekkaniżmu għal reviżjoni ta’ ordnijiet għall-ħarsien fuq it-talba tal-ġenitur jew tal-kustodju tat-tifel jew żagħżugħ.

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:-

Titolu fil-qosor u bidu fis-seħħ.

Kap. 285.

1. (1) It-titolu fil-qosor ta’ dan l-Att hu Att tal-2013 li jemenda l-Att dwar Tfal u Żgħażagħ (Ordnijiet għall-Ħarsien), u dan l-Att għandu jinqara u jiftiehem ħaġa waħda mal-Att dwar Tfal u Żgħażagħ (Ordnijiet għall-Ħarsien), hawnhekk iżjed ’il quddiem f’dan l-Att imsejjaħ "l-Att prinċipali".

(2) Dan l-Att għandu jidħol fis-seħħ f’dik id-data hekk kif il-Ministru responsabbli għall-ġustizzja jista’ b’avviż fil-Gazzetta jistabbilixxi.

Emenda tal-artikolu 4 tal-Att prinċipali.

2. Is-subartikolu (5) tal-artikolu 4 tal-Att prinċipali għandu jiġi enumerat mill-ġdid bħala s-subartikolu (6) u minnufih wara s-subartikolu (4), għandu jiżdied dan is-subartikolu ġdid li ġej:

"(5) Jekk il-Qorti tal-Minorenni tikkonferma li l-ordni saret taħt is-subartikolu (1), il-persuna msemmija fl-imsemmi subartikolu tista’, wara 4 xhur wara dik il-konferma, titlob lil Qorti tal-Minorenni biex tirrevedi l-ordni. Dik it-talba għandha ssir permezz ta’ ittra reġistrata lid-Direttur tad-Dipartiment responsabbli għall-Ħarsien Soċjali. Id-Direttur għandu, mhux iżjed tard minn sebat ijiem mid-data tal-wasla ta’ dik l-ittra, jirreferi l-każ lill-Qorti tal-Minorenni bl-istess mod hekk kif preskritt taħt l-artikolu 13.".

Emenda tal-artikolu 13 tal-Att prinċipali.

3. Fil-paragrafu (a) tal-artikolu 13 tal-Att prinċipali, minflok il-kliem "l-artikolu 4(3) u (4)" għandhom jidħlu l-kliem "l-artikolu 4(3), (4) u (5)".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta’ dan l-Abbozz ta’ liġi huma sabiex jipprovdi mekkaniżmu għal reviżjoni ta’ ordnijiet għall-ħarsien fuq it-talba tal-ġenitur jew tal-kustodju tat-tifel jew żagħżugħ.

A BILL
entitled

AN ACT to amend the Children and Young Persons (Care Orders) Act, to provide a mechanism for review of care orders on the request of the parent or the guardian of the child or young person.

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 commencement.

Cap. 285.

1. (1) The short title of this Act is the Children and Young Persons (Care Orders) (Amendment) Act, 2013 and this Act shall be read and construed as one with the Children and Young Persons (Care Orders) Act, hereinafter referred to as "the principal Act".

(2) This Act shall come into force on such a date as the Minister responsible for justice may by notice in the Gazette appoint.

Amendment to article 4 of the principal Act.

2. Sub-article (5) of article 4 of the principal Act shall be renumbered as sub-article (6) and immediately after sub-article (4), there shall be added the following new sub-article:

"(5) If the Juvenile Court confirms the order made under sub-article (1), the person referred to in the said sub-article may, after four months following such confirmation, request the Juvenile Court to review the order. Such a request shall to be made by means of a registered letter to the Director of the Department responsible for Social Welfare. The Director shall, not later than seven days from the date of the receipt of such letter, refer the case to the Juvenile Court in the same manner as prescribed by the regulations made under article 13.".

Amendment to article 13 of the principal Act.

3. In paragraph (a) of article 13 of the principal Act for the words "article 4(3) and (4)" there shall be substituted the words "article 4 (3), (4) and (5)".

Objects and Reasons

The object and reasons of this Bill are to provide a mechanism for review of care orders on the request of the parent or the guardian of the child or young person.