

Naghti l-kunsens tieghi.

(L.S.)

GEORGE ABELA  
President

25 ta' Marzu, 2014

**ATT Nru. V tal-2014**

*ATT biex ikompli jemenda l-Kodiċi Kriminali (Kap. 9).*

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2014 li jkompli jemenda l-Kodiċi Kriminali (Emenda Nru. 4), u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Kodiċi Kriminali, hawnhekk iżjed 'il quddiem f'dan l-Att imsejjaħ "il-Kodiċi".

Titolu fil-qosor.

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2. Fl-artikolu 91 tal-Kodiċi, minflok il-kliem "minn erba' xhur sa tliet snin" għandhom jidhlu l-kliem "minn sena sa ħames snin u għal multa ta' mhux inqas minn erbat elef euro (4,000) u mhux iżjed minn għaxart elef euro (10,000)".

Emenda tal-artikolu 91 tal-Kodiċi.

3. L-artikolu 93 tal-Kodiċi għandu jiġi emendat kif ġej:

Emenda tal-artikolu 93 tal-Kodiċi.

(a) fis-subartikolu (1) tiegħu, minflok il-kliem "minn xahar sa tliet xhur u l-multa" għandhom jidhlu l-kliem "minn disa' sa tmintax-il xahar u għal multa ta' mhux inqas minn ħames mitt euro (500) u mhux iżjed minn elf u ħames mitt euro (1,500)";

(b) fis-subartikolu (2) tiegħu, minflok il-kliem "minn tliet xhur sa sena" għandhom jidhlu l-kliem "minn tnax-il xahar sa sentejn u għal multa ta' mhux inqas minn seba' mitt euro (700) u mhux iżjed minn elfejn u ħames mitt euro (2,500)";

(ċ) fis-subartikolu (3) tiegħu, minflok il-kliem "minn seba' xhur sa tmintax-il xahar" għandhom jidhlu l-kliem "minn tmintax-il xahar sa tliet snin u għal multa ta' mhux inqas minn elf u ħames mitt euro (1,500) u mhux iżjed minn erbat elef euro (4,000)"; u

(d) minnufih wara s-subartikolu (3) tiegħu, għandu jiżdied dan is-subartikolu ġdid li ġej:

"(4) Meta r-reati msemmija f'dan l-artikolu jkunu saru kontra xi uffiċjal tal-uffiċċju tal-Avukat Ġenerali, meta jkun qed jaġixxi taħt l-ordni tal-Avukat Ġenerali f'dak kollu li fih l-Avukat Ġenerali għandu jaġixxi fil-ġudizzju individwali tiegħu jew b'konnessjoni mal-uffiċċju tiegħu, il-ħati għandu jehel l-istess piena stabbilita fis-subartikoli ta' qabel."

Emenda tal-artikolu 94 tal-Kodiċi.

4. Fis-subartikolu (1) tal-artikolu 94 tal-Kodiċi, minflok il-kliem "minn sentejn sa ħames snin" għandhom jidhlu l-kliem "minn erbgħa sa seba' snin u għal multa ta' mhux inqas minn ħamest elef euro (5,000) u mhux iżjed minn ħamsa u għoxrin elf euro (25,000)".

Emenda tal-artikolu 95 tal-Kodiċi.

5. L-artikolu 95 tal-Kodiċi għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minflok il-kliem "mizjuda bi grad" għandhom jidhlu l-kliem "mizjuda b'żewġ gradi u għal multa ta' mhux inqas minn tmien mitt euro (800) u mhux iżjed minn ħamest elef euro (5,000)"; u

(b) is-subartikolu (1) tiegħu għandu jiġi enumerat mill-ġdid b'ħala artikolu sħiħ; u

(ċ) is-subartikoli (2) u (3) tiegħu għandhom jiġu mħassra.

Emenda tal-artikolu 96 tal-Kodiċi.

6. L-artikolu 96 tal-Kodiċi għandu jiġi emendat kif ġej:

(a) fil-paragrafu (a) tiegħu, minflok il-kliem "minn erba' xhur sa sena" għandhom jidhlu l-kliem "minn sitt xhur sa sentejn u għal multa ta' mhux inqas minn erbat elef euro (4,000) u mhux iżjed minn għaxart elef euro (10,000)"; u

(b) fil-paragrafu (b) tiegħu, minflok il-kliem "minn seba' xhur sa sentejn" għandhom jidhlu l-kliem "minn disa' xhur sa tliet snin u għal multa ta' mhux inqas minn ħamest elef euro (5,000) u mhux iżjed minn ħmistax-il elf euro (15,000)".

7. Fl-artikolu 97 tal-Kodiċi, minflok il-kliem "minn disa' xhur sa tliet snin" għandhom jidhlu l-kliem "minn sena sa erba' snin u għal multa ta' mhux inqas minn tmint elef euro (8,000) u mhux iżjed minn għoxrin elf euro (20,000)".

Emenda tal-artikolu 97 tal-Kodiċi.

8. Minnufih wara l-artikolu 99 tal-Kodiċi għandu jiżdied l-artikolu ġdid li ġej:

Żjieda ta' artikolu ġdid mal-Kodiċi.

"Dispożizzjonijiet Generali.

99A.(1) Id-dispożizzjonijiet li ġejjin għandhom japplikaw għal reati taht dan is-subtitolu.

(2) Id-dispożizzjonijiet tal-artikolu 21 m'għandhomx japplikaw fir-rigward ta' kull persuna haġja ta' reat taht dan is-subtitolu.

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(3) Kull multa li għaliha l-persuna haġja giet ikkundannata li tħallas tista' tiġi rkuprata bhala dejn ċivili u s-sentenza tal-Qorti tkun tikkostitwixxi titolu eżekuttiv għall-finijiet u l-effetti kollha tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili. ".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 130 tal-17 ta' Marzu, 2014.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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I assent.

(L.S.)

GEORGE ABELA  
President

25th March, 2014

**ACT No. V of 2014**

*AN ACT to further 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.

**1.** The short title of this Act is the Criminal Code (Amendment No. 4) Act, 2014, and this Act shall be read and construed as one with the Criminal Code, hereinafter in this Act referred as "the Code".

Cap. 9.

Amendment of  
article 91 of the  
Code.

**2.** In article 91 of the Code, for the words "from four months to three years" there shall be substituted the words "from one to five years and to a fine (*multa*) of not less than four thousand euro (4,000) and not more than ten thousand euro (10,000)".

Amendment of  
article 93 of the  
Code.

**3.** Article 93 of the Code shall be amended as follows:

(a) in sub-article (1) thereof, for the words "from one to three and to a fine (*multa*)" there shall be substituted the words "from nine to eighteen months and to a fine (*multa*) of not less than five hundred euro (500) and not more than one thousand five hundred euro (1,500)";

(b) in sub-article (2) thereof, for the words "from three months to one year" there shall be substituted the words "from twelve months to two years and to a fine (*multa*) of not less than seven hundred euro (700) and not more than two thousand and

five hundred euro (2,500)";

(c) in sub-article (3) thereof, for the words "from seven to eighteen months" there shall be substituted the words "from eighteen months to three years and to a fine (*multa*) of not less than one thousand five hundred euro (1,500) and not more than four thousand euro (4,000)"; and

(d) immediately after sub-article (3) thereof, there shall be added the following new sub-article:

"(4) Where the offences referred to in this article are committed against an officer of the Attorney General's office, when acting under the direction of the Attorney General in anything in which the Attorney General is to act in his own individual judgement or in connection with his office, the offender shall be liable to the same punishment established in the preceding sub-articles."

4 In sub-article (1) of article 94 of the Code, for the words "from two to five years" there shall be substituted the words "from four to seven years and to a fine (*multa*) of not less than five thousand euro (5,000) and not more than twenty five thousand euro (25,000)".

Amendment of article 94 of the Code.

5. Article 95 of the Code shall be amended as follows:

Amendment of article 95 of the Code.

(a) in sub-article (1) thereof, for the words "increased by one degree" there shall be substituted the words "increased by two degrees and to a fine (*multa*) of not less than eight hundred euro (800) and not more than five thousand euro (5,000)";

(b) sub-article (1) thereof shall be renumbered as the whole article; and

(c) sub-articles (2) and (3) thereof shall be deleted.

6. Article 96 shall be amended as follows:

Amendment of article 96 of the Code.

(a) in paragraph (a) thereof, for the words "from four months to one year" there shall be substituted the words "from six months to two years and to a fine (*multa*) of not less than four thousand euro (4,000) and not more than ten thousand euro (10,000)"; and

(b) in paragraph (b) thereof, for the words "from seven months to two years" there shall be substituted the words "from nine months to three years and to a fine (*multa*) of not less than

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five thousand euro (5,000) and not more than fifteen thousand euro (15,000)".

Amendment of article 97 of the Code.

7. In article 97 of the Code, for the words "from nine months to three years" there shall be substituted the words "from one year to four years and to a fine (*multa*) of not less than eight thousand euro (8,000) and not more than twenty thousand euro (20,000)".

Addition of new article 99A to the Code.

8. Immediately after article 99 of the Code there shall be added the following new article:

"General Provisions.

99A.(1) The following provisions shall apply to the offences under this sub-title.

(2) The provisions of article 21 shall not apply in respect of any person convicted of an offence under this sub-title.

(3) Any fine (*multa*) to which the person convicted has been sentenced to pay may be recovered as a civil debt and the sentence of the Court shall constitute an executive title for all intents and purposes of the Code of Organization and Civil Procedure."

Cap. 12.

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Passed by the House of Representatives at Sitting No. 130 of the 17th March, 2014.

ANĠLU FARRUGIA

*Speaker*

RAYMOND SCICLUNA  
*Clerk to the House of Representatives*

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