VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,739, 10 ta' Marzu, 2017
Taqsima C

Nru. 198

10. 03. 2017

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Carmelo Abela, M.P., Ministru għall-Intern u s-Sigurtà Nazzjonali, u moqri għall-Ewwel darba fis-Seduta tas-7 ta' Marzu, 2017.

ATT biex jemenda l-Att dwar il-Protezzjoni Ċivili, Kap 411.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Carmelo Abela, M.P., Minister for Home Affairs and National Security, and read the First time at the Sitting of the 7th March, 2017.

AN ACT to amend the Civil Protection Act, Cap 411.

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT biex jemenda l-Att dwar il-Protezzjoni Ċivili, Kap 411.

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

Titolu fil-qosor.

Kap. 411.

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2017 li jemenda l-Att dwar il-Protezzjoni Ċivili, u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Att dwar il-Protezzjoni Ċivili, hawnhekk iżjed 'il quddiem imsejjaħ 'l-Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

2. Fl-artikolu 2 tal-Att prinċipali, it-tifsira "il-Forza" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "il-Forza" tfisser il-Forza ta' Għajnuna u Salvataġġ imwaqqfa bl-artikolu 8 li tikkonsisti fid-Direttur, il-Viċi Direttur, l-Uffiċjali Kapijiet tal-Għajnuna u s-Salvataġġ, l-Uffiċjali tal-Istazzjon, l-Uffiċjali Għolja tal-Għajnuna u Salvataġġ, l-Uffiċjali tal-Għajnuna u Salvataġġ, l-Ispetturi għas-Sigurtà tan-Nirien jew xi uffiċjali fi grad ekwivalenti li jwettqu dmirijiet ekwivalenti;".

Emenda tal-artikolu 4 tal-Att prinċipali.

3. L-artikolu 4 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (b) tiegħu, minflok il-kliem "jew ta' emerġenza;" għandhom jidħlu l-kliem "jew ta' emerġenza, skont id-dispożizzjonijiet tal-Att dwar l-Akkademja għal Korpi Dixxiplinati:", u minnufih wara għandu jiżdied il-proviso ġdid li

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ġej:

"Iżda taħriġ li ma jaqax fl-ambitu tal-Att dwar l-Akkademja għal Korpi Dixxiplinati jista' jiġi provdut bla ħsara għal approvazzjoni bil-miktub mill-Akkademja;";

(b) il-paragrafu (d) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(d) sabiex jiġu stabbiliti linji gwida ġenerali fir-rigward ta' studji dwar vulnerabbiltà u assessjar ta' riskji:

Iżda r-responsabbilità għat-twettiq ta' assessjar dwar vulnerabbiltà u riskji fir-rigward ta' dawn l-avvenimenti pubbliċi għandha tkun dejjem tal-organizzatur.";

(ċ) fil-paragrafu (g) tiegħu, minflok il-kliem "jew ta' emerġenza; u" għandhom jidħlu l-kliem "jew ta' emerġenza;";

(d) fil-paragrafu (h) thereof, tiegħu, minflok il-kliem "minn żmien għal żmien." għandhom jidħlu l-kliem "minn żmien għal żmien;"; u

(e) minnufih wara l-paragrafu (h) tiegħu għandhom jiżdiedu l-paragrafi ġodda li ġejjin:

"(i) li jieħu l-azzjoni neċessarja u inizjattivi u li jiġu stabbiliti *standards* u kodiċi ta' prattika kif ukoll jispezzjona u jenforza regolamenti magħmula skont dan l-Att, għall-prevenzjoni ta' nirien fil-bini ta' kwalunkwe natura, użu jew dimensjoni; u

(j) li jippreskrivi u jenforza regolamenti dwar proċeduri ta' saħħa u sigurtà fl-attivitajiet li jattendi l-pubbilku, u li għandhom jiġu elenkati f'regolamenti magħmula taħt dan l-Att.".

Emenda tal-artikolu 5 tal-Att prinċipali.

4. Fis-subartikolu (3) tal-artikolu 5 tal-Att prinċipali, minflok il-kliem "il-Kmandant tal-Forzi Armati," għandhom jidħlu l-kliem "il-Kmandant tal-Forzi Armati, il-Kap tas-Servizz ta' Sigurtà,".

Emenda tal-artikolu 6 tal-Att prinċipali.

5. L-artikolu 6 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (2) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (3); u

(b) minnufih wara s-subartikolu (1) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

"(2) (a) Għall-finijiet tas-subartikolu (1)(d) u (f), għandu jkun hemm Kumitat Strateġiku magħmul mid-Direttur tad-Dipartiment tal-Protezzjoni Ċivili, u rappreżentanti tal-Ministeru responsabbli għall-Protezzjoni Ċivili, kif maħtura mill-Ministru, kif ukoll membri oħra mid-Dipartiment u entitajiet oħra kif jistgħu jiġu maħtura mill-Ministru minn żmien għal żmien.

(b) Il-Kumitat għandu jkun responsabbli għat-tfassil ta' *standard operating procedures* u dokumenti oħra relatati ma' rispons għal emerġenza.".

6. Is-subartikolu (1) tal-artikolu 7 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 7 tal-Att prinċipali.

(a) fil-paragrafu (g) tiegħu, minflok il-kliem "penalitajiet amministrattivi." għandhom jidħlu l-kliem "penalitajiet amministrattivi;"; u

(b) minnufih wara l-paragrafu (g) tiegħu għandhom jiżdiedu l-paragrafi ġodda li ġejjin:

"(h) sabiex jiġu stabbiliti disposizzjonijiet u proċeduri bil-għan li jippromwovi s-sigurtà tan-nirien;

(i) sabiex jippreskrivi dispożizzjonijiet u proċeduri bil-għan li jinżamm livell għoli ta' saħħa u sigurtà waqt avvenimenti pubbliċi:

Iżda li l-organizzatur tal-avveniment pubbliku għandu jkun responsabbli għat-twettiq ta' assessjar dwar vulnerabbiltà u riskji fir-rigward ta' dawn l-avvenimenti pubbliċi;

(j) sabiex jippreskrivi, jemenda jew iħassar l-Iskedi li jinsabu ma' dan l-Att.".

7. Fis-subartikolu (2) tal-artikolu 8 tal-Att prinċipali, minflok il-kliem "titmexxa minn Uffiċjal Kap għall-Għajnuna u s-Salvataġġ" għandhom jidħlu l-kliem "titmexxa mid-Direttur jew minn xi uffiċjal ieħor hekk kif jista' jiġi preskritt mill-Ministru". Emenda tal-artikolu 8 tal-Att prinċipali.

8. L-artikolu 11 tal-Att prinċipali għandu jiġi mħassar. Tħassir tal-artikolu 11 tal-Att prinċipali.

9. Minnufih wara l-artikolu 19 tal-Att prinċipali għandu Żieda ta' artikolu ġdid mal-Att prinċipali.

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jiżdied l-artikolu ġdid li ġej:

"Annimali li jintużaw mill-Forza.

20. (1) Il-Forza għandha tkompli tagħmel użu mill-annimali fit-twettiq ta' ċerti ħidmiet u waqt funzjonijiet ċerimonjali.

(2) Id-Direttur għandu jiżgura li dawn l-annimali jiġu ttrattati bl-aħjar mod possibbli u b'mod kompatibbli man-natura ta' dawk l-annimali, u li dawn ma jiġux soġġetti għal xi trattament krudili.

(3) Kemm-il darba ma jingħatax parir xort'oħra minn kirurgu veterinarju, annimal li ma jkunx iktar ta' użu għall-Forza, tkun xi tkun ir-raġuni, għandu preferibbilment jiġi mogħti lil xi persuna jew korp li jkun jista' jkompli jittratta l-annimal b'mod xieraq meta jirtira. Il-Forza m'għandhiex qatt tneħħi l-ħajja ta' ebda annimal sempliċement għaliex minnufih ma tkun instabet ebda persuna adatta biex tieħu ħsieb dak l-annimal.".

Għanijiet u Raġunijiet

L-għanijiet prinċipali ta' dan l-Abbozz ta' Liġi huma sabiex jiġi stabbilit Kumitat Strateġiku tad-Dipartiment għall-Protezzjoni Ċivili, biex jaġġorna l-Att prinċipali għal dak li jirrigwarda l-funzjonijiet tal-Forza, biex iwessa' l-kamp ta' applikazzjoni għall-għemil ta' regolamenti, u biex jirregola l-użu ta' annimali mill-Forza.

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A BILL
entitled

AN ACT to amend the Civil Protection Act, Cap 411.

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 Civil Protection (Amendment) Act, 2017, and this Act shall be read and construed as one with the Civil Protection Act, hereinafter in this Act referred to as "the principal Act". Short title. Cap. 411.

2. In article 2 of the principal Act the definition "the Force" shall be substituted by the following new definition: Amendment of article 2 of the principal Act.

" "the Force" means the Rescue and Assistance Force established by article 8 consisting of the Director, the Deputy Director, the Chief Assistance and Rescue officers, the Station Officers, the Leading Assistance and Rescue Officers, the Assistance and Rescue Officers and the Fire Safety Inspectors or any officers in equivalent grades performing equivalent duties;".

3. Article 4 of the principal Act shall be amended as follows: Amendment of article 4 of the principal Act.

(a) in paragraph (b) thereof, for the words "as aforesaid;" there shall be substituted the words "as aforesaid, in

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accordance with the provisions of the Academy of Disciplined Forces Act:", and immediately thereafter there shall be added the following new proviso:

"Provided that training which does not fall within the scope of the Academy of Disciplined Forces Act may be provided subject to a written approval from the Academy;";

(b) paragraph (d) thereof shall be substituted by the following:

"(d) to establish general guidelines in relation to vulnerability and risk assessment studies;

Provided that, the responsibility for the carrying out of vulnerability and risk assessments in relation to such public events, shall always lie on the organizer.";

(c) in paragraph (g) thereof, for the words "as aforesaid; and" there shall be substituted the words "as aforesaid;";

(d) in paragraph (h) thereof, for the words "assign to it." there shall be substituted the words "assign to it;"; and

(e) immediately after paragraph (h) thereof there shall be added the following new paragraphs:

"(i) to take all necessary action, initiatives and setting of standards and code of practice as well as inspect and enforce regulations made in accordance with this Act for the prevention of fire in buildings of whatever nature, use or dimension; and

(j) make and enforce regulations in relation to health and safety procedures in activities to be listed in regulations made under this Act wherein the public attends.".

Amendment of article 5 of the principal Act.

4. In sub-article (3) of article 5 of the principal Act, for the words "the Commander Armed Forces," there shall be substituted the words "the Commander Armed Forces, the Head Security Service,".

Amendment of article 6 of the principal Act.

5. Article 6 of the principal Act shall be amended as follows:

(a) sub-article (2) thereof shall be re-numbered as sub-article (3); and

(b) immediately after sub-article (1) thereof, there shall

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be added the following new sub-article:

"(2) (a) For the purposes of sub-article (1)(d) and (f), there shall be a Strategic Committee made up of the Director, Civil Protection Department, and representatives of the Ministry responsible for Civil Protection, as appointed by the Minister, as well as other members from the Department and other entities as may be appointed by the Minister from time to time.

(b) The Committee shall be responsible for the drafting of standard operating procedures and other documents relating to emergency response.".

6. Sub-article (1) of article 7 of the principal Act shall be amended as follows:

Amendment of article 7 of the principal Act.

(a) in paragraph (g) thereof, for the words "of an administrative nature." there shall be substituted the words "of an administrative nature;"; and

(b) immediately after paragraph (g) thereof there shall be added the following new paragraphs:

"(h) for establishing provisions and procedures with a view to promoting fire safety;

(i) for prescribing provisions and procedures with a view to maintaining a high level of health and safety during public events:

Provided that the organiser of the public event shall be responsible for the carrying out of vulnerability and risk assessments in relation to such public events;

(j) for prescribing, amending or repealing the Schedules to this Act.".

7. In sub-article (2) of article 8 of the principal Act, for the words "headed by a Chief Assistance and Rescue Officer" there shall be substituted the words "headed by the Director or by any other officer as the Minister may prescribe".

Amendment of article 8 of the principal Act.

8. Article 11 of the principal Act shall be deleted.

Deletion of article 11 of the principal Act.

9. Immediately after article 19 of the principal Act there shall

Addition of new article to the principal Act.

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be added the following new article:

"Animals used by the Force.

20. (1) The Force shall continue to make use of animals in the performance of certain operations and in ceremonial functions.

(2) The Director shall ensure that these animals are treated in the best way possible and compatibly with the nature of such animals, and that they are not subjected to any cruel treatment.

(3) Unless otherwise advised by a veterinary surgeon, an animal that is no longer of use to the Force, for any reason whatsoever, shall preferably be donated to any person or body that can continue to treat the animal well in its retirement. The Force shall not put down an animal merely because no suitable person has been immediately found to take care of that animal.".

Objects and Reasons

The main objects of this Bill are to establish a Strategic Committee of the Civil Protection Department, to update the principal Act with regards to the functions of the Force, to widen the scope for the making of regulations, and to regularise the use of animals by the Force.

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Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — *Published by the Department of Information (doi.gov.mt) — Valletta*
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — *Printed at the Government Printing Press on recycled paper*

Prezz/*Price*
€0.54