Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 16,472, 17 ta' Ġunju, 1997
Taqsima C

Nru. 4

17. 6. 97

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Lino Spiteri, M.P., Ministru ta' l-Ekonomija u l-Finanzi u moqri għall-Ewwel darba fis-Seduta tad-9 ta' Diċembru, 1996.

ATT biex jemenda l-Ordinanza dwar il-Lottu Pubbliku, Kap. 70.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Lino Spiteri, M.P., Minister for Economic Affairs and Finance and read the First time at the Sitting of the 9th December, 1996.

AN ACT to amend the Public Lotto Ordinance, Cap. 70.

RICHARD J. CAUCHI
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT ta' l-1996 biex jemenda l-Ordinanza dwar il-Lottu Pubbliku, Kap. 70.

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

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1997 li jemenda l-Ordinanza dwar il-Lottu Pubbliku, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Ordinanza dwar il-Lottu Pubbliku, hawnhekk iżjed 'il quddiem imsejħa "il-liġi prinċipali". Titolu fil-qosor. Kap. 70.

2. Fis-subartikolu (8) ta' l-artikolu 11 tal-liġi prinċipali minflok il-kliem "piena ta' Lm500" għandhom jidħlu l-kliem "multa ta' ħames mitt lira", u l-kliem minn "Din il-piena tista' titfittex fil-Prim'Awla" sal-kliem "hekk kif titfittex il-piena hawn qabel imsemmija." għandhom jitħassru. Emenda ta' l-artikolu 11 tal-liġi prinċipali.

3. Fis-subartikolu (2) ta' l-artikolu 12 tal-liġi prinċipali, minflok il-kliem minn "multa ta' mhux anqas" sa "tnax-il xahar" għandhom jidħlu l-kliem "multa ta' mhux anqas minn elfejn lira u mhux iżjed minn għoxrin elf lira u l-priġunerija għal żmien ta' minn sitt xhur sa tnax-il xahar". Emenda ta' l-artikolu 12 tal-liġi prinċipali.

4. Fis-subartikolu (2) ta' l-artikolu 15 tal-liġi prinċipali, minflok il-kliem minn "ta' mhux anqas minn elf lira" sal-kliem "sitt xhur sa tnax-il xahar" għandhom jidħlu l-kliem "ta' mhux anqas minn elfejn lira u mhux iżjed minn għoxrin elf lira u l-priġunerija għal żmien minn sitt xhur sa tliet snin". Emenda ta' l-artikolu 15 tal-liġi prinċipali.

Żieda ta' l-artikolu 15A ġdid mal-liġi prinċipali.

5. Wara l-artikolu 15 tal-liġi prinċipali għandu jiżdied dan l-artikolu ġdid li ġej:

"Pussess mhux awtorizzat ta' biljett tal-lottu bil-moħbi, eċċ.

15A. Kull min jinstab li jkollu pussess mhux awtorizzat ta' biljett tal-lottu bil-moħbi jew ta' xi lottu jew lotterija barranin jista', mingħajr preġudizzju għall-applikabilità ta' kull liġi oħra, meta jinsab ħati jeħel multa ta' mhux anqas minn ħamsin lira.".

Żieda ta' l-artikolu 20A ġdid mal-liġi prinċipali.

6. Minnufih wara l-artikolu 20 tal-liġi prinċipali għandu jiżdied dan l-artikolu 20A ġdid li ġej:

"Prova preżuntiva.

20A. Kull min jinsab li jkollu pussess mhux awtorizzat ta' reġistri, kupuni, poloz, kartelli, matriċijiet, *counterfoils,* tikketti tal-ħlas, flus, għodod tal-logħob jew oġġetti jew mezzi oħra li normalment jintużaw sabiex isir il-lottu bil-moħbi, jew ta' biljetti tal-lottu bil-moħbi f'tali kwantità li tkun tista' b'mod raġonevoli tagħti wieħed x'jifhem li dik il-persuna tkun qiegħda torganizza lottu bil-moħbi, għandu jkun preżunt li jkun qiegħed jieħu sehem f'lottu bil-moħbi kemm-il darba ma tinġiebx prova xort'oħra.".

Għanijiet u Raġunijiet

L-għan ta' dan l-Abbozz hu sabiex jirrendi l-Ordinanza iktar effettiva dwar reati li għandhom x'jaqsmu mal-lottu bil-moħbi u lotteriji barranin, sabiex jintroduċi l-preżunzjoni legali fil-każ ta' reati li jolqtu l-lottu bil-moħbi bħal dawk il-preżunzjonijiet li diġa' hemm dwar reati li jolqtu l-logħob ta' l-azzard fil-Kodiċi Kriminali u sabiex jagħmel il-pussess ta' biljetti ta' lottu bil-moħbi u ta' lotteriji barranin suġġett għal sanzjoni kriminali.

A BILL
entitled

AN ACT to amend the Public Lotto Ordinance, Cap. 70.

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. This Act may be cited as the Public Lotto Ordinance (Amendment) Act, 1997, and shall be read and construed as one with the Public Lotto Ordinance, hereinafter referred to as "the principal law". Short title. Cap. 70.

2. In subsection (8) of section 11 of the principal law for the words "penalty of Lm500" there shall be substituted the words "fine (*multa*) of five hundred liri", and the words from "Such penalty shall be recoverable in the Civil Court" to the words "in like manner as the penalty aforesaid." shall be deleted. Amendment of section 11 of the principal law.

3. In subsection (2) of section 12 of the principal law, for the words from "to a fine (*multa*)" to the words "twelve months" there shall be substituted the words "to a fine (*multa*) of not less than two thousand liri and not more than twenty thousand liri and to imprisonment for a term from six to twelve months". Amendment of section 12 of the principal law.

4. In subsection (2) of section 15 of the principal law, for the words from "of not less than one thousand liri" to the words "six to twelve months" there shall be substituted the words "of not less than two thousand liri and not exceeding twenty thousand liri and to imprisonment for a term from six months to three years". Amendment of section 15 of the principal law.

Addition of new section 15A to the principal law.

5. After section 15 of the principal law there shall be added the following new section:

"Unauthorised possession of a clandestine lotto ticket, etc.

15A. Any person found in unauthorised possession of any ticket of clandestine lotto or of any foreign lotto or lottery shall, without prejudice to the applicability of any other law, be liable on conviction to a fine (*multa*) of not less than fifty liri.".

Addition of new section 20A to the principal law.

6. Immediately after section 20 of the principal law there shall be added the following new section 20A:

"Presumptiive evidence.

20A. Any person found in unauthorised possession of any registers, coupons, bills, cards, matrices, counterfoils, payment tags, moneys, instruments or other effects or means normally used for the undertaking of clandestine lotto, or of clandestine lotto tickets in such a quantity as may reasonably imply that such person is undertaking clandestine lotto, shall be presumed to be undertaking clandestine lotto unless the contrary is proved.".

Objects and Reasons

The object of this Bill is to increase the effectiveness of the Ordinance in respect of offences relating to clandestine lotto and foreign lotteries to introduce a legal presumption in the case of offences concerning clandestine lotto similar to presumptions already existing in respect of gaming offences under the Criminal Code and to make the possession of clandestine lotto or foreign lottery tickets subject to criminal sanction.

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