

Nru. 84

20. 9. 2001

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Eddie Fenech Adami, M.P., Prim Ministru, u moqri għall-Ewwel darba fis-Seduta tat-18 ta' Settembru, 2000.

A BILL introduced by the Honourable Eddie Fenech Adami, M.P., Prime Minister, and read the First time at the Sitting of the 18th September, 2000.

ATT li jemenda l-Att dwar l-Ibħra Territorjali u ż-Żona Kontigwa, Kap. 226.

AN ACT to amend the Territorial Waters and Contiguous Zone Act, Cap. 226.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT li jemenda l-Att dwar l-Ibhra Territorjali u z-Zona Kontigwa, Kap. 226

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

1. (1) It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2001 li jemenda l-Att dwar l-Ibhra Territorjali u z-Zona Kontigwa, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar l-Ibhra Territorjali u z-Zona Kontigwa, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor.

Kap.226.

2. Artikolu 2 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' artikolu 2 ta' l-Att prinċipali.

(a) minnufih qabel it-tifsira ta' "liġi" għandhom jidhlu dawn it-tifsiriet godda li ġejjin:

“azzjoni kif imiss” tfisser kull azzjoni jew xi azzjoni minn dawn li ġejjin:

- (a) tissenjala bastiment,
- (b) twaqqaf bastiment,
- (c) titla' abbord bastiment,

(d) tfitteq fuq bastiment,

(e) tarresta u żżomm lil xi persuna suspettata li tkun se tikkommetti xi reat kriminali jew li tkun ikkommettiet xi reat bhal dak,

(f) telewa xi oġġett minn abbord bastiment suspettat li jkollu x'jaqsam ma' reat kriminali,

(g) tehtieg lill-kaptan ta' bastiment li jbahhar lill-bastiment u l-ekwipaġġ 'l barra mill-ibhra ta' Malta jew lejn xi port jew bajja f'Malta

“bastiment jew inġenju relevanti” tfisser kull bastiment militari jew ajruplan militari Malti jew kull bastiment jew inġenju, inkluż ajruplan, li jkun jappartjeni lill-forzi armati jew lil xi waħda mill-awtoritajiet għall-infurzar tal-liġi f'Malta, inklużi l-awtoritajiet tad-dwana, li jkollhom sinjali esterni li jkunu jiddistingwu lil dak il-bastiment jew ajruplan bhala li jappartjeni lil Malta u li jkunu jidentifikawh bhala li jkun qieghed iwettaq servizz tal-gvern;

“bastiment militari barrani” tfisser bastiment li jappartjeni lill-forzi armati ta' xi Stat barrani u li jkollu dawk il-karatteristiċi *mutatis mutandis* bhalma jikkorrispondu għal dawk ta' bastiment militari Malti;

“bastiment militari Malti” tfisser bastiment li jappartjeni lill-forzi armati ta' Malta li jkollu sinjali esterni li jkunu jiddistingwu lil tali bastiment bhala li jappartjeni lil Malta taht il-kmand ta' uffiċjal kummissjonat kif imiss mill-gvern ta' Malta u li ismu jkun jidher fil-lista ta' servizz adatta jew fl-ekwivalenti tagħha, u li jkollu abbord ekwipaġġ li jkun jaqa' taht id-dixxiplina regolari tal-forzi armati;

“bastiment suspettat” tfisser kull bastiment li dwaru għandha tittiehed azzjoni kif imiss;”; u

(b) minnufih wara t-tifsira ta' “Malta” għandhom jidhlu dawn it-tifsiriet li ġejjin:

“reat relevanti” tfisser kull reat li jsir kontra xi liġi li tirrigwarda d-dwana, affarijiet fiskali, l-immigrazzjoni u s-sanità, inkluż it-tniġġis;

“uffiċjal marittimu għall-infurzar” tfisser kull membru tal-Korp tal-Pulizija ta' Malta, tal-Forzi Armati ta' Malta, kull Uffiċjal tad-Dwana u kull uffiċjal ieħor vestit b'awtorità ġenerali ta' infurzar tal-liġi.”.

3. L-artikoli 5 u 6 ta' l-Att prinċipali għandhom jiġu enumerati mill-ġdid bhala l-artikoli 7 and 8 ta' l-Att rispettivament.

Enumerazzjoni mill-ġdid ta' l-artikoli 5 u 6 ta' l-Att prinċipali.

4. Minnufih wara l-artikolu 4 ta' l-Att prinċipali għandhom jidhru dawn l-artikoli ġodda li ġejjin:

Żieda ta' l-artikoli 5 u 6 ġodda ma' l-Att prinċipali.

“Azzjoni dwar bastiment li jkun jinsab fl-ibhra ta' Malta.

5. (1) Bla hsara għad-disposizzjonijiet tas-subartikolu (2) ta' dan l-artikolu, kull uffiċjal marittimu għall-infurzar li jkun abbord bastiment jew ingenu relevanti jista', ġewwa l-ibhra interni jew territorjali ta' Malta, jieħu azzjoni kif imiss fir-rigward ta' kull bastiment, li ma jkunx bastiment Malti jew militari barrani, kemm jekk dan ikun qed itajjar il-bandiera Maltija jew xi bandiera oħra kemm jekk ma jkun qed itajjar ebda bandiera, li jkun raġonevolment suspettat li jkollu abbord lil xi persuna raġonevolment suspettata li tkun se tikkommetti xi reat jew li tkun ikkommettiet xi reat kontra xi liġj ta' Malta.

(2) Bla hsara għad-disposizzjonijiet tas-subartikolu (3) ta' dan l-artikolu, fejn ir-reat suspettat ikun sar abbord il-bastiment barrani filwaqt li jkun għaddej mill-ibhra territorjali ta' Malta, is-setgħa msemmija fis-subartikolu (1) ta' dan l-artikolu m'għandhiex tiġi eżerċitata kemm-il darba:

(a) il-konsegwenzi tar-reat ma jkunux jestendu għal Malta;

(b) ir-reat ma jkunx wiehed tali li jiddisturba l-paċi ta' Malta jew il-bonordni fl-ibhra territorjali;

(ċ) ma tkunx intalbet l-ghajnuna ta' l-awtoritajiet Maltin mill-kaptan tal-bastiment jew minn aġent diplomatiku jew minn uffiċjal konsulari ta' l-Istat li l-bastiment ikun itajjar il-bandiera tiegħu;

(d) ma tkunx meħtieġa azzjoni kif imiss bil-ghan li jiġi soppres it-traffiku illegali ta' mediċinali narkotiċi jew sustanzi psikotropiċi.

(3) Id-disposizzjonijiet tas-subartikolu (2) ma jaffettwawx id-dritt li uffiċjal marittimu għall-infurzar ikollu abbord bastiment jew ingenju relevanti li jiehu kull azzjoni awtorizzata mil-liġi ta' Malta bil-ghan ta' arrest jew investigazzjoni abbord bastiment barrani li jkun ibahhar fi-ibhra territorjali ta' Malta wara li jkun telaq mill-ibhra interni ta' Malta.

Azzjoni fir-rigward ta' bastiment fiż-żona kontigwa.

6. (1) Uffiċjal marittimu għall-infurzar abbord bastiment jew ingenju relevanti jista', fiż-żona kontigwa, jiehu azzjoni kif imiss fir-rigward ta' kull bastiment, li ma jkunx bastiment Malti jew bastiment militari barrani, kemm jekk dan ikun qed itajjar il-bandiera Maltija jew xi bandiera oħra kemm jekk ma jkun qed itajjar ebda bandiera, li jkun raġonevolment suspettat li jkollu abbord lil xi persuna raġonevolment suspettata li tkun se tikkommetti jew tkun ikkommettiet reat relevanti fil-ġurisdizzjoni tal-qrati Maltin.

(2) Meta wara li tkun ittiehdet azzjoni kif imiss dwar bastiment suspettat li jkun qed itajjar bandiera barranija ma jibqa' ebda suspett li jkun sar xi reat kontra l-liġijiet ta' Malta minn xi membru ta' l-ekwipaġġ ta' dak il-bastiment, dak l-istess bastiment jista' jinżamm taht sorveljanza sakemm dan jinhareġ 'il barra miż-żona kontigwa.

(3) Meta wara li tkun ittiehdet azzjoni kif imiss dwar bastiment suspettat, kemm jekk ikun jappartjenti lil Malta kemm jekk ikun qed itajjar bandiera barranija, jibqa' s-suspett li xi persuna abbord il-bastiment tkun ikkommettiet fil-ġurisdizzjoni tal-qrati Maltin xi reat kontra l-liġijiet ta' Malta, kull uffiċjal ta' l-infurzar tal-kosta jista' jiehu kull azzjoni ulterjuri kif imiss dwar dik il-persuna u l-bastiment u l-ekwipaġġ.

(4) Meta l-kaptan ta' bastiment suspettat jkun gie mgieghel jiehu l-bastiment go xi port jew bajja f'Malta, il-membri ta' l-ekwipaġġ tal-bastiment suspettat li jkunu se jikkommettu jew li jkunu ikkommettew xi reat fil-ġurisdizzjoni tal-qrati Maltin għandhom jiġu mogħtija f'idejn il-Pulizija għal kull investigazzjoni ulterjuri.”.

Emenda ta' l-artikolu 8 kif enumerat mill-ġdid ta' l-Att prinċipali.

5. L-artikolu 8 kif enumerat mill-ġdid ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) id-disposizzjoni preżenti għandha tiġi enumerata mill-ġdid bħala s-subartikolu (1) tiegħu u minflok il-kliem “barra mill-

ibhira territorjali.” ghandhom jidhlu l-kliem “barra mill-ibhira territorjali, u b’mod partikolari ghandhom japplikaw id-disposizzjonijiet li ġejjin ta’ dan l-artikolu.”; u

(b) minnufih wara s-subartikolu (1) ta’ l-artikolu 6 kif enumerat mill-ġdid, ghandhom jidhiedu dawn is-subartikoli godda li ġejjin:

“Dritt ta’
insewiment
attiv.

(2) Bla hsara għad-disposizzjonijiet tas-subartikolu (3) ta’ dan l-artikolu, meta bastiment jew inġenju relevanti jkun, fl-ibhira interni jew fl-ibhira territorjali Maltin, jew fiż-żona kontigwa ta’ Malta, beda l-insewiment ta’ bastiment suspettat, il-bastiment relevanti jista’ jkompli għaddej bl-insewiment attiv tal-bastiment suspettat ‘il barra bejn sema u ilma basta li dak l-insewiment ma jkunx ġie interrott:

Iżda meta l-bastiment suspettat jkun fiż-żona kontigwa meta jinghata l-ordni biex jieqaf minn uffiċjal marittimu għall-infurzar abbord il-bastiment relevanti, l-insewiment jista’ biss isir jekk ikun hemm suspett li l-bastiment suspettat ikun ikkommetta reat relevanti.

(3) Meta l-bastiment suspettat ikun fiż-żona kontigwa, jista’ biss isir insewiment attiv jekk l-għemil ta’ reat relevanti jkun raġonevolment suspettat.

(4) Id-dritt ta’ insewiment attiv imsemmi f’dan l-artikolu m’għandux jitwettaq kemm-il darba l-bastiment jew inġenju relevanti jkunu l-ewwel taw lill-bastiment suspettat sinjal li jidher jew li jinstema’ biex jieqaf u dak id-dritt ta’ insewiment attiv jieqaf meta l-bastiment suspettat jidhol fl-ibhira territorjali ta’ l-Istat tiegħu nnifsu jew ta’ Stat terz.

(5) Meta l-insewiment attiv isir minn ajruplan id-disposizzjonijiet tas-subartikoli (2) sa (4) ta’ dan l-artikolu ghandhom ikunu japplikaw *mutatis mutandis*. Id-disposizzjonijiet tas-subartikolu (6) ta’ dan l-artikolu ghandhom japplikaw ukoll.

(6) Ajruplan m’għandux jarresta bastiment suspettat barra l-ibhira territorjali ta’ Malta kemm-il darba l-ajruplan ma kienx hu nnifsu li ordna lill-bastiment suspettat jieqaf u kien għamel insewiment tiegħu mingħajr waqfien, u meta l-insewiment attiv kien sar minn ajruplan u mbagħad l-insewiment kompli jsir minn xi ajruplan jew bastiment iehor, dak l-ajruplan l-iehor jew bastiment jkunu biss awtorizzati

jarrestaw il-bastiment suspettat barra l-ibhira territorjali ta' Malta jekk dak l-ajruplan jew bastiment l-iehor ikunu komplew bl-insegwiment minghajr interruzzjoni.

(7) Id-dritt ta' insegwiment attiv ghandu japplika *mutuatis mutandis* ghal kull vjolazzjoni fil-parti stabbilita bis-subartikolu (2) ta' l-artikolu 3 ta' dan l-Att jew ta' kull ligi li ghall-finijiet taghha tigi stabbilita dik il-parti.

Azzjoni fir-rigward ta' bastiment bejn sema u ilma.

(8) Meta bastiment militari Malti jiltaqa' ma' bastiment barrani bejn sema u ilma, li ma jkunx bastiment militari barrani jew bastiment proprjeta' ta' xi Stat barrani li jintuza biss ghal servizz mhux kummerċjali, hawn iżjed 'il quddiem f'dan is-subartikolu imsemmi bhala l-bastiment suspettat, u ma jkun hemm ebda kawza ragonevoli li jissuspetta li:

(a) l-bastiment suspettat jkun qed iwettaq xi piraterija;

(b) l-bastiment suspettat jkun qed jiehu sehem fil-kummerċ ta' l-ilsiera;

(c) il-bastiment suspettat jkun involut f'xandir mhux awtorizzat u l-qrati Maltin ikollhom għurisdizzjoni fuqu;

(d) il-bastiment suspettat ma jkollux nazzjonalità; jew

(e) ghalkemm ikun qed itajjar bandiera barranija jew jirrofta milli juri l-bandiera tieghu, il-bastiment suspettat jkun bastiment registrat Malta,

ufficjal marittimu għall-infurzar abbord ta' bastiment relevanti jista' jghaddi biex jivverifika d-dritt li dak il-bastiment suspettat ikollu li jtajjar dik il-bandiera billi jitla' abbord il-bastiment suspettat u jivverifika d-dokumenti relattivi u jekk wara li jkun għamel dan jibgħu is-suspetti dwar in-nazzjonalità tal-bastiment suspettat, il-bastiment relevanti jista' jghaddi biex jagħmel eżami ulterjuri b'kull mod li jqis mehtieg.

(9) Kull persuna jew bastiment suspettat li jinsabu jwettqu xi xandir mhux awtorizzat kif hemm provdut fil-paragrafu (c) tas-subartikolu (7) jistgħu jigu arrestati minn ufficjal marittimu għall-infurzar abbord ta'

bastiment relevanti li jista' wkoll jeleva kull tagħmir li jintuża f'dak ix-xandir mhux awtorizzat.”.

6. Minnufih wara l-artikolu 9 ta' l-Att dwar il-Blata Kontinentali għandu jidhol dan l-artikolu ġdid li ġej:

Emenda ta' l-Att
dwar
il-Blata
Kontinentali,
Kap. 194.

“Dritt ta'
insewiment
attiv.

10. Id-disposizzjonijiet tas-subartikoli (2) sa (6), it-tnejn inklużi, ta' l-artikolu 8 ta' l-Att dwar l-Ibhra Territorjali u ż-żona Kontigwa, għandhom japplikaw *mutatis mutandis* dwar kull suspett raġonevoli ta' xi reat taħt dan l-Att.”.

Għanijiet u Raġunijiet

L-għan ewlieni ta' l-Abbozz huwa biex jirregola f'aktar dettall ix-xorta u l-firxa ta' poteri vestiti fil-Pulizija, fil-membri tal-Forzi Armati ta' Malta, fl-uffiċjali tad-Dwana u f'uffiċjali oħra li għandhom awtorità ġenerali ta' infurzar tal-liġi, filwaqt li dawn ikunu qegħdin jaqdu dmirijiet marittimi.

**A BILL
entitled**

AN ACT to amend the Territorial Waters and Contiguous Zone Act, Cap. 226

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.
Cap. 226.

1. The short title of this Act is the Territorial Waters and Contiguous Zone (Amendment) Act, 2001, and it shall be read and construed as one with the Territorial Waters and Contiguous Zone Act, hereinafter referred to as "the principal Act".

Amendment of
article 2 of the
principal Act.

2. Article 2 of the principal Act shall be amended as follows:

(a) immediately before the definition of "law" there shall be inserted the following new definition:

"appropriate action" means all or any of the following actions:

- (a) to hail a vessel,
- (b) to stop a vessel,
- (c) to board a vessel,
- (d) to search a vessel,

(e) to arrest and detain any person suspected of being about to commit a criminal offence or of having committed such an offence,

(f) to seize anything on board a vessel suspected of having any connection with a criminal offence,

(g) to require the master of a vessel to take the vessel and crew out of Maltese waters or to a port or harbour in Malta;” and

(b) immediately after the definition of “Malta” there shall be inserted the following new definitions:

“ “maritime enforcement officer” means any member of the Malta Police Force, of the Armed Forces of Malta, any Customs Officer and any other officer vested with general law enforcement authority;

“relevant offence” means any offence against any law relating to customs, fiscal matters, immigration and sanitation, including pollution;

“relevant vessel or craft” means any Maltese military vessel or military aircraft or any vessel or craft, including an aircraft, belonging to the armed forces or any of the law enforcement authorities of Malta, including the customs authorities, bearing the external marks distinguishing such vessel or craft as belonging to Malta and identifying it as being on government service;

“suspect vessel” means any vessel in respect of which appropriate action is to be taken;

“ Maltese military vessel” means a ship belonging to the armed forces of Malta bearing the external marks distinguishing such ships as belonging to Malta under the command of an officer duly commissioned by the government of Malta and whose name appears in the appropriate service list or its equivalent, and manned by a crew which is under regular armed forces discipline;

“foreign military vessel” means any ship belonging to the armed forces of a foreign State and having such characteristics *mutatis mutandis* as correspond to those of a Maltese military vessel.”.

Renumbering of articles 5 and 6 of the principal Act.

Addition of new articles 5 and 6 to the principal Act.

3. Articles 5 and 6 of the principal Act shall be renumbered as articles 7 and 8 thereof respectively.

4. Immediately after article 4 of the principal Act there shall be inserted the following new articles:

"Action with respect to vessel within Maltese waters.

5. (1) Subject to the provisions of subarticle (2) of this article, any maritime enforcement officer on board a relevant vessel or craft may, within the internal or territorial waters of Malta, take appropriate action with respect to any vessel, other than a Maltese or foreign military vessel, whether flying the Maltese or any other flag or not flying any flag, reasonably suspected of having on board any person reasonably suspected of being about to commit or of having committed any offence against any of the laws of Malta.

(2) Subject to the provisions of subarticle (3) of this article, where the suspected offence has been committed on board the foreign vessel during its passage through the territorial waters of Malta, the power referred to in subarticle (1) of this article shall not be exercised unless:

(a) the consequences of the offence extend to Malta;

(b) the offence is such as to disturb the peace of Malta or the good order of the territorial waters;

(c) the assistance of the Maltese authorities has been requested by the master of the vessel or by a diplomatic agent or consular officer of the flag State of the vessel;

(d) appropriate action is necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances.

(3) The provisions of subarticle (2) shall not affect the right of any maritime enforcement officer on board any relevant vessel or craft to take any steps authorised by Maltese law for the purpose of an arrest or investigation on board a foreign vessel passing through the territorial waters of Malta after leaving Maltese internal waters.

Action with respect to vessel within the contiguous zone.

6. (1) Any maritime enforcement officer on board a relevant vessel or craft may, within the contiguous zone, take appropriate action with respect to any vessel, other than a Maltese or foreign military vessel, whether flying the Maltese or any other flag or not flying any flag, reasonably suspected of having on board any person reasonably suspected of being about to commit or of having committed within the jurisdiction of the Maltese courts any relevant offence.

(2) Where following appropriate action having been taken in respect of a suspect vessel flying a foreign flag no suspicion remains that an offence against the laws of Malta has been committed by any member of the crew of that vessel, the same vessel may be kept under surveillance until it is out of the limits of the contiguous zone.

(3) Where following appropriate action having been taken in respect of a suspect vessel, whether pertaining to Malta or flying a foreign flag, the suspicion remains that any person on board the vessel has committed within the jurisdiction of the Maltese courts any offence against the laws of Malta, any coastal enforcement officer may take any further appropriate action in respect of that person and of the vessel and crew.

(4) Where the master of a suspect vessel has been required to take the vessel to a port or harbour in Malta, the members of the crew of the vessel suspected of being about to commit or of having committed an offence within the jurisdiction of the Maltese courts shall be handed over to the Police for further investigation.”.

5. Article 8 as renumbered of the principal Act shall be amended as follows:

Amendment of article 8 as renumbered of the principal Act.

(a) the present provision shall be renumbered as subarticle (1) thereof and for the words “outside territorial waters.” there shall be substituted the words “outside territorial waters, and in particular the following provisions of this article shall apply.”; and

(b) immediately after subarticle (1) of article 6 as renumbered, there shall be added the following new subarticles:

“Right of hot pursuit.

(2) Subject to the provisions of subarticle (3) of this article, where a relevant vessel or craft has, within Maltese internal or territorial waters, or within the contiguous zone of

Malta, commenced the pursuit of a suspect vessel, the relevant vessel may continue in hot pursuit of the suspect vessel into the high seas provided that the pursuit has not been interrupted:

Provided that where the suspect vessel is within the contiguous zone when it is ordered to stop by a maritime enforcement officer on board the relevant vessel, the pursuit may only be undertaken if the suspect vessel is suspected of having committed any relevant offence.

(3) Where the suspect vessel is within the contiguous zone, hot pursuit may only be undertaken if the commission of a relevant offence is reasonably suspected.

(4) The right of hot pursuit referred to in this article shall not be undertaken unless the relevant vessel or craft has first given the suspect vessel a visual or auditory signal to stop and the said right of hot pursuit shall cease where the suspect vessel enters the territorial sea of its own State or of a third State.

(5) Where hot pursuit is effected by an aircraft the provisions of subarticles (2) to (4) of this article shall apply *mutatis mutandis*. The provisions of subarticle (6) of this article shall also apply.

(6) An aircraft shall not arrest a suspect vessel outside the territorial waters of Malta unless the aircraft had itself ordered the suspect vessel to stop and had pursued it without interruption, and where hot pursuit had been undertaken by an aircraft and the pursuit was taken over by another aircraft or ship, such other aircraft or ship shall only be authorised to arrest the suspect vessel outside the territorial waters of Malta if the said other aircraft or ship had continued the pursuit without interruption.

(7) The right of hot pursuit shall apply *mutuatis mutandis* to any violation in the area established by subarticle (2) of article 3 of this Act or of any law for the purposes of which the said area is established.

Action
with
respect to
vessel on
the high
seas.

(8) Where a Maltese military vessel encounters on the high seas a foreign vessel, not being a foreign military vessel or a ship owned by a foreign State used only on non-commercial service, hereafter referred to in this subarticle as

the suspect vessel, and there is reasonable ground for suspecting that:

- (a) the suspect vessel is engaged in piracy;
- (b) the suspect vessel is engaged in the slave trade;
- (c) the suspect vessel is engaged in unauthorised broadcasting and the Maltese courts have jurisdiction thereon;
- (d) the suspect vessel is without nationality; or
- (e) though flying a foreign flag or refuses to show its flag, the suspect vessel is a vessel registered in Malta,

any maritime enforcement officer on board the relevant vessel may proceed to verify the suspect vessel's right to fly its flag by boarding the suspect vessel and checking its documents and if thereupon suspicion remains as to the nationality of the suspect vessel, the relevant vessel may proceed to a further examination with all possible consideration.

(9) Any person or suspect vessel discovered to be engaged in unauthorised broadcasting as provided in paragraph (c) of subarticle (7) may be arrested by any maritime enforcement officer on board the relevant vessel who may also seize any apparatus used in the said unauthorised broadcasting."

6. Immediately after article 9 of the Continental Shelf Act there shall be inserted the following new article:

Amendment of the
Continental
Shelf Act, Cap. 194.

"Right of hot
pursuit.

10. The provisions of subarticles (2) to (6), both inclusive, of article 8 of the Territorial Waters and Contiguous Zone Act shall apply *mutatis mutandis* to any reasonable suspicion of an offence under this Act."

Objects and Reasons

The main object of the Bill is to regulate in more detail the nature and extent of the powers vested in the Police, members of the Armed Forces of Malta, officers of the Customs and other officers having general law enforcement authority, while on maritime duties.

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