

MALTA

ATT Nru XIII tal-2020

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT biex jipprovdi għas-sospensjoni jew interruzzjoni ta' perjodi ta' żminijiet legali jew termini oħrajn fil-kuntest ta' emerġenza ta' saħħa pubblika u biex jagħmel dispożizzjonijiet u jipprovdi għal materji anċillari jew inċidentali għalihom jew konnessi magħhom.

ACT No. XIII of 2020

AN ACT enacted by the Parliament of Malta.

AN ACT to provide for the suspension or interruption of legal and other time periods in the context of a public health emergency and to make provision and to provide for matters ancillary or incidental thereto or connected therewith.

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

2 ta' April, 2020

ATT Nru XIII tal-2020

ATT biex jipprovdi għas-sospensjoni jew interruzzjoni ta' perjodi ta' żminijiet legali jew termini oħrajn fil-kuntast ta' emergenza ta' saħħa pubblika u biex jagħmel dispożizzjonijiet u jipprovdi għal materji ancillari jew incidentali għalihom jew konnessi magħhom.

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:-

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 dwar is-Sospensjoni u l-Interruzzjoni ta' Perjodi ta' Żminijiet Legali u Oħrajn. Titolu fil-qosor.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx xort' oħra: Tifsir.

"qorti" tfisser kwalunkwe mill-qrati tal-ġustizzja, u tirreferi għall-qrati superjuri u l-qrati inferjuri inklużi l-qrati tal-appell irrispettivament mill-kompetenza jew il-ġuriżdizzjoni tagħhom, u tinkludi wkoll kwalunkwe tribunal jew korp stabbilit mil-liġi li jopera mill-binja tal-Qrati tal-Ġustizzja ġewwa l-Belt Valletta, u kwalunkwe bordijiet, kummissjonijiet, kumitati jew entitajiet oħra li joperaw mill-binja tal-Qrati tal-Ġustizzja li quddiemhom jinstemgħu proċedimenti jew isiru proċeduri u tinkludi tribunali jew korpi oħra kostitwiti bil-liġi li l-Ministru jista' jippreskrivi;

"Ministru" tfisser il-Ministru responsabbli għall-ġustizzja;

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"Registru" tfisser ir-registru ta' kwalunkwe qorti;

Kap. 465.

"Suprintendent" għandu jkollha l-istess tifsira kif mogħtija lilha fl-Att dwar is-Saħħa Pubblika.

Setgħat tal-Ministru li johroġ regolamenti. Kap. 465.

3. (1) Meta, bis-saħħa tas-setgħat mogħtija lis-Suprintendent taħt l-artikoli 26 jew 27 tal-Att dwar is-Saħħa Pubblika, is-Suprintendent johroġ ordni għall-għeluq ta':

- (a) kwalunkwe qorti;
- (b) ir-registru ta' kwalunkwe qorti;
- (ċ) kwalunkwe dipartiment tal-gvern;
- (d) kwalunkwe ufficcju ta' xi awtorità pubblika;
- (e) kull entità oħra kostitwita bil-liġi; jew
- (f) kull ufficcju ieħor li jipprovdi servizz lill-pubbliku,

u l-Ministru jidhirlu li l-għeluq ta' xi waħda mill-entitajiet, dipartimenti jew ufficcji kollha elenkati fil-paragrafi (a) sa (f) hawn fuq, jista' jkollu konsegwenza ta' preġudizzju bħala riżultat tal-kontinwazzjoni ta' perjodi ta' żminijiet preskritti minn kwalunkwe liġi jew fi kwalunkwe kuntratt matul dak l-għeluq, il-Ministru jista', minkejja d-dispożizzjonijiet ta' kwalunkwe liġi oħra, jagħmel dawk ir-regolamenti b'rabta mal-kontinwazzjoni ta' dawk iż-żminijiet li jistgħu jitqiesu spedjenti fiċ-ċirkostanzi.

(2) Mingħajr preġudizzju għall-ġeneralità tal-ordnijiet li jistgħu jsiru skont is-subartikolu (1), il-Ministru jista' permezz ta' regolamenti jippreskrivi għas-sospensjoni jew għall-waqfien ta' kwalunkwe limiti ta' żmien stabbiliti:

(a) minn jew taħt kwalunkwe liġi sostantiva jew proċedurali oħra, inklużi perjodi ta' preskrizzjoni, u kwalunkwe limitu ta' żmien kemm jekk perentorju jew le;

(b) minn kwalunkwe qorti, dipartiment tal-gvern, aġenzija tal-gvern jew awtorità pubblika; jew

(ċ) fi kwalunkwe ftehim kemm jekk jirriżulta minn kitba privata kif ukoll minn att pubbliku.

(3) Kull regolament maħruġ skont dan l-artikolu jista' jkun ta' tali applikazzjoni li l-Ministru jista' jqis opportun fiċ-ċirkostanzi.

Applikabilità.

4. Ir-regolamenti preskritti magħmula mill-Ministru skont is-

setgħat mogħtija taħt l-artikolu 3 jistgħu jinħargu b'effett minn data stabbilita fir-regolament inkluża data li tippreċedi r-regolament b'mhux aktar minn xahar.

5. Il-Ministru jista' skont is-setgħat mogħtija taħt l-artikolu 3 jagħmel regolamenti bl-iskop li jirregola materji li huma konsegwenzjali, incidental jew anċillari għas-sospensjoni ta' kwalunkwe ħinijiet.

Setgħat addizzjonali tal-Ministru li jippreskrivi regolamenti.

6. Id-dispożizzjonijiet ta' dan l-Att għandhom ikunu mingħajr preġudizzju għal kwalunkwe setgħa tas-Suprintendent li joħroġ ordnijiet li jissospendu kwalunkwe termini legali, kuntrattwali jew oħrajn skont is-setgħat mogħtija lis-Suprintendent taħt l-imsemmi Att u xejn f'dan l-Att ma għandu jinftiehem bħala limitazzjoni fuq dawn is-setgħat.

Ordnijiet maħruġa mis-Suprintendent.

7. Il-legiżlazzjoni sussidjarji magħmula taħt l-Att dwar is-Saħħa Pubblika b'rabta mas-sospensjoni tal-ħinijiet għandhom ikomplu fis-seħħ u jkollhom effett daqslikioku saru taħt dan l-Att.

Riżervi.
Kap. 465.

Emenda Konsegwenzjali

8. L-artikolu 3 tal-Att dwar il-Kummerċ Bankarju għandu jiġi emendat kif ġej:

Emenda tal-artikolu 3 tal-Att dwar il-Kummerċ Bankarju.
Kap. 371.

(a) minnufih wara l-paragrafu (b) tas-subartikolu (2) tiegħu għandu jiġi miżjud dan il-paragrafu ġdid li ġej:

"(c) Il-Ministru jista', wara konsultazzjoni mal-awtorità kompetenti u l-Bank Ċentrali, jekk jidhirlu li huwa opportun fl-interess pubbliku sabiex jagħmel hekk, b'regolamenti jew b'ordni ppubblikata fil-Gazzetta, jistabbilixxi l-ħinijiet tal-ftuħ tal-banek."; u

(b) minnufih wara s-subartikolu (2) tiegħu għandu jiġi miżjud dan is-subartikolu ġdid li ġej:

"(3) Il-Ministru jista', wara konsultazzjoni mal-awtorità kompetenti u l-Bank Ċentrali, jekk jidhirlu li huwa opportun fl-interess pubbliku sabiex jagħmel dan, b'regolamenti jew b'ordni ppubblikata fil-Gazzetta, jiżgura li s-servizzi, li huma meqjusa li jkunu essenzjali għat-tkomplija tan-negozju bankarju bħat-trasport tal-flus u s-servizzi ta' għassa, jibqgħu jiġu pprovduti matul perjodu kif speċifikat bir-regolamenti.".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 317 tal-1 ta' April, 2020.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

2nd April, 2020

ACT No. XIII of 2020

AN ACT to provide for the suspension or interruption of legal and other time periods in the context of a public health emergency and to make provision and to provide for matters ancillary or incidental thereto or connected therewith.

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 Legal and Other Time Periods (Suspension and Interruption) Act, 2020. Short title.

2. In this Act, unless the context otherwise requires: Interpretation.

"court" means any of the courts of justice and shall refer to the superior courts and the inferior courts including appellate courts irrespective of their competence or jurisdiction, and includes any tribunal or body established by law which operates from the building of the Courts of Justice in Valletta, and any boards, commissions, committees or other entities which operate from the building of the Courts of Justice before which any proceedings are heard or procedures undertaken and shall include such other tribunals or bodies constituted by law which the Minister may prescribe;

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"Minister" means the minister responsible for justice;

"Registry" means the registry of any court;

Cap. 465. "Superintendent" shall have the same meaning as assigned to it in the Public Health Act.

Powers of the
Minister to issue
regulations.
Cap. 465.

3. (1) Where, by virtue of the powers conferred to the Superintendent under articles 26 or 27 of the Public Health Act, the Superintendent issues an order for the closure of:

- (a) any court;
- (b) the registry of any court;
- (c) any government department;
- (d) any office of any public authority;
- (e) any other entity constituted by law; or
- (f) any other office that provides a service to the public,

and it appears to the Minister that the closure of any or all of the entities, departments or offices listed in paragraphs (a) to (f) above, may have a prejudicial consequence as a result of the continued running of time periods prescribed by any law or in any contract during such closure, the Minister may, notwithstanding the provisions of any other law, make such regulations in connection with the running of such times that may be deemed expedient in the circumstances.

(2) Without prejudice to the generality of the orders that may be made under sub-article (1), the Minister may by regulations prescribe for the suspension or interruption of any time limits established:

- (a) by or under any other substantive or procedural law, including periods of prescription, and any time limits whether peremptory or otherwise;
- (b) by any court of law, government department, government agency or public authority; or
- (c) in any agreement whether resulting from a private writing or public deed.

(3) Any regulation issued pursuant to this article may be of such application as the Minister may consider expedient in the circumstances.

4. Regulations prescribed made by the Minister pursuant to the powers conferred under article 3 may be issued with effect from a date which is set out in the regulation including a date that pre-dates the regulation by not more than one month. Applicability.
5. The Minister may pursuant to the powers accorded under article 3 make regulations for the purpose of regulating matters which are consequential, incidental or ancillary to the suspension of any time. Additional powers of the Minister to prescribe regulations.
6. The provisions of this Act shall be without prejudice to any power of the Superintendent to issue orders suspending any legal, contractual or other time limits in terms of the powers conferred upon the Superintendent under the said Act and nothing in this Act shall be construed as a limitation on such powers. Orders issued by the Superintendent.
7. The subsidiary legislation made under the Public Health Act in relation to the suspension of times shall continue in force and have effect as if they were made under this Act. Savings. Cap. 465.

Consequential Amendment

8. Article 3 of the Banking Act shall be amended as follows: Amendment of article 3 of the Banking Act. Cap. 371.
- (a) immediately after paragraph (b) of sub-article (2) thereof there shall be added the following new paragraph:
- "(c) The Minister may, after consultation with the competent authority and the Central Bank, if he deems it expedient in the public interest so to do, by regulations or by an order published in the Gazette, establish the opening hours of banks."; and
- (b) immediately after sub-article (2) thereof there shall be added the following new sub-article:
- "(3) The Minister may, after consultation with the competent authority and the Central Bank, if he deems it expedient in the public interest so to do, by regulations or by an order published in the Gazette, ensure that services, that are deemed to be essential for the continuation of banking business, such as the transportation of money and the guarding services, continue to be provided during a period as specified by the regulations.".
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Passed by the House of Representatives at Sitting No. 317 of the 1st April, 2020.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

