
Nru. 93

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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli George Bonello Du Puis, M.P., Ministru għas-Servizzi Ekonomiċi, u moqri għall-Ewwel darba fis-Seduta ta' l-14 ta' Frar, 1994.

ATT biex jemenda l-Att dwar il-Korporazzjoni għal Żvilupp ta' Malta, Kap. 202.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A **BILL** introduced by the Honourable George Bonello Du Puis, M.P., Minister for Economic Services, and read the First time at the Sitting of the 14th February, 1994.

AN ACT to amend the Malta Development Corporation Act, Cap. 202.

RICHARD J. CAUCHI
Clerk to the House of Representatives

ABBOZZ TA' LIĠI imsejjah

ATT biex jemenda l-Att dwar il-Korporazzjoni għal Żvilupp ta' Malta, Kap. 202.

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. Dan l-Att jista' jissejjah l-Att ta' l-1994 li jemenda l-Att dwar il-Korporazzjoni għal Żvilupp ta' Malta, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar il-Korporazzjoni għal Żvilupp ta' Malta, hawnhekk iżjed 'il quddiem imsejjah l-“Att prinċipali”.

Titolu fil-qosor
u bidu fis-schh.

(2) Dan l-Att għandu jibda jsehh f'dik id-data li l-Ministru responsabbli għall-industrija jista' jistabbilixxi b'avviż fil-Gazzetta.

2. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta'
l-artikolu 4
ta' l-Att
prinċipali.

(a) fis-subartikolu (1) tiegħu:

(i) minflok il-kliem “ikunu r-responsabbiltà taç-*Chairman* tal-Bord” għandhom jidhlu l-kliem “ikunu r-responsabbiltà taç-*Chief Executive Officer* tal-Korporazzjoni”; u

(ii) minnufih fi tmiem is-subartikolu għandu jiddied dan il-proviso li ġej:

“Iżda ç-*Chairman* jista' wkoll jinhatar mill-Ministru biex ikun iç-*Chief Executive Officer* tal-Korporazzjoni.”;
u

(b) fis-subartikolu (3) tiegħu, minflok il-kliem “minn fost uffiċjali pubbliċi” għandhom jidhlu l-kliem “għar-rigward ta’ wiehed minn fost uffiċjali pubbliċi li jaqdu dmirijietom fil-Ministeru jew fid-dipartimenti li jaqgħu taht ir-responsabbiltà tal-Ministru responsabbli għall-finanzi u għar-rigward ta’ l-iehor minn fost uffiċjali pubbliċi li jaqdu dmirijietom fil-Ministeru jew fid-dipartimenti li jaqgħu taht ir-responsabbiltà tal-Ministru responsabbli għall-industrija”.

Emenda ta’
l-artikolu 6
ta’ l-Att
prinċipali.

3. L-artikolu 6 ta’ l-Att prinċipali għandu jiġi emendat kif ġej:

(a) id-dispożizzjoni li hemm bħalissa għandha tiġi enumerata mill-ġdid bħala s-subartikolu (1) ta’ l-artikolu; u

(b) minnufih wara s-subartikolu (1) ta’ l-artikolu kif enumerat mill-ġdid għandu jżied dan is-subartikolu li ġej:

“(2) Meta *ċ-Chief Executive Officer* ikun nieqes minn Malta jew inkella ma jkunx jista’ jwettaq il-funzjonijiet tiegħu għal xi żmien, jew ikun fi btala, għaldaqstant, sa dak iż-żmien meta l-Ministru jkun hatar lil xi wiehed mill-Uffiċjali tal-Korporazzjoni biex jagħmilha ta’ *Chief Executive Officer* tal-Korporazzjoni, *ic-chairman* għandu wkoll jagħmilha ta’ *Chief Executive Officer* u għandu jwettaq is-setgħat u jaqdi l-funzjonijiet ta’ *Chief Executive Officer*:

Iżda meta *ċ-chairman* ikun ukoll inhatar mill-Ministru biex ikun *Chief Executive Officer* tal-Korporazzjoni, id-dispożizzjonijiet tas-subartikolu (1) ta’ dan l-artikolu għandhom japplikaw sa dak iż-żmien meta l-Ministru jkun hatar aġent *Chief Executive Officer* minn fost l-uffiċjali tal-Korporazzjoni.”.

Emenda ta’
l-artikolu 17
ta’ l-Att
prinċipali.

4. L-artikolu 17 ta’ l-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 jidhol dan is-subartikolu li ġej:

“(2) (a) Bla hsara għall-proviso li hemm għas-subartikolu (1) ta’ l-artikolu 4 ta’ dan l-Att, il-Ministru għandu jahtar persuna biex tkun *Chief Executive Officer* tal-Korporazzjoni.

(b) Dak l-uffiċjal għandu jinhatar għal dak iż-żmien u b’dawk il-patti u kundizzjonijiet li l-Ministru jista’ jqis li jkunu xierqa u jkun jista’ jerga’ jinhatar:

Iżda meta uffiċjal tal-Korporazzjoni jinhatar bħala *Chief Executive Officer* tal-Korporazzjoni, dak l-uffiċjal għandu fi tmiem żmien il-hatra tiegħu jew hatra mill-ġdid tiegħu jerga’ lura għall-kariga li kellu ma’ l-uffiċjali tal-Korporazzjoni.”.

5. Minflok il-paragrafu 6 ta' l-Iskeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġej:

Emenda ta' l-iskeda li tinsab ma' l-Att prinċipali.

“6. Ir-rappreżentanza legali tal-Korporazzjoni tkun fi-*chairman* jew f'dak id-direttur iehor tal-Bord jew ufficjal tal-Korporazzjoni kif il-Bord jista' jispecifica b'rizoluzzjoni. Kull rizoluzzjoni bhal dik ghandha tigi pubblikata fil-Gazzetta.”.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa sabiex jipprovdi għall-kariga ta' *Chief Executive Officer* tal-Korporazzjoni għal Żvilupp ta' Malta, b'hekk illi jkun hemm tmexxija iktar flessibbli fil-Korporazzjoni.

**A BILL
entitled**

AN ACT to amend the Malta Development Corporation Act, Cap. 202.

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
and
commencement.
Cap. 202.

1. (1) This Act may be cited as the Malta Development Corporation (Amendment) Act, 1994, and shall be read and construed as one with the Malta Development Corporation Act, hereinafter referred to as “the principal Act”.

(2) This Act shall come into force on such date as the Minister responsible for industry may, by notice in the Government Gazette establish.

Amendment of
section 4
of the
principal Act.

2. Section 4 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof:

(i) for the words “shall be the responsibility of the Chairman of the Board” there shall be substituted the words “shall be the responsibility of the Chief Executive Officer of the Corporation”; and

(ii) immediately at the end thereof there shall be added the following proviso:

“Provided that the Chairman may also be appointed by the Minister to be Chief Executive Officer of the Corporation”; and

(b) in subsection (3) thereof, for the words “from amongst public officers” there shall be substituted the words “as to one from

among public officers working in the Ministry or the departments falling under the responsibility of the Minister responsible for finance and as to the other from among public officers working in the Ministry or the departments falling under the responsibility of the Minister responsible for industry”.

3. Section 6 of the principal Act shall be amended as follows:

Amendment of
section 6
of the
principal Act.

(a) the present provision shall be renumbered as subsection (1) thereof; and

(b) immediately after subsection (1) thereof as renumbered there shall be added the following subsection:

“(2) Where the Chief Executive Officer is absent from Malta or temporarily incapacitated from performing the functions of his office, or is on vacation, and where the office of the Chief Executive Officer is temporarily vacant, then, until such time as the Minister shall have appointed one of the officers of the Corporation to act as Chief Executive Officer of the Corporation, the chairman shall also act in the place of the Chief Executive Officer and shall exercise the powers and perform the functions of the Chief Executive Officer:

Provided that where the chairman has also been appointed by the Minister to be Chief Executive Officer of the Corporation, the provisions of subsection (1) of this section shall apply until such time as the Minister shall have appointed an acting Chief Executive Officer from among the officers of the Corporation.”.

4. Section 17 of the principal Act shall be amended as follows:

Amendment of
section 17
of the
principal Act.

(a) subsection (2) thereof shall be renumbered as subsection (3); and

(b) immediately after subsection (1) thereof there shall be inserted the following subsection:

“(2) (a) Subject to the proviso to subsection (1) of section 4 of this Act, the Minister shall appoint a person to be the Chief Executive Officer of the Corporation.

(b) Such officer shall be appointed for such term and under such terms and conditions as the Minister may deem proper and shall be eligible for re-appointment:

Provided that where an officer of the Corporation is appointed as Chief Executive Officer of the Corporation, such officer shall at the end of the term of his appointment or re-appointment revert to his former position among the officers of the Corporation.”.

5. For the paragraph 6 of the Schedule to the principal Act there shall be substituted the following:

Amendment of
Schedule to the
principal Act.

“6. The legal representation of the Corporation shall be vested in the chairman or in such other director of the Board or officer of the Corporation as the Board may by resolution designate. Any such resolution shall be published in the Gazette.”.

Objects and Reasons

The Object of the Bill is to provide for the office of Chief Executive Officer of the Malta Development Corporation, thus providing greater flexibility in the management of the said Corporation.