

MALTA

ATT Nru. XXIII ta' l-1992

ACT No. XXIII of 1992

ATT mahruġ b'ligi mill-Parlament ta' Malta.

AN ACT enacted by the Parliament of Malta.

ATT biex jemenda l-Att dwar id-Djar.

AN ACT to amend the Housing Act.

Naghti l-kunsens tiegħi.

(L.S.)

ĊENSU TABONE
President

11 ta' Diċembru, 1992

ATT Nru. XXIII ta' l-1992

ATT biex jemenda l-Att dwar id-Djar.

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) Dan l-Att jista' jissejjah l-Att ta' l-1992 li jemenda l-Att dwar id-Djar, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar id-Djar, kif promulgat mill-ġdid bis-saħħa ta' l-Att ta' l-1992 li Jestendi l-Att dwar id-Djar, u kif kontenut fl-Iskeda li tinsab ma' dak l-Att, u l-imsemmi Att dwar id-Djar huwa hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor u bidu fis-seħh.

Att XIV ta' l-1992.

(2) Dan l-Att għandu jitqies li beda jseħh fit-13 ta' Frar, 1992.

2. Minnufih wara l-artikolu 20 ta' l-Att prinċipali għandu jiżded dan l-artikolu ġdid li ġej:

Zieda ta' artikolu ġdid.

"Dritt għal appell.

20A. Minkejja kull haġa li tinsab f'din il-liġi jew xi liġi ohra, ikun hemm dritt għal appell lill-Qorti ta' l-Appell sew jekk fuq punt ta' liġi jew ta' fatt mid-deċiżjoni ta' kull bord, tribunal jew qorti, li biha jkun ġie ffissat l-ammonit ta' xi kumpens dovut taħt dan l-Att, u dak l-appell għandu jsir bl-istess mod u fl-istess żmien bħalma appell fuq punt ta' liġi lill-istess qorti għandu jsir minn deċiżjoni ta' dak il-bord, tribunal jew qorti."

3. Meta l-kumpens għall-pussess ta' xi bini jkun ġie ffissat skond l-Att dwar id-Djar, qabel il-bidu fis-seħh ta' dan l-Att, u meta l-bini jkun għadu fil-pussess tad-Direttur għall-Akkomodazzjoni Soċjali fid-data tal-bidu fis-seħh ta' dan l-Att, id-deċiżjoni li tiffissa l-imsemmi kumpens

Dispożizzjoni transitorja. Kap. 125.

ghandha, għall-fini ta' kull appell li jista' jsir taht l-artikolu 20A ta' l-Att prinċipali kif introdott b'dan l-Att, titqies li tkun giet mogħtija f'data li tkun xahar kalendarju wara d-data tal-ħruġ b'ligi ta' dan l-Att:

Iżda ebda haġa f'dan l-artikolu ma għandha titqies li tolqot xi appell lill-Qorti ta' l-Appell fuq punt ta' ligi li jkun sar *res judicata* qabel il-ħruġ b'ligi ta' dan l-Att:

Iżda wkoll kull rata ġdida ta' kumpens stabbilita bis-saħħa ta' xi appell magħmul bis-saħħa ta' dan l-artikolu ma għandha f'ebda f'każ tkun b'seħħ minn data qabel it-13 ta' Frar, 1992.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 75 ta' l-1 ta' Diċembru, 1992.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati.

I assent.

(L.S.)

CENSU TABONE
President

11th December, 1992

ACT No. XXIII of 1992

AN ACT to amend the Housing Act.

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. (1) This Act may be cited as the Housing (Amendment) Act, 1992, and shall be read and construed with the Housing Act, as re-enacted in virtue of the Housing (Extension) Act, 1992, and as contained in the Schedule thereto, the said Housing Act is hereinafter referred to as “the principal Act”.

Short title
and
commencement.
Act XIV
of 1992.

(2) This Act shall be deemed to have come into force on the 13th February, 1992.

2. Immediately after section 20 of the principal Act, there shall be added the following new section:

Addition of
new section.

“Right
of appeal.

“20A. Notwithstanding anything contained in this or any other law, a right to appeal to the Court of Appeal whether on a point of law or of fact shall lie from the decision of any board, tribunal or court, whereby the amount of any compensation due under this Act has been assessed, and such appeal shall be entered in the same manner and within the same term as an appeal on a point of law to the same court is to be entered from a decision of such board, tribunal or court.”.

3. Where the compensation for the possession of any building has been fixed in accordance with the Housing Act, prior to the coming into force of this Act, and where the building is on the date of coming into force of this Act, still in the possession of the Director for Social

Transitory
provision.
Cap. 125.

Housing, the decision fixing the said compensation shall for the purpose of any appeal which may be entered under section 20A of the principal Act as introduced by this Act, be deemed to have been delivered on a date being one calendar month after the date of the enactment of this Act:

Provided that nothing in this section shall be deemed to effect any appeal to the Court of Appeal on a point of law which has become a *res judicata* prior to the enactment of this Act:

Provided further that any new rate of compensation established in virtue of any appeal entered in virtue of this section shall in no case be with effect from a date prior to the 13th February, 1992.

Passed by the House of Representatives at Sitting No. 75 of the 1st December, 1992.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.

