

Trading Licences Act, 2001

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I assent.

(L.S.)

GUIDO DE MARCO
President

21st December, 2001

ACT No. XXVII of 2001

AN ACT to make provision for the regulation of commercial activities; and to make provision for matters ancillary to or connected with such activities.

BE IT ENACTED by the President, by and with the advice of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

Part I - Preliminary

Short title and commencement.

1. The short title of this Act is the Trading Licences Act, 2001 and shall come into force on such date or dates as the Minister may by notice in the Gazette appoint, and different dates may be so appointed for different provisions or different purposes of this Act. For this purpose any such notice may, in relation to licences expiring on 31st December, 2001, bring into effect certain provisions of this Act, as from 1st January, 2002.

Interpretation.

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

“commercial activity” means the exercise of any trading or economic activity including the sale of goods, and the provision of any services as may be prescribed, irrespective of whether such commercial activity is exercised from commercial premises or otherwise but shall not include any commercial activity regulated under any other law;

“commercial fair” means any fair, irrespective of the name by which it is called, where a commercial activity is exercised;

“commercial premises” includes any shop, showroom, stall, store, or any other premises from where any commercial activity is carried on; and includes any enclosed area within which commercial fairs are held and includes also any other premises as may be prescribed from which any service may be provided;

“Local Council” shall have the same meaning assigned to it by the Local Councils Act;

“locality” in relation to a Local Council, shall have the same meaning assigned to it by the Local Councils Act and includes any arterial or distributor road or any other area within the boundaries of such locality, which, under the provisions of the said Act are excluded from the responsibility of a Local Council; Cap. 363.

“Minister” means the Minister responsible for commerce; Cap. 13.

“open air market” means an open air market established under article 23 of this Act;

“prescribed” means prescribed by regulations made by the Minister for the purposes of this Act;

“regulatory authority” means the person or authority designated by the Minister as regulatory authority in terms of article 3 of this Act;

“sale” includes any exchange or transfer *in solitum*;

“street” means any street and includes any road, alley, square, fortification or other place of public passage.

Part II - Administration

3. (1) The administration of this Act shall be vested in the Minister or such other person or authority designated by the Minister for any of the purposes of this Act. Regulatory authority.

(2) Where in this Act reference is made to the regulatory authority, such reference shall be construed as a reference to such person or authority.

(3) It shall be the duty of the regulatory authority to issue such licences and to keep such registers as may, from time to time, be required for the purposes of this Act.

(4) For the better carrying out of its functions under this Act the regulatory authority may make arrangements or enter into any agreement with any other authority or Local Council.

Applicability of the Act.

4. Unless otherwise provided by or under this Act the provisions of this Act shall not apply in relation to any commercial premises licensed, or commercial activity regulated, under any other law; and in any such case no further licence or regulation shall be required under this Act.

Establishment of Licensing Advisory Committee.

5. (1) There shall be established a committee to be known as the Licensing Advisory Committee hereinafter referred to as "the Committee" which shall be composed of a chairperson representing the regulatory authority and of not more than six other members as the Minister may from time to time deem fit to appoint. Such members shall be appointed by the Minister.

(2) An officer or employee of the regulatory authority shall act as secretary to the Committee.

(3) Five of the members of the Committee shall be appointed as follows:-

(a) three members, one each from amongst constituted bodies who in the opinion of the Minister are more representative of the interests of the commercial sector;

(b) one member from amongst persons who in the opinion of the Minister best represent the interests of consumers; and

(c) one member from amongst persons who in the opinion of the Minister best represent the interests of Local Councils.

(4) Where any matter being considered by the Committee involves a particular commercial sector, an additional member representing such commercial sector shall be co-opted from the relevant sector in the panel referred to in subarticle (5) of this article to attend the meeting at which the matter will be considered.

(5) For the purposes of subarticle (4) of this article, the Minister shall appoint a panel of persons who in his opinion best represent the interests of the various commercial sectors.

(6) The members shall hold office for such period not exceeding three years and on such terms and conditions as the Minister may deem appropriate. Members shall be eligible for re-appointment on the expiration of their terms of office.

Procedures of the
Committee.

6. (1) The meetings of the Committee shall be called by the chairperson at least once a month or at the request of at least three members of the Committee.

(2) The quorum for such meetings shall be constituted by the chairperson and any other three members.

(3) Decisions of the Committee shall be by a majority of votes of the members present and in the case of an equality of votes the chairperson shall also exercise a second or casting vote. Where a member or members are co-opted in terms of subarticle (4) of article 5 of this Act, those members shall also be eligible to vote.

(4) The Committee may act notwithstanding any vacancy as long as a quorum is present.

(5) The Committee shall keep minutes of all its meetings and shall forward copies of such minutes to the regulatory authority.

(6) The Committee shall otherwise regulate its own procedure.

Functions of the
Committee.

7. (1) The Committee shall, for the better carrying out of the provisions of this Act, advise the Minister and the regulatory authority on any matter relating to the provisions of this Act.

(2) Without prejudice to the generality of the foregoing the Committee may also:-

(a) conduct such consultations as may be required;

(b) advise the Minister and the regulatory authority on any matter referred to it or out of its own motion;

(c) advise the Minister on the making of regulations under this Act;

(d) do all such things as may be conducive to the better discharge of its functions under this Act;

(e) perform such other functions as may from time to time be assigned to it by the Minister.

Licensing Appeals Board.

8. (1) There shall be a Licensing Appeals Board, consisting of three members, of whom one, who shall be the chairperson, shall be a person who has practiced as an advocate for not less than seven years.

(2) The members of the Board shall be appointed by the Minister for a period of five years, and may only be removed from office by the Prime Minister on grounds of proved inability to perform the functions of their office (whether arising from infirmity of body or mind or any other cause) or proved misbehavior.

Cap. 12.

(3) A member of the Board may be challenged or abstain for any of the reasons for which a judge may be challenged or abstain in accordance with article 734 of the Code of Organization and Civil Procedure. In any such case the Minister shall appoint a person, having the qualifications of the member challenged or abstaining, to sit as a member of the Board in substitution of the said member.

(4) A member of the House of Representatives or of a Local Council, a Judge or a Magistrate shall be disqualified from being appointed or continuing to be a member of the Board for so long as he holds that office.

(5) The Minister shall also designate a person to serve as secretary to the Board.

Appeals.

9. (1) An appeal shall lie to the Licensing Appeals Board on any decision taken in accordance with the provisions of this Act and any regulations made thereunder. The right of appeal shall be competent to the applicant and to any person showing such interest as may be prescribed who has duly filed an objection or made representations against the grant of the licence.

(2) An appeal to the Board may be filed on any of the following grounds:-

(a) that a material error as to the facts has been made;

(b) that there was a material procedural error;

(c) that an error of law has been made;

(d) that there was some material illegality, including unreasonableness or lack of proportionality.

(3) The Board shall, after hearing the appellant, the regulatory authority and the applicant, if he is not the appellant, decide the appeal giving reasons for its decisions in open session.

(4) In determining an appeal under this article the Board may:-

(a) dismiss the appeal;

(b) annul the decision, and refer the matter to the relevant regulatory authority.

10. (1) The Board shall be competent to hear and decide any appeal made to it in accordance with the provisions of this Act and any regulations made thereunder; and the decisions of the Board shall be final and conclusive. Powers and procedures of the Board.

(2) For the exercise of its functions, the Board may summon any person to appear before it and give evidence and produce documents; and the chairperson shall have the power to administer the oath. The Board may also appoint experts to advise the Board on any technical issue that may be relevant to its decision.

(3) For the purposes aforesaid the Board shall have the same powers as are competent to the First Hall, Civil Court according to law.

(4) The procedure to be followed before the Board, the time within which and the manner in which an appeal to the Board is to be made shall be such as may be prescribed; and subject thereto, and to any other applicable provision of this Act, the Board may establish its own procedure.

11. Any party to an appeal to the Board who feels aggrieved by a decision of the Board, or the regulatory authority if it feels dissatisfied with any such decision, may on a question of law appeal to the Court of Appeal as constituted in accordance with subarticle (6) of article 41 of the Code of Organization and Civil Procedure by means of an application filed in the registry of that court, within thirty days from the date of the Board's decision. Appeals to the Court of Appeal. Cap. 12.

12. The effect of a decision to which an appeal relates shall not, except where the Board or the Court of Appeal, as the case may be, so orders, be suspended in consequence of the bringing of the appeal. Appeal not to suspend decision.

Part III - Licensing of Commercial Premises and Certain Activities

Commercial premises to be licensed.

13. Subject to the provisions of article 4 of this Act, it shall not be lawful for any person to open or keep any commercial premises unless he holds in respect of such premises a licence from the regulatory authority.

Commercial activities in a street.

14. (1) It shall not be lawful for any person to carry out a commercial activity from any street without a licence from the regulatory authority:

Provided that such a licence shall not entitle its holder to carry out the commercial activity from a fixed place in an open-air market in a locality without the prior authorisation in writing of the Local Council of that locality in terms of article 24 of this Act.

(2) The provisions of subarticle (1) of this article shall not apply in any of the following cases:-

(a) when a person or a group of not more than six persons, in any street, play any musical instrument or otherwise display their artistic talent and collect money in the form of voluntary donations from passers-by who stop to watch the performance;

(b) when a person, in any street, produces and sells a work of art.

Cap. 10.

(3) Nothing in the foregoing subarticle shall be deemed to affect the provisions of articles 38, 40 and 41 of the Code of Police Laws; and moreover it shall be lawful for any police officer to stop any activity as is referred to in paragraphs (a) and (b) of the said subarticle and direct that the activity be held in another place.

Terms and conditions of licences.

15. (1) Licences issued under this Part shall be in such form and shall be subject to such terms and conditions as the Minister may prescribe.

(2) The regulatory authority or any other person designated in that behalf shall have the power to require the production of such documents and information as he may deem necessary for the purposes of this Act or any regulations made thereunder.

(3) The regulatory authority or any other person designated in that behalf may enter into any commercial premises during business hours to ensure compliance with the provisions of this Act or any regulations made thereunder.

16. Notwithstanding the preceding provisions of this Part, where any affray or tumult happens or is expected to happen in any place, the Police may order every commercial premises in or near the place where the affray or tumult happens or is expected to happen to be kept closed during such time as, in the opinion of the Police, is reasonably necessary.

Power of Police to close shops in case of riot.

Part IV- Registration of Commercial Activities and Premises

17. Any person carrying on any commercial activity other than from commercial premises shall be registered in accordance with the provisions of any regulations as may be prescribed.

Commercial activity to be registered.

Part V- Qualifications

18. Any person carrying out any commercial activity and any person serving customers from any commercial premises may be required to possess such qualifications as may be prescribed.

Qualifications as may be required.

Part VI - Activities requiring permit by Local Councils

19. (1) Where provision is made under this Part that an activity is subject to a permit from a Local Council, such permit shall not require, unless otherwise provided, any other permit, licence or other authorisation from the regulatory authority or any other authority.

Permits by Local Councils.

(2) Any reference in this Part to a Local Council shall be deemed to be a reference to the Local Council of that locality where the activity requiring the permit is being held.

20. (1) No person shall hold a public show, exhibition, small games, a fair, a tombola or any other public entertainment or similar activity in any street in a locality on any special or specific day or days without a permit from the Local Council.

Public entertainment.

(2) Saving the provisions of subarticle (1) of this article, a Local Council shall not issue a permit for a commercial fair without the consent of the regulatory authority.

(3) Notwithstanding the provisions of subarticle (1) of this article, a person who holds on any special or specific day or days:-

(a) any procession or other activity held in a public place held in the context of a feast, any band march, any disco, ball, dance or any other similar activity, irrespective of the name by which it is called; or

(b) a sporting activity which is held across more than one locality or on a national basis; or

(c) any activity organised by a political party;

shall only require a permit from the Commissioner of Police issued under this Act.

(4) It shall be lawful for the Commissioner of Police, for reasons of public order, public safety or public morality to stop or suspend any permit issued under this article.

(5) Where a Local Council receives an application under this article the Local Council shall, not later than two working days from the receipt of an application for any such permit, and in any case not later than two weeks before the event is due to be held, forward a copy of such application to the Commissioner of Police.

(6) The Commissioner of Police shall, without prejudice to subarticle (4) of this article, not later than five days from the receipt of the copy of such application, inform the Local Council of any conditions that are to be attached to such permit.

Selling on special days.

21. (1) Without prejudice to the provisions of subarticle (4) of article 20 of this Act, no person shall set up any stall or kiosk in any street or exercise any commercial activity in such street on any special or specific day or days without a permit from the Local Council.

(2) If the setting up of any stall or kiosk or the exercise of any commercial activity as aforesaid, is carried out by the person organising any activity in terms of article 20 of this Act for which a permit has been issued by the Local Council or by the Commissioner of Police, as the case may be, in terms of the said article, and the permit includes such setting up of stalls or kiosks or the exercise of such commercial activity, such setting up or activity shall not require a permit from the Local Council under this article or a licence from the regulatory authority under this Act.

(3) On any special or specific day or days a Local Council may also issue permits for the placement of tables and chairs in a street for the service of food and drinks:

Provided that this provision shall not apply to the placement of tables and chairs by any person who in terms of another licence is authorised to place such tables and chairs on a regular basis, but shall

apply to the extent that such tables and chairs are not covered by that licence.

22. No person shall deposit any building material or other material or any goods, or deposit or use any crane or other heavy machinery during the erection, construction or demolition of any building or other similar project, without a permit from the Local Council.

Depositing of materials, cranes, etc.

23. Without prejudice to the provisions of any other enactment, the Minister, after agreement with the Local Council may, by Order in the Gazette establish an open-air market.

Establishment of open-air markets.

24. (1) Where an open-air market has been established in a locality, no person shall be allowed to carry on a commercial activity from a fixed place in such market unless he is licensed in terms of article 14 of this Act and is authorised to carry on such activity from a site within such market allocated to him by the Local Council:

Selling from open-air markets.

Provided that the authorisation of a Local Council shall be subject to such regulations as may be prescribed under article 27 of this Act.

25. No person shall place any vending machine or any machine known as a kiddie ride machine in any street without a permit from the Local Council:

Vending machines, etc.

Provided that this provision shall not apply to the placement of vending machines or kiddie ride machines outside commercial premises which are licensed under this Act or any other enactment and which licence specifically provides for the placement of any such vending machine or kiddie ride machine.

26. Any decision of a Local Council in relation to a permit or authorisation required under this Part or in terms of any regulations made thereunder, shall be subject to appeal in accordance with the provisions of Part II of this Act, and for such purposes a Local Council shall be deemed to be the regulatory authority.

Appeals from decisions of Local Councils.

27. (1) The Minister responsible for local government after consultation with the Minister may make regulations on any matter relating to the issue of any permit or authorisation by Local Councils under this Part, and without prejudice to the generality of the foregoing, such regulations may provide for:

Power of Minister responsible for local government to make regulations.

(a) the criteria, conditions and procedures for the issue, renewal, transfer, suspension or cancellation of such permits or authorizations;

(b) the conditions that may be attached to such permits or authorizations;

(c) the fees that shall be paid for such permits or authorizations;

(d) in relation to open-air markets:-

(i) the conditions under which open-air markets shall be managed by Local Councils;

(ii) the areas to be marked and allocated to hawkers and the conditions for such allocations; and

(iii) the obligations of hawkers operating from open-air markets.

(2) Such regulation may provide that any person contravening the provisions of any such regulations or any condition attaching to any such permit or authorisation, shall be guilty of an offence under the regulations and shall, on conviction, be liable to a fine (*ammenda*) as may be established in such regulations, which fine (*ammenda*) shall not exceed two hundred liri.

Part VII - General Provisions

Power to make regulations.

28. The Minister may make regulations for the purpose of regulating the grant, renewal, suspension, transfer or cancellation of licences or of any one or more categories or classes thereof and, in particular, but without prejudice to the generality of this provision, he may make regulations for all or any of the following purposes:-

(a) for prescribing the conditions under which licences or any one or more categories or classes thereof may be granted, renewed, suspended, transferred or cancelled;

(b) for providing the manner in which applications for the grant, renewal, suspension, transfer or cancellation of licences or of any one or more categories or classes thereof are to be made; for the contents of such application; for the manner in which such licences are to be granted, renewed, suspended, transferred or cancelled; the form in which such licences are to be issued, the contents thereof and the manner in which renewals or transfers thereof are to be indicated;

(c) for providing the manner in which applications for such licences as may be prescribed are to be publicised and for providing the manner in which any person who may be prejudiced by such a licence may make an objection or representation thereon to the regulatory authority;

(d) for establishing the duration of the validity of licences or of any one or more categories or classes thereof;

(e) for establishing the fees leviable in respect of licences or of any one or more categories or classes thereof, either by direct determination or by reference to the manner in which such fees are to be reckoned; and to make provision for fees leviable in respect of broken periods:

Provided that regulations made under this paragraph may establish the minimum and the maximum of any fee leviable in respect of licences or of any one or more categories or classes thereof;

(f) for establishing the penalties to which any offender against any regulations made under this Act shall be liable; provided that no such penalty shall be greater than one thousand liri;

(g) for establishing the qualifications that a person carrying out a commercial activity or serving customers from any commercial premises may be required to possess;

(h) for the requirement of registration of, and for establishing the qualifications that shall be possessed by, any person carrying on a commercial activity other than from commercial premises, provided that this paragraph shall not apply with respect to a person who carries out a commercial activity which is regulated under any other enactment and who is required to hold a licence or warrant thereunder;

(i) for any matter in relation to any activity carried on in any commercial premises licensed under this Act;

(j) for establishing the days and hours during which any activity may or shall be carried on from any commercial premises, including open-air markets:

Provided that such regulations may also make provision in relation to any commercial premises which is licensed by another regulatory authority under the provisions of any other enactment;

(k) for prescribing any matter considered necessary or expedient for the better carrying out of any of the provisions of this Act.

Offences and penalties.

29. Where any person contravenes any of the provisions of this Act or of any regulations made thereunder, he shall be guilty of an offence under this Act and shall on conviction be liable, unless any other penalty is prescribed under any other provision of this Act:-

(a) on a first conviction, to a fine (*ammenda*) of not less than fifty liri but not exceeding five hundred liri;

(b) on a second or subsequent conviction to a fine (*ammenda*) of not less than one hundred liri and not exceeding one thousand liri; and

(c) in the case of a continuing offence to a fine (*ammenda*) of ten liri for every day during which the offence continues.

Special proceedings.

30. (1) Notwithstanding any other law providing for the trial and punishment of offences, where the regulatory authority believes that a person has committed an offence against this Act or any regulations made thereunder, the regulatory authority may give notice in writing to such person describing the offence of which the person is accused and such penalty as may be prescribed in respect of that offence.

(2) The Minister shall prescribe the penalties that may be demanded by the regulatory authority in relation to any specified offence:

Provided that such penalty shall not exceed an amount of one thousand liri.

(3) Where a notice under this article has been given, the person named in the notice may, within twenty-one days of the service of the notice, accept responsibility for the offence specified in the notice and within the same period pay the penalty indicated in the notice, and conform with the relative provision of this Act or of the regulations made thereunder and no further proceedings may be taken under this Act in respect of such offence.

Power of court to cancel or suspend licence of shopkeepers, etc.

31. In the case of any person carrying on any commercial activity from commercial premises without a licence or in the case of a second or subsequent offence for any contravention committed by any person exercising any commercial activity in virtue of a licence issued by the regulatory authority, in connection with the exercise of such commercial activity, it shall be lawful for the court to cancel the licence, or to suspend the same for any time, in its discretion.

32. Where any court or other tribunal has awarded a fine (*ammenda*) in connection with any offence in relation to any licence under this Act, and such fine has not been paid, the regulatory authority shall not renew the afore-mentioned licence on the expiry thereof until such time as the payment of the fine is effected.

Non-renewal of licence pending settlement of fine.

33. (1) The enactments in the First Column of the Schedule to this Act shall have effect subject to the amendments appearing in relation thereto in the Second Column of the said Schedule.

Amendment of other enactments and saving.

(2) Any regulations made under the provisions of any of the enactments being amended or repealed as aforesaid, and shown in the Schedule to this Act, shall, until other provision is made under or by virtue of this Act, or of the aforesaid enactments as amended, continue in force and have effect as if made under this Act or the relevant enactment as amended, as the case may require.

(3) Any licence, permit, permission or other authority granted under any enactment or any provision thereof, being amended by this Act as aforesaid, and still in force immediately before such amendment, shall continue in force thereafter as if it were a licence, permit, permission or authority granted under a corresponding provision of this Act, or under such enactments as amended, as the case may require; and any such licence, permit, permission or authority as aforesaid shall be treated and dealt with accordingly.

(4) Any condition attached to any such licence, permit, permission or other authority shall remain unimpaired until other provision is made under or by virtue of this Act, or of the aforesaid enactments as amended and such provision may be made applicable from time to time in relation to such class or category of such licences, permits, permission or other authority as may be provided therein.

SCHEDULE

Enactment

Extent of Amendments

Code of Police
Laws, Cap. 10.

1. In article 2 the definitions of “sale”, “shop” and “wine, beer or spirituous liquor” shall be deleted.

2. In article 25, for the words “It shall not be lawful for any person, without a licence from the Police” there shall be substituted the words “Without prejudice to the provisions of any other law, it shall not be lawful, without a licence from the appropriate Local Council” and immediately after the words “by the Police” there shall be inserted the words “or by a local warden”.

3. Article 29 shall be amended as follows:-

(a) the present provision shall be re-numbered as subarticle (1); and

(b) immediately after subarticle (1) thereof as re-numbered there shall be added the following new subarticles:-

“(2) An application for a permit under subarticle (1) of this article shall be made to the Malta Transport Authority in such manner and on the payment of such fees as may be prescribed by regulations made by the Minister responsible for the Malta Transport Authority.

(3) If on completion of the work for which a permit is issued the grantee does not carry out the re-instatement within forty-eight hours of completion, or within such longer period as may be allowed in the permit, or the re-instatement is not properly carried out, the Malta Transport Authority may carry out the re-instatement at the expense of the grantee. For such purpose the Malta Transport Authority shall demand that an adequate deposit be made with or a bank guarantee to be provided in favour of, the Malta Transport Authority by the applicant for the permit.

(4) Without prejudice to the other provisions of this article, if a person carries out any work without a permit in contravention of subarticle (1) of this article, such person shall be guilty of a contravention and shall, on conviction, be liable to a fine (*ammenda*) of fifty liri.

(5) The person on whose behalf or at whose request the works have been carried out shall be liable in solidum with the person who carried out the works to carry out the reinstatement works.”.

4. Article 39 shall be deleted.

5. Article 130 shall be deleted.

6. The words “PART IX”, the heading “OF HOTELS AND OTHER LODGING-HOUSES” and articles 169 to 180, both inclusive, appearing thereunder shall be deleted.

7. The words “PART X”, the heading “OF SHOPKEEPERS AND OTHER TRADERS” and articles 181 to 193, both inclusive, appearing thereunder shall be deleted.

8. The words “PART XI”, the heading “OF CERTAIN TRADERS” and article 194 appearing thereunder shall be deleted.

9. For article 195 there shall be substituted the following:-

“Power of Minister responsible for the Police to make regulations respecting registration of clubs.

195. (1) It shall be lawful for the Minister responsible for the Police to make regulations respecting the registration of club premises with the Commissioner of Police.

(2) Such registration may be refused on grounds of morality or public order or because of any lack of any requirement under the regulations, and subject to the provisions of any other enactment, such registration may only be cancelled either at the request of the secretary of that club made on its behalf or in accordance with a court order following an application therefor by the Commissioner of Police on the grounds of morality or public order or lack of compliance with the regulations:

Provided that it shall be lawful for the Commissioner of Police, for reasons of public order, to direct at any time the immediate temporary closing of any club:

Provided further that the registration of a club shall not dispense such club from holding any permit or licence

that may be required by this or any other law for the carrying out of any activity by the club.”.

10. The words “PART XIII”, the heading “OF BILLIARD TABLES” and articles 196 to 200, both inclusive, appearing thereunder, shall be deleted.

11. The words “PART XIV”, the heading “OF THEATRES AND PUBLIC ENTERTAINMENTS” and articles 201, 203 and 204 shall be deleted.

12. For paragraph (a) of article 206 there shall be substituted the following:

“(a) who has not attained the age of 18 years; or”.

13. Article 212 shall be amended as follows:-

(a) in subarticle (1) thereof, for the words “without a licence from the Police” there shall be substituted the words “without a licence from the Minister responsible for the environment or from such other person or authority as may be designated by the said Minister”; and

(b) in subarticle (2) thereof, for the words “as the Police may deem appropriate” there shall be substituted the words “as the said Minister or such other person or authority as aforesaid may deem appropriate”.

14. In article 214 and in the marginal note thereto, for the words “Minister responsible for the Police” there shall be substituted in each case the words “Minister responsible for the environment”.

15. The words “PART XVI”, the heading “OF SHEPHERDS AND GOATHERDS” and articles 215 to 217, both inclusive, appearing thereunder shall be deleted.

16. The words “PART XVII”, the heading “OF PORTERS” and articles 218 and 219 appearing thereunder shall be deleted.

17. The words “PART XVIII”, the heading “OF SHOEBLACKS” and article 222 appearing thereunder shall be deleted.

18. In subarticle (1) of article 231, the words “Commissioner of Police, and if the boat to be used in the carrying on of such trade is not registered in terms of the” and “Act” shall be deleted.

19. The words “PART XXV”, the heading “OF DEALERS IN MARINE STORES AND OLD METALS” and articles 310 to 316, both inclusive, appearing thereunder, shall be deleted.

20. The words “PART XXV A”, the heading “OF VIDEO RECORDERS” and articles 316A and 316B appearing thereunder shall be deleted.

Goldsmiths and Silversmiths Ordinance, Cap. 46. In subarticle (1) of article 9, for the words “without a licence from the Police” there shall be substituted the words “without a licence from the regulatory authority under the Trading Licences Act, 2001”.

Local Lace Industry (Protection) Act, Cap. 59. The Local Lace Industry (Protection) Act shall be repealed.

Weekly Rest (Barbers and Bakers) Act, Cap. 76. The Weekly Rest (Barbers and Bakers) Act shall be repealed.

Shops and Hawkers (Business Hours) Act, Cap. 155. The Shops and Hawkers (Business Hours) Act shall be repealed.

Auctioneers Act, Cap. 342. In subarticle (1) of article 4 for the words “Licences to act as an auctioneer may be granted by the Minister” there shall be substituted the words “A licence to act as an auctioneer may be granted by the regulatory authority under the Trading Licences Act, 2001”.

Public Transport Authority Act, 2000, Act XXIII of 2000. **1.** In paragraph (d) of subarticle (1), under paragraph (a) of article 8, immediately after the words “and the drivers thereof” there shall be added the words “and car park attendants”.

2. In paragraph 18.0 of the Second Schedule, in relation to the amendments to the Traffic Regulation Ordinance, Cap. 65, there shall be added the following new sub-paragraph immediately after sub-paragraph 18.3.

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“18.3.1 in paragraph (a) of subarticle (2) thereof, the words “motor-car park attendants” shall be deleted.”.

Passed by the House of Representatives at Sitting No. 671 of 17th December, 2001.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives