Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 15,665, 20 ta' Ottubru, 1992
Taqsima C

Nru. 21

20. 10. 92

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli George Hyzler, M.P., Ministru għas-Sigurtà Soċjali, u moqri għall-Ewwel darba fis-Seduta tat-12 ta' Ottubru, 1992.

ATT biex jemenda l-Att dwar id-Djar.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable George Hyzler, M.P., Minister for Social Security, and read for the First time at the Sitting of the 12th October, 1992.

AN ACT to amend the Housing Act.

RICHARD J. CAUCHI
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjaħ

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, ħareġ b'liġi dan li ġej:—

Titolu u bidu fis-seħħ.
Att XIV ta' l-1992.

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1992 li jemenda l-Att dwar id-Djar, u għandu jinqara u jiftiehem ħaġa 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 imsejjaħ "l-Att prinċipali".

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

Żieda ta' artikolu ġdid.

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

"Dritt għal appell.

20A. Minkejja kull ħaġa li tinsab f'din il-liġi jew xi liġi oħra, 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-ammont 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.".

Dispożizzjoni transitorja.
Kap. 125.

3. Meta l-kumpens għall-pussess ta' xi bini jkun ġie ffissat skond l-Att dwar id-Djar, qabel it-13 ta' Frar, 1992, u meta l-bini jkun għadu fil-pussess tad-Direttur għall-Akkomodazzjoni Soċjali fit-13 ta' Frar, 1992, id-deċiżjoni li tiffissa l-imsemmi kumpens għandha, għall-fini ta' kull

appell li jista' jsir taħt l-artikolu 20A ta' l-Att prinċipali kif introdott b'dan l-Att, titqies li tkun ġiet mogħtija f'data li tkun xahar kalendarju wara d-data tal-ħruġ b'liġi ta' dan l-Att:

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

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa biex jagħti dritt għal appell lill-Qorti ta' l-Appell fil-każijiet kollha li fihom jiġi ffissat kumpens taħt l-Att dwar id-Djar.

A BILL
entitled

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 e 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 13th day of February, 1992, and where the building is on the 13th day of February, 1992 still in the possession of the Director for Social Housing, the Transitory provision. Cap. 125.

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.

Objects and Reasons

The Object of the Bill is to give a right of appeal to the Court of Appeal in all cases wherein compensation is fixed under the Housing Act.