

MALTA

ATT Nru. XXXI ta' l-1995

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

ACT No. XXXI of 1995

AN ACT enacted by the Parliament of Malta.

ATT biex jemenda l-Liġijiet dwar il-Kiri ta' Djar. **AN ACT to amend the Housing Laws.**

Naghti l-kunsens tiegħi.

(L.S.)

UGO MIFSUD BONNICI
President

7 ta' Diċembru, 1995

ATT Nru. XXXI ta' l-1995

ATT biex jemenda l-Liġijiet dwar il-Kiri ta' 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. Dan l-Att jista' jissejjah l-Att ta' l-1995 li Jemenda l-Liġijiet dwar il-Kiri ta' Djar, u għandu jittqies li beda jsehh fl-1 ta' Ġunju, 1995.

Titolu fil-qosor u bidu fis-sehh.

2. Minnufih wara l-artikolu 45 ta' l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, għandu jiżded dan l-artikolu ġdid li ġej:

Emenda għall-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, Kap. 69.

"Kif tapplika din l-Ordinanza. 46. (1) Id-dispożizzjonijiet ta' qabel ta' din l-Ordinanza ma għandhomx ikunu japplikaw għall-kiri ta' xi fond li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.

(2) Għall-ghanijiet ta' dan l-artikolu —

(a) il-frazi "kiri" tinkludi kull kirja kif imfissra fil-paragrafi (a), (b) jew (ċ) ta' l-artikolu 44 ta' din l-Ordinanza u tinkludi sullokazzjoni;

(b) it-tiġdid ta' kiri fl-1 ta' Ġunju, 1995 jew wara dik id-data (sew jekk dak it-tiġdid ikun wiehed konvenzjonali, legali, konswetudinarju jew xort'ohra) ma għandux jittqies li jkun kiri li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data."

Emenda ta' l-Ordinanza li Trażżan il-Kera fuq id-Djar, Kap. 116.

3. Minnufih wara l-artikolu 16 ta' l-Ordinanza li Trażżan il-Kera fuq id-Djar, ghandu jizdied dan l-artikolu ġdid li ġej:

“Kif tapplika din l-Ordinanza.

17. (1) Id-dispożizzjonijiet ta' qabel ta' din l-Ordinanza ma ghandhomx ikunu japplikaw għall-kiri ta' xi fond li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.

(2) Għall-ghanijiet ta' dan l-artikolu —

(a) kiri tinkludi sullokazzjoni; u

(b) it-tigdid ta' kiri fl-1 ta' Ġunju, 1995 jew wara dik id-data (sew jekk dak it-tigdid ikun wiehed konvenzjonali, legali, konswetudinarju jew xort'ohra) ma ghandux jitqies li jkun kiri li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.”

Emenda ta' l-Ordinanza li Tnehhi l-Kontroll tad-Djar, Kap. 158.

4. Minnufih wara l-artikolu 15 ta' l-Ordinanza li tnehhi l-Kontroll tad-Djar, ghandu jizdied dan l-artikolu ġdid li ġej:

“Kif tapplika din l-Ordinanza.

16. (1) Id-dispożizzjonijiet tas-subartikoli (2) sa (5) ta' l-artikolu 5, ta' l-artikolu 7, ta' l-artikolu 10 u ta' l-artikolu 11 ta' din l-Ordinanza, ma ghandhomx ikunu japplikaw għall-kiri ta' xi dar li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.

(2) Għall-ghanijiet tas-subartikolu (1) ta' dan l-artikolu —

(a) it-tigdid ta' kiri fl-1 ta' Ġunju, 1995 jew wara dik id-data (sew jekk dak it-tigdid ikun wiehed konvenzjonali, legali, konswetudinarju jew xort'ohra) ma ghandux jitqies li jkun kiri li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data;

(b) it-tkomplija ta' l-okkupazzjoni ta' dar b'kiri minghand id-*directus dominus* meta tintemm koncessjoni ta' enfitewsi temporanja li ttemm fl-1 ta' Ġunju, 1995 jew wara dik id-data skond l-artikolu 12 ta' din l-Ordinanza ma ghandux jitqies bhala kiri li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.

(3) Id-dispożizzjonijiet ta' l-artikolu 12 ta' din l-Ordinanza ma ghandhomx japplikaw għal kuntratt ta' enfitewsi temporanja li jsir fl-1 ta' Ġunju, 1995 jew wara dik id-data.”

5. Ebda haġa li tinsab fl-artikoli 2, 3 u 4 ta' dan l-Att ma ghandha ^{Riserva.} titqies li tnaqqas mis-setghat li d-Direttur ghall-Akkomodazzjoni Soċjali ghandu bis-saħħa ta' l-Att dwar id-Djar, (Kap. 125) u d-dispożizzjonijiet ta' l-Ordinanzi msemmija f'dawk l-artikoli kif kienu fis-seħħ minnufih qabel il-bidu fis-seħħ ta' dan l-Att ghandhom ikomplu japplikaw, sakemm dan jibqa' japplika, ghar-rigward tar-relazzjoni bejn dak id-Direttur u sid ta' xi fond li dak id-Direttur ikollu pussess tiegħu f'dik id-data, jew bejn dak id-Direttur u kull min ikun qiegħed legalment jokkupa kull fond bhal dak. Id-dispożizzjonijiet ta' dawk l-Ordinanzi kif imsemmija qabel ghandhom ukoll ikomplu jirregolaw ir-relazzjoni bejn persuna li tkun qiegħda tokkupa dak il-fond u s-sid relattiv.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 479 tat-28 ta' Novembru, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

7th December, 1995

ACT No. XXXI of 1995

AN ACT to amend the Housing Laws.

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.

1. This Act may be cited as the Housing Laws Amendment Act, 1995, and shall be deemed to have come into force on the 1st June, 1995.

Amendment to the Reletting of Urban Property (Regulation) Ordinance, Cap. 69.

2. Immediately after section 45 of the Reletting of Urban Property (Regulation) Ordinance, there shall be added the following new section:

46. (1) The foregoing provisions of this Ordinance shall not apply to the lease of any premises entered into on or after the 1st June, 1995.

“Operative-ness of this Ordinance.”

(2) For the purposes of this section —

(a) the term “lease” includes any letting as defined in paragraphs (a), (b) or (c) of section 44 of this Ordinance and includes a sublease;

(b) the renewal of a lease on or after the 1st June, 1995 (whether such renewal be conventional, legal, customary or otherwise) shall not be deemed to be a lease entered into on or after the 1st June, 1995.”.

3. Immediately after section 16 of the Rent Restriction (Dwelling Houses) Ordinance, there shall be added the following new section:

Amendment of the Rent Restriction (Dwelling Houses) Ordinance, Cap. 116.

"Operative-ness of this Ordinance.

17. (1) The foregoing provisions of this Ordinance shall not apply to the lease of any dwelling house entered into on or after the 1st June, 1995.

(2) For the purposes of this section —

(a) lease includes a sublease; and

(b) the renewal of a lease on or after the 1st June, 1995, (whether such renewal be conventional, legal, customary or otherwise) shall not be deemed to be a lease entered into on or after the 1st June, 1995."

4. Immediately after section 15 of the Housing (Decontrol) Ordinance, there shall be added the following new section:

Amendment of the Housing (Decontrol) Ordinance, Cap. 158.

"Operative-ness of this Ordinance.

16. (1) The provisions of subsections (2) to (5) of section 5, section 7, section 10 and section 11 of this Ordinance, shall not apply to the lease of any dwelling house entered into on or after the 1st June, 1995.

(2) For the purposes of subsection (1) of this section —

(a) the renewal of a lease on or after the 1st June, 1995 (whether such renewal be conventional, legal, customary or otherwise) shall not be deemed to be a lease entered into on or after the 1st June, 1995;

(b) the continued occupation of a dwelling house under a lease from the *directus dominus* at the expiration of a temporary emphyteutical concession expiring on or after the 1st June, 1995 in terms of section 12 of this Ordinance shall not be deemed to be a lease entered into on or after the 1st June, 1995.

(3) The provisions of section 12 of this Ordinance shall not apply to any contract of temporary emphyteutis entered into on or after the 1st June, 1995."

5. Nothing in sections 2, 3 and 4 of this Act shall be deemed to restrict any of the powers of the Director of Social Housing under the Housing Act, (Cap. 125) and the provisions of the Ordinances referred

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to in the said sections as in force immediately before the coming into force of this Act shall, in as far as applicable, continue to apply with regard to the relationship between the said Director and any owner of premises in possession of the said Director on that date, or between the said Director and any person legally in occupation of such premises. The provisions of the said Ordinances as aforesaid shall also continue to regulate the relationship between any person in occupation of such premises and the owner thereof.

Passed by the House of Representatives at Sitting No. 479 of the 28th November, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives