

Naghti l-kunsens tieghi.

(L.S.)

GUIDO DE MARCO
President

25 ta' April, 2000

ATT Nru. XII ta' l-2000

ATT biex jemenda diversi ligijiet li għandhom x'jaqsmu mat-trasferiment ta' servizzi mill-Air Traffic Control Corps u mill-Airport Company tal-Forzi Armati ta' Malta għal Malta International Airport p.l.c.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'ligi dan li ġej:-

1. Dan l-Att jista' jissejjah l-Att ta' l-2000 li Jemenda Diversi Ligijiet dwar Servizzi fl-Ajruport, u għandu jitqies li beda jsehh fl-1 ta' Mejju, 1998.

Titolu fil-qosor u bidu fis-sehh.

2. Is-subartikolu (4) ta' l-artikolu 4 ta' l-Att dwar il-Forzi Armati ta' Malta għandu jigi emendat, jinqara u jiftiehem kif ġej:

Emenda ta' l-Att dwar il-Forzi Armati ta' Malta. Kap. 220.

(a) fil-paragrafu (b) tiegħu minflok il-kliem "ma kienx sar.", għandhom jidhlu l-kliem "ma kienx sar; u"

(b) minnufih wara l-paragrafu (b) għandhom jiddiedu dawn il-paragrafi godda li ġejjin:

"(c) għall-ghanijiet ta' kull regolament li jsir taht dan l-artikolu f'dak li għandu x'jaqsam mal-pensjonijiet u l-gratifikazzjonijiet li għandhom jithallsu lil membri tal-forza, meta s-servizz ta' xi membru ta' l-Air Traffic Control Corps jew ta' l-Airport Company jintemmu bl-approvazzjoni tal-

Kmandant sabiex jidhol f'impieg *full time* ma' *Malta International Airport p.l.c.*, l-impieg ta' dak il-membru tal-Forza ma' l-imsemmija *Malta International Airport p.l.c.* ghandu jitqies bhala servizz fil-forza, u dak il-membru jkollu jedd ghal pensjoni jew gratifikazzjoni, skond il-każ, taht dawk ir-regolamenti meta huwa jtemm is-servizz tieghu ma' l-imsemmija *Malta International Airport p.l.c.* bhallikieku dak is-servizz kien servizz mal-forza:

Izda meta dak it-tmiem ta' dak is-servizz mal-*Malta International Airport p.l.c.* ikun dovut ghax-xoljiment ta' dik il-kumpannija sew jekk dan ikun wiehed volontarju jew xort'ohra, dak it-tmiem ghandu jitqies bhallikieku kien dovut ghat-tnehhija tal-kariga:

Izda wkoll, id-dispożizzjonijiet ta' dan il-paragrafu m'ghandhomx ikunu japplikaw kemm-il darba jsir Ordni mill-Prim Ministru li fih jigi indikat li *Malta International Airport p.l.c.* kellha tintrabat mal-Gvern biex tikkontribwixxi ghal ghand il-Gvern id-differenza bejn in-nefqa tal-pensjoni jew gratifikazzjoni li ghadhom jithallsu fil-waqt ta' l-irtir minn mal-*Malta International Airport p.l.c.* u n-nefqa tal-pensjoni jew gratifikazzjoni, skond il-każ, kif tinhadem fil-waqt tat-tmiem tas-servizz mal-Gvern ghall-imsemmija raguni ta' impieg *full time* ma' *Malta International Airport p.l.c.*.

(d) Ghall-ghanijiet tal-paragrafu (ċ) ta' dan l-artikolu, il-hlasijiet pensjonabbli ta' dawk il-persuni tal-forza meta jirtiraw ghandhom jitqiesu li jkunu l-hlasijiet pensjonabbli li jithallsu lil membru tal-forza fi grad u f'livell inkrementali li jikkorrispondu ghall-kariga u l-livell inkrementali li fih dik il-persuna tirtira mill-*Malta International Airport p.l.c.*

(e) Ghall-ghanijiet tal-paragrafu (d) ta' dan l-artikolu, karigi u gradi ta' salarju mal-*Malta International Airport p.l.c.* ghandhom ikunu klassifikati fil-gradi u livelli inkrementali li l-aktar jikkorrispondu ghall-gradi u livelli inkrementali fil-Forzi Armati ta' Malta b'riferenza ghall-*job description*, hila f'xi sengha, responsabbilitajiet u fatturi ohra simili.

(f) Il-klassifika msemmija fil-paragrafu (e) ta' dan l-artikolu ghandha ssir minn bord maghmul minn *chairman* li jinhatar mill-Ministeru responsabbli ghall-finanzi u minn żewġ membri ohra, wiehed mahtur mill-Ministeru b'responsabbiltà ċentrali ghal *policies* li jirrigwardaw il-persunal fis-servizzi pubbliċi u wiehed mahtur mill-*Malta*

International Airport p.l.c. Il-klassifika ghandha tkun sugġetta għall-approvazzjoni finali tal-Ministru responsabbli għall-finanzi.

(g) Dik il-klassifika ghandha ssir fi żmien tliet xhur minn kull aġġustament ta' salarji ta' membri tal-forza u, jew, ta' impjegati tal-*Malta International Airport p.l.c.*.

(h) Ma ghandha tiġi klassifikata ebda kariga fi grad oghla minn dak ta' Grad 3 fis-servizz tal-Gvern jew dak il-grad iehor li l-Ministru responsabbli għall-finanzi jista' minn żmien għal żmien jistabbilixxi b'avviż fil-*Gazzetta*.

(i) Bla preġudizzju għall-artikolu 113 tal-Kostituzzjoni, hadd ma jista', wara li tkun saret il-klassifika bħalma hi msemmija hawn aktar qabel, jkollu xi jedd taht l-imsemmija regolamenti li jkun inqas favorevoli minn dawk li kieku kien ikollu jedd qabel dik il-klassifika.”.

3. L-artikolu 18 ta' l-Att dwar Relazzjonijiet Industrijali għandu jiġi emendat, jinqara u jiftiehem kif ġej:

Emenda ta' l-
Att dwar
Relazzjonijiet
Industrijali.
Kap. 266.

Minflok is-subartikolu (6) ta' dan l-artikolu għandu jidhol dan li ġej:

“(6) Is-subartikolu (4) ta' dan l-artikolu m'għandux ikun japplika għal:

(a) persuni impjegati fl-Air Traffic Control Centre fil-Malta International Airport u fl-Airport Fire Fighting Section ta' dak l-ajruport; u

(b) dak l-ghadd ta' uffiċjali pubbliċi li jkollhom jew li xort'ohra jkunu impjegati f'xi wahda mill-karigi fis-servizz pubbliku mnizzla fl-Iskeda li tinsab ma' dan l-Att, li huwa muri fl-Iskeda msemmija bħala l-ghadd ta' dawk il-karigi mehtieg li jithaddmu sabiex f'kull hin ikomplu jinghataw mill-Gvern servizzi essenzjali lill-komunita'.”.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 282 tal-11 ta' April, 2000.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GUIDO DE MARCO
President

25th April, 2000

ACT No. XII of 2000

AN ACT to amend various laws in connection with the transfer of services from the Air Traffic Control Corps and the Airport Company of the Armed Forces of Malta to the Malta International Airport p.l.c.

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 Amendment of Various Laws (Airport Services) Act, 2000, and shall be deemed to have come into force on 1st May 1998.

Amendment of
the Malta Armed
Forces Act,
Cap. 220.

2. Subsection (4) of section 4 of the Malta Armed Forces Act shall be amended, read and construed as follows:

(a) in paragraph (b) thereof for the words "had not been made.", there shall be substituted the words "had not been made; and";

(b) immediately after paragraph (b) thereof there shall be added the following new paragraphs:

"(c) for the purposes of any regulation made under this section in connection with pensions and gratuities payable to members of the force, where the service of any member of the Air Traffic Control Corps or of the Airport Company is terminated with the approval of the Commander to take up full time employment with Malta International Airport p.l.c.,

the employment of such member of the Force with the said Malta International Airport p.l.c. shall be deemed to be service in the force, and such member shall be entitled to a pension or gratuity, as the case may be, under such regulations upon the termination of his service with the said Malta International Airport p.l.c. as if such service were service with the force:

Provided that, where such termination of such service with Malta International Airport p.l.c. is due to the winding up of the said company, whether voluntary or otherwise, such termination shall be considered as if it were due to abolition of office:

Provided further that the provisions of this paragraph shall not apply unless an Order is made by the Prime Minister indicating that Malta International Airport p.l.c. shall have bound itself with the Government to contribute towards the Government the difference between the cost of the pension or gratuity payable at the time of retirement from Malta International Airport p.l.c. and the cost of the pension or gratuity, as the case may be, computed at the time of the termination of service with the Government for the aforesaid reason of full time employment with Malta International Airport p.l.c.

(d) For the purposes of paragraph (c) hereof the pensionable emoluments of such persons of the force on retirement shall be deemed to be the pensionable emoluments payable to a member of the force in a grade and at an incremental level corresponding to the post and incremental level at which such person retires from Malta International Airport p.l.c.

(e) For the purposes of paragraph (d) hereof posts and salary grades with Malta International Airport p.l.c. shall be classified in the most nearly corresponding grades and incremental levels in the Armed Forces of Malta by reference to job description, skills, responsibilities and other analogous factors.

(f) The classification referred to in paragraph (e) hereof shall be carried out by a board composed of a chairman appointed by the Ministry responsible for finance and two other members, one appointed by the Ministry responsible centrally for personnel policies in the public services and one appointed by Malta International Airport p.l.c. The

classification shall be subject to the final approval of the Minister responsible for finance.

(g) Such classification shall take place within three months of any adjustment of salaries of members of the force and, or, of employees of Malta International Airport p.l.c.

(h) No post shall be classified in a grade higher than that of Grade 3 in the service of the Government or such other grade that the Minister responsible for finance may from time to time by notice in the Gazette determine.

(i) Without prejudice to section 113 of the Constitution, no person may, following a classification as aforesaid, be entitled to rights under the said regulations less favourable than those to which he would have been entitled prior to such classification.”.

Amendment of
the Industrial
Relations Act.
Cap. 266.

3. Section 18 of the Industrial Relations Act shall be amended, read and construed as follows:

For subsection (6) thereof there shall be substituted the following:

“(6) Subsection (4) of this section shall not apply to:

(a) persons employed at the Air Traffic Control Centre at the Malta International Airport and in the Airport Fire Fighting Section of the said airport; and

(b) such number of public officers holding or otherwise employed in any of the offices in the public service listed in the Schedule to this Act as indicated in the said Schedule to be required to be manned at all times for the continued provision by the Government of essential services to the community.”.

Passed by the House of Representatives at Sitting No. 282 of the 11th April, 2000.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives