

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,665, 16 ta' Lulju, 2021

Taqsim A

MALTA

ATT Nru XL tal-2021

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

ATT biex jipprovdi għat-thejjja, stampar u pubblikazzjoni, bi kwalunkwe mezz, ta' edizzjonijiet riveduti tal-ligijiet ta' Malta, u għal kull haġa li għandha x'taqsam magħhom jew hi ancillari għalihom.

ACT No. XL of 2021

AN ACT enacted by the Parliament of Malta.

AN ACT to provide for the preparation, printing and publicaiton, by whatever means, of revised editions of the laws of Malta, and for matters connected therewith or ancillary thereto.

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

16 ta' Lulju, 2021

ATT Nru XL tal-2021

ATT biex jipprovi għat-tnejjja, stampar u pubblikazzjoni, bi kwalunkwe mezz, ta' edizzjonijiet riveduti tal-ligijiet ta' Malta, u għal kull haġa li għandha x'taqsam magħhom jew hi ancillari għalihom.

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2021 dwar ir- Titolu fil-qosor.
Reviżjoni tal-Ligijiet Statutarji.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx Tifsir.
xort'oħra -

"edizzjoni riveduta" tfisser edizzjoni tal-Ligijiet ta' Malta mhejjija skont dan l-Att;

"Kummissjoni" tfisser il-Kummissjoni tal-Ligijiet imwaqqfa taht l-artikolu 3;

"ligi statutarja" tinkludi kull dokument li għandu s-saħħa ta' ligi;

"Ministru" tfisser il-Ministru responsabbli għall-Kummissjoni tal-Ligijiet.

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Il-Kummissjoni
tal-Liġijiet.

3. (1) Sabiex tithejja, minn żmien għal żmien f'intervalli ta' mhux inqas minn għaxar (10) snin, edizzjoni riveduta tal-liġijiet statutarji ta' Malta, u sabiex jithejja test Malti tal-liġijiet statutarji kollha magħmula jew ippubblikati mingħajr test Malti, il-Ministru jista' jahtar Kummissarju, u korp ta' konsulenti li jistgħu jkunu f'dik il-kariga għal dak iż-żmien, li jkunu flimkien magħrufa bħala l-Kummissjoni tal-Liġijiet:

Iżda meta l-Parlament ikun ipprovda li liġi tista' ssir jew bil-Malti jew bl-Ingliż biss, u jkun sar hekk, il-Kummissjoni tista' jew tkejjji l-edizzjoni riveduta ta' dik il-liġi b'dak l-ilsien biss jew tista' tipprovdi traduzzjoni ta' dik il-liġi bil-Malti jew bl-Ingliż, kif ikun il-każ.

(2) Meta jkun hemm Kummissjoni fil-kariga, il-Ministru għandu jahtar il-Kummissarju tal-Liġijiet.

(3) Persuna mahtura bħala Kummissarju tal-Liġijiet tista' tinħatar għal dak iż-żmien u skont dawk il-kondizzjonijiet li jistgħu jiġu stabbiliti mill-Ministru:

Iżda Kummissarju tal-Liġijiet jista', f'kull żmien, jirriżenja u jista' wkoll, għal raġuni tajba, jitneħħa mill-kariga u l-persuna li ma tibqax Kummissarju tkun tista' tinħatar mill-ġdid.

Kap. 12.

(4) Persuna li tokkupa kariga ġudizzjarja tista' tinħatar bħala Kummissarju minkejja d-dispożizzjonijiet tal-artikolu 16 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili iżda ma tkunx meħtieġa, kemm-il darba ma jkunx previst xort'oħra skont il-kondizzjonijiet tal-ħatra tagħha, li taqdi d-dmirijiet tagħha bħala Mħallef jew Maġistrat fil-waqt li tkun membru tal-Kummissjoni.

(5) Għandha tithallas lill-Kummissarju tal-Liġijiet u lill-konsulenti dik ir-rimunerazzjoni, jekk ikun hemm, li l-Ministru jista' jistabbilixxi bl-approvazzjoni tal-Ministru responsabbli għall-finanzi u tista' tithallas rimunerazzjoni differenti lill-konsulenti skont iċ-ċirkostanzi.

(6) Tkun ukoll funzjoni tal-Kummissjoni li taqdi dawk id-dmirijiet l-oħra li jistgħu, wara konsultazzjoni magħha, jingħatawliha mill-Ministru.

Setgħat tal-
Kummissjoni.

4. (1) Fil-qadi tal-funzjonijiet tagħha taħt dan l-Att, il-Kummissjoni jkollha s-setgħa:

(a) li tħalli barra:

(i) il-liġijiet statutarji kollha jew partijiet mil-liġijiet

statutarji li jkunu ġew espressament revokati jew li jkun għalaq iż-żmien tagħhom jew li jkun spicċa l-iskop tagħhom jew li m'għandhomx iktar effett;

(ii) id-dispożizzjonijiet kollha li jhassru liġijiet oħra u li jinsabu f'xi liġi statutarja;

(iii) il-preamboli kollha ta' liġijiet statutarji, meta, fil-fehma tal-Kummissjoni, ikunu jistgħu jithallew barra mingħajr tfixkil;

(iv) il-kliem kollu ta' introduzzjoni tad-dispożizzjoni f'xi artikolu, regolament jew paragrafu ta' liġi statutarja li jkun fiha iżjed minn artikolu, regolament jew paragrafu wiehed;

(v) il-liġijiet kollha li jstabilixxu d-data li fiha liġi statutarja għandha tibda sseħh, kemm-il darba dawn, fil-fehma tal-Kummissjoni, jistgħu jithallew barra mingħajr tfixkil;

(vi) id-dispożizzjonijiet kollha li jemendaw li jkun hemm f'liġi statutarja meta l-emendi li jsiru b'dawk id-dispożizzjonijiet u li għadhom isehħu jkunu ġew imdahħlin mill-Kummissjoni fil-liġi statutarja li għaliha jirreferixxu;

(vii) il-leġiżlazzjoni sussidjarja kollha li tkun, jew hi intiża li tkun, ta' xorta temporanja jew li tkun sugġetta għal bidliet relattivi jew frekwenti jew li tkun xort'oħra hekk li, fil-fehma tal-Kummissjoni, tista' sewsew tithalla barra:

Iżda dak kollu li jithalla barra ma għandux jolqot l-operat ta' xi leġiżlazzjoni sussidjarja sakemm dik tibqa' xort'oħra fis-seħh;

(b) li tikkonsolida f'liġi statutarja waħda żewġ liġijiet statutarji jew iżjed *pari materia*, u tagħmel dak it-tibdil tal-kliem fil-liġi kkonsolidata li minhabba f'hekk ikun meħtieġ;

(ċ) li tibdel l-ordni tal-artikoli jew ta' sotto-diviżjonijiet oħra ta' liġi statutarja u, kull meta jkun meħtieġ, li tenumera mill-ġdid dawk l-artikoli jew dawk is-sotto-diviżjonijiet l-oħra;

(d) li tibdel il-forma jew it-taqsim ta' xi artikolu jew ta' sotto-diviżjoni oħra ta' liġi statutarja, sew billi tgħaqqdu, kollu jew biċċa minnu, ma' artikolu ieħor jew sotto-diviżjoni oħra, jew ma' artikoli jew sotto-diviżjonijiet oħra, jew billi taqsmu

f'żewġ partijiet jew sotto-diviżjonijiet jew f'izjed;

(e) li taqşam kull liġi statutarja, kemm jekk hija konsolidata u kemm jekk le, f'partijiet jew f'taqsimiet oħra;

(f) li żżid titolu fil-qosor f'xi liġi statutarja, li, fil-fehma tal-Kummissjoni, ikun meħtieġ u, jekk hekk meħtieġ, li tibdel it-titolu fil-qosor ta' xi liġi statutarja;

(g) li tipprovdi jew tibdel in-noti marginali;

(h) li tqassar jew tagħmel aktar sempliċi l-frazzjologija ta' xi liġi statutarja;

(i) li ssewwi żbalji tal-grammatika, tal-istampar u żbalji oħra fil-kopji eżistenti tal-liġijiet statutarji, u għal dak il-għan li żżid, tħalli barra jew tagħmel dak it-tibdil li ma jolqotx is-sens ta' xi dispożizzjoni;

(j) li taqleb kull użin jew kejl f'użin jew f'kejl metriku li jikkorrispondi għalih viċin kemm jista' jkun, u għal dak il-għan il-Kummissjoni jkollha s-setgħa li gġib għad-dritt kull decimali kif jidhrilha xieraq;

(k) li ma tagħtix każ ta' xi frazzjoni ta' euro dwar kull dritt, taxxa, dazju jew imposta oħra, tkun kif tkun imsejha, li għandha tithallas lil xi entità governattiva, lil Awtorità jew lil Aġenzija, jew lil xi entità oħra stabbilita bil-liġi, u tikkalkola 'l isfel għall-eqreb euro kull ammont li għandu hekk jithallas li ma jkunx multiplu ta' hames euro;

(l) li ma tagħtix każ ta' xi frazzjoni ta' euro dwar kull multa jew ammenda imposta bil-liġi għat-twertiq ta' xi reat jew kontravvenzjoni, u tikkalkola 'l fuq għall-eqreb euro kull ammont li għandu hekk jiġi impost li ma jkunx multiplu ta' hames euro;

(m) li tagħmel kull zieda, ommissjoni jew tibdil li jkun konsegwenzjali għal xi emenda ta' xi liġi statutarja jew dispożizzjoni tagħha; u

(n) li tagħmel kull haġ' oħra li għandha x'taqşam mal-forma u mal-metodu biex l-edizzjoni riveduta tkun aħjar.

(2) Meta xi liġi statutarja għandu jkollha effett jew għandha tinqara jew tinftiehem kif previst f'liġi statutarja oħra, il-Kummissjoni tista' tqis dik id-dispożizzjoni bl-istess mod bħalma tqis emenda tal-ewwel liġi mit-tieni liġi.

(3) Is-setgħat mogħtija b'dan l-artikolu ma għandhomx jinftiehem li jagħtu s-setgħa lill-Kummissjoni li tagħmel xi tibdil jew emenda fil-materja jew sustanza ta' xi liġi statutarja:

Iżda l-Kummissjoni għandu jkollha s-setgħa li tagħmel kull tibdil jew emenda li jistgħu jkunu meħtieġa sabiex l-edizzjoni riveduta tkun iktar taqbel mat-test originali jew biex tneħħi xi konflitt bejn it-test Malti u t-test Ingliż f'xi liġi, u għal dawn l-għanijiet il-Kummissjoni għandu jkollha s-setgħa li tibdel jew temenda kull wieħed miż-żewġ testi jew it-tnejn, inkluż it-test li jipprevali.

5. Il-Kummissjoni ma ddaħhalx f'edizzjoni riveduta xi liġi statutarja li tkun tħalliet barra taħt l-Att tal-1980 dwar ir-Revizzjoni tal-Liġijiet Statutarji:

Setgħa biex jithallew barra xi liġijiet.

6. (1) Edizzjoni riveduta għandha tithejja f'dik l-ordni, f'dik il-forma u b'dak il-mod, u għandu jkun fiha dawk it-tabelli, indiċijiet u tagħrif ieħor li l-Kummissjoni jidhrilha xierqa jew spedjenti.

Stampar u, jew pubblikazzjoni elettronika tal-edizzjoni riveduta.

(2) Mingħajr preġudizzju għall-ġeneralità tad-dispożizzjonijiet ta' qabel ta' dan l-artikolu l-Kummissjoni tista':

(a) iżżid ma' edizzjoni riveduta iktar partijiet li jkun fihom il-liġijiet fis-seħħ f'data jew f'dati li jiġu wara d-data msemmija fl-edizzjoni riveduta, jew f'parti oħra tagħha, kif ikunu fis-seħħ f'dik id-data jew dati li huma msemmija fil-parti l-oħra jew partijiet oħrajn, u kull parti oħra bħal dik għandha titqies bħala parti li tkun tagħmel haġa waħda mal-edizzjoni riveduta;

(b) iżżomm il-liġijiet li jinsabu f'xi parti ta' edizzjoni riveduta aġġornati sa data jew dati indikati mill-Kummissjoni, u għal dak il-għan il-Kummissjoni tista' tippubblika edizzjoni riveduta jew parti minnha f'għamla mhux illegata u żżommha aġġornata f'dak il-mod u skont dawk il-kondizzjonijiet li l-Kummissjoni tqis li jkunu xierqa,

u d-dispożizzjonijiet ta' dan l-Att, inklużi b'mod partikolari, iżda mingħajr preġudizzju għall-ġeneralità tal-frazi, l-artikoli 4 u 8, għandhom japplikaw għal kull parti oħra, u għal kull edizzjoni riveduta jew parti minnha pubblikata f'għamla mhux illegata u, jew f'għamla elettronika, kif japplikaw għal kull edizzjoni riveduta oħra jew parti minnha.

(3) Edizzjoni riveduta għandha tiġi stampata u, jew pubblikata elettronicament, kif ikun il-każ, taħt dawk l-arrangamenti li l-Kummissjoni tista', bl-approvazzjoni tal-Ministru, tistabbilixxi.

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Tifsir ta' riferenzi għal ligijiet.

7. (1) Meta f'xi ligi jew f'xi dokument ta' kull xorta, ikun hemm riferenza għal xi ligi milquta minn dan l-Att jew mill-operat tiegħu, jew għal xi dispożizzjoni ta' xi ligi, dik ir-riferenza għandha, meta meħtieġ u jista' jsir, tghodd u tiswa għal-ligi, jew dispożizzjoni tagħha, li taqbel magħha fl-edizzjoni riveduta li tkun fis-seħħ għal dak iż-żmien.

(2) Meta taqsimiet ta' edizzjoni riveduta jingiebu fis-seħħ f'dati differenti, u f'parti li tkun fis-seħħ ikun hemm riferenza għal leġislazzjoni, jew għal dispożizzjoni tagħha, kif dik il-leġislazzjoni jew dispożizzjoni tkun ser tiġi mqieghda f'xi parti tal-istess edizzjoni li tkun għadha mhux fis-seħħ, dik ir-riferenza għandha, sakemm il-parti l-aħhar imsemmija tiġi fis-seħħ, tinqara bhala riferenza għal-leġislazzjoni jew dispożizzjoni tagħha korrispondenti kif tkun dak iż-żmien fis-seħħ.

(3) Meta l-Kummissjoni tintebaħ li xi parti ta' edizzjoni riveduta pubblikata minnha, sew jekk dik il-parti tkun jew ma tkunx dahlet fis-seħħ, ikun fiha żball jew ommissjoni, inklużi żball jew ommissjoni li kien imisshom ġew rettifikati f'edizzjoni riveduta, il-Kummissjoni tista' tippubblika, u tara li tiġi ssiġillata u ffirmata kif previst fl-artikolu 9, korrezzjoni f'dik l-għamla li tqis li tkun xierqa; u, b'seħħ minn dik id-data li l-Ministru jista' b'avviż fil-Gazzetta jistabbilixxi, li tkun data mhux iktar kmieni mid-dhul fis-seħħ ta' dik il-parti tal-edizzjoni riveduta li għaliha tirreferi l-korrezzjoni, dik il-parti msemmija tal-edizzjoni riveduta għandha, minkejja kull dispożizzjoni oħra ta' dan l-Att, ikollha seħħ kif suġġetta għal dik il-korrezzjoni.

(4) Meta ligi li tkun tinsab f'xi parti ta' edizzjoni riveduta tiġi emendata b'seħħ minn data li tiġi wara l-pubblikazzjoni ta' dik il-parti tal-edizzjoni iżda qabel id-dhul fis-seħħ tagħha, u l-Kummissjoni tirrakkomanda lill-Ministru li jsiru tibdiliet fil-ligi ta' emenda sabieħ din l-emenda tkun tista' tinqara u tinftiehem b'mod iktar xieraq bhala haġa waħda mal-ligi prinċipali li tkun qieghda tiġi emendata minnha u li tkun tinsab fl-edizzjoni riveduta, il-Ministru jista' b'ordni fil-Gazzetta jagħmel dawk it-tibdiliet li jiġu hekk rakkomandati lilu; u wara li jsir dan, jew minn dik id-data li l-Ministru jista' jistabbilixxi fl-ordni, il-ligi emendata għandu jkollha seħħ kif tkun giet emendata.

Meta tibda sseħħ edizzjoni riveduta u validità tagħha.

8. (1) Edizzjoni riveduta għandha tibda sseħħ f'dik id-data li l-Ministru jista' jistabbilixxi b'avviż fil-Gazzetta.

(2) Mid-data tal-bidu fis-seħħ ta' edizzjoni riveduta, dik l-edizzjoni titqies li hija u tkun, bla ma jista' jkun hemm kwistjoni fuq daqshekk fil-Qrati kollha tal-Ġustizzja u għall-finijiet kollha, it-test waħdieni, tajjeb u awtentiku tal-ligijiet statutarji mdaħħlin fl-edizzjoni kif ikunu jseħħu f'dik id-data li l-Ministru jispeċifika fil-Gazzetta, iżda

bla ħsara għal kull emendi li jkunu saru għalihom jew xi tħassir tagħhom li jkun sar wara dik id-data:

Izda meta tiġi pubblikata edizzjoni riveduta f'format elettroniku, dik l-edizzjoni għandha tkun it-test uniku u biss idoneu u awtentiku tal-liġijiet statutarji inklużi fiha, b'dan illi kopja ta' dik l-edizzjoni jew ta' xi parti minnha, stampata fuq il-karta jew f'xi għamla oħra u maħruġa mill-Kummissjoni, għandha, sakemm din tkun tikkonforma mal-edizzjoni riveduta stampata f'format elettroniku, ukoll tkun test awtentiku tal-liġijiet inklużi f'dik il-kopja.

(3) Jekk ikun hemm xi konflitt bejn it-test Malti u t-test Inġliż ta' xi edizzjoni riveduta, it-test Malti għandu, bla ħsara għad-dispożizzjonijiet tal-liġi statutarja partikolari, jipprevali.

(4) Minkejja kull haġa li tinsab fid-dispożizzjonijiet ta' qabel ta' dan l-artikolu, il-Ministru jista', f'kull avviż mogħti taħthom, jistabbilixxi jew jispeċifika dati differenti għal taqsimiet differenti ta' xi edizzjoni riveduta, u f'kull każ l-imsemmija dispożizzjonijiet għandhom japplikaw.

9. Kopja waħda ta' kull volum ta' edizzjoni riveduta għandha tkun iffirmata mill-Kummissarju tal-Liġijiet u għandha tkun issiġillata bis-Siġill Pubbliku ta' Malta. Dawk il-kopji għandhom imbagħad jintbagħtu lir-Registatur tal-Qrati u lill-Iskrivan tal-Kamra tad-Deputati sabiex jiġu rreġistrati u jinżammu fl-uffiċċji tagħhom.

Kopji li għandhom jiġu ffirmati, ssiġillati u ddepożitati.

10. Dan l-Att għandu jiġi stampat u, jew ippubblikat elettronikament fil-bidu ta' edizzjoni riveduta.

Post ta' dan l-Att fl-edizzjoni riveduta.

11. (1) Kopja waħda tal-edizzjoni riveduta f'format elettroniku għandha tintbagħat lir-Registatur tal-Qrati u lill-Iskrivan tal-Kamra tad-Deputati sabiex din tiġi rreġistrata u tinżamm fl-uffiċċji tagħhom kif previst fl-artikolu 9, u kopja oħra għandha tinżamm fl-uffiċċju tal-Kummissjoni u tkun disponibbli għal kull spezzjon mill-pubbliku wara li jsir kull ħlas dovut hekk kif il-Kummissjoni, bi ftehim mal-Ministru, tista' tistabbilixxi.

Pubblikazzjoni tal-edizzjoni riveduta f'format elettroniku.

(2) Fuq talba ta' xi persuna, il-Kummissjoni tista' toħroġ kopji stampati ta' liġijiet partikolari f'edizzjoni riveduta, wara li jsir il-ħlas ta' dawk id-drittjiet hekk kif tista', bi ftehim mal-Ministru, tistabbilixxi, u għandha tara li dawk il-kopji jiġu awtentikati minn dak l-uffiċjal tal-Kummissjoni hekk kif il-Kummissjoni tista' b'avviż fil-Gazzetta minn żmien għal żmien tistabbilixxi. Dawk il-kopji awtentikati għandhom, kemm-il darba ma tingiebx prova xort'oħra, jiġu aċċettati bi prova quddiem kull qorti tal-ġustizzja bħala vera kopja ta' dik il-liġi hekk kif tidher fl-edizzjoni riveduta.

A 794

(3) Edizzjoni riveduta li ssir f'format elettroniku m'għandhiex tibda' sseħh qabel ma l-kopji tagħha jkunu ġew mibgħuta lir-Registratur tal-Qrati kif hemm previst fis-subartikolu (1).

Pubblikazzjoni ta' liġijiet fuq l-Internet.

12. (1) Il-Ministru jista' jġieghel li ssir il-pubblikazzjoni fuq sit tal-internet ta' verżjoni konsolidata ta' kull edizzjoni riveduta li tkun tinkorpora kull emenda li tista' tkun saret għal xi liġi f'edizzjoni riveduta u inklużi f'dak is-sit tal-internet l-Atti kollha magħmula wara l-pubblikazzjoni tal-aħħar edizzjoni riveduta li tkun tinkorpora kull emenda relattiva. Dawk l-Atti li jsiru liġi wara l-pubblikazzjoni ta' edizzjoni riveduta jingħataw numru tal-kapitolu bħallikieku dawn kienu inkorporati f'edizzjoni riveduta u jistgħu jissejhu skont dak in-numru tal-kapitolu.

(2) Il-Ministru jista' wkoll iġieghel li ssir il-pubblikazzjoni fuq dak is-sit tal-internet ta' verżjoni konsolidata aġġornata ta' leġiżlazzjoni sussidjarja magħmula taht il-liġijiet inklużi f'edizzjoni riveduta u taht Atti magħmulin sussegwentement, u jista' f'dik il-pubblikazzjoni jġieghel li dik il-leġiżlazzjoni sussidjarja tingħata dik l-enumerazzjoni b'riferenza għan-numru tal-kapitolu tal-liġi principali jew xort'oħra skont ma l-Ministru jista' jqis li jkun adatt u riferenza għal dik il-leġiżlazzjoni sussidjarja b'dik l-enumerazzjoni għandha tkun valida bħallikieku saret riferenza għall-istess leġiżlazzjoni sussidjarja kif tkun qabel giet promulgata bħala Avviż tal-Gvern jew Avviż Legali jew xort'oħra.

(3) Il-Ministru għandu jġieghel li ssir il-pubblikazzjoni ta' avviż fil-Gazzetta li fih jingħata l-indirizz tal-*website* fejn ikunu jidhru ppubblikati dawk il-liġijiet fuq l-internet.

(4) Kemm-il darba ma tingiebx prova kuntrarja, it-test ta' kull liġi publikata fuq sit tal-internet skont dan l-artikolu għandu jitqies li jkun riproduzzjoni vera tal-liġi li tkun tinkorpora kull emenda sad-data indikata fuq is-sit tal-internet.

Applikazzjoni tal-Att dwar id-Drittijiet tal-Awtur. Kap.415.

13. (1) Hadd ma jista' jagħmel, mingħajr il-permess tal-Gvern, jew jordna li jsiru kopji jew riproduzzjonijiet f'xi format materjali li jkun, ta' xi edizzjoni riveduta jew xi parti minnha kif publikata mill-Kummissjoni.

(2) Id-dispożizzjonijiet tas-subartikolu (1) ma għandhomx japplikaw għall-istampar jew il-pubblikazzjoni ta' xi liġi li tkun tinsab f'edizzjoni riveduta, b'kull mezz li jkun, sakemm ebda parti minnha ma tkun giet fotokopjata, *scanned*, maħruġa bi *print out* elettroniku jew xort'oħra prodotta bl-użu tal-edizzjoni riveduta jew xi parti minnha bħala bażi fiżika għar-riproduzzjoni, u sakemm ukoll li publikazzjoni bħal dik ikun fiha dikjarazzjoni li fiha jingħad li dik mhijiex

pubblikazzjoni uffiċjali ta' xi liġi partikolari.

(3) Id-dispożizzjonijiet tal-artikolu 9 tal-Att dwar id-Drittijiet tal-Awtur għandhom japplikaw *mutatis mutandis* għas-subartikolu (1). Kap. 415.

(4) Kull min jikser id-dispożizzjonijiet ta' dan l-artikolu ikun ħati ta' reat u jehel, meta jinsab ħati, piena ta' priġunerija għal żmien sena jew multa ta' mhux iżjed minn ħmistax-il elf euro (€15,000) jew dik il-multa u priġunerija flimkien.

(5) Id-dispożizzjonijiet tas-subartikolu (4) huma bla ebda preġudizzju għal kull jedd ta' azzjoni għad-danni li l-Gvern ikollu kontra kull min iwettaq dak ir-reat.

14. L-Att tal-1980 dwar ir-Revizjoni tal-Liġijiet Statutarji hu b'dan imħassar, mingħajr preġudizzju għal dak kollu li sar jew naqas milli jsir tahtu.

Thassir tal-Att tal-1980 dwar ir-Revizjoni tal-Liġijiet Statutarji.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 487 tat-12 ta' Lulju, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

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I assent

(L.S.)

GEORGE VELLA
President

16th July, 2021

ACT No. XL of 2021

AN ACT to provide for the preparation, printing and publication, by whatever means, of revised editions of the laws of Malta, and for matters connected therewith or ancillary thereto.

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. **1.** The short title of this Act is the Statute Law Revision Act, 2021.

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

"Commission" means the Law Commission appointed under article 3;

"Minister" means the Minister responsible for the Law Commission.

"revised edition" means an edition of the laws of Malta prepared under this Act;

"statute law" includes any instrument having the force of law.

3. (1) For the purpose of preparing, from time to time at intervals of not less than ten (10) years, a revised edition of the statute laws of Malta, and for the purpose of preparing a Maltese text of all statute laws enacted or published without a Maltese text, the Minister may appoint a Law Commissioner, and a body of consultants as may for the time being be in office, together to be known as the Law Commission:

Provided that where Parliament has provided that a law may be enacted or made in either the Maltese or the English language only, and is so enacted or made, the Commission may either prepare the revised text of that law in that language only or may provide a translation thereof in the Maltese or English language, as the case may be.

(2) When there is in office a Commission, the Minister shall appoint the Law Commissioner.

(3) A person appointed to be Law Commissioner may be appointed for such term and subject to such conditions as may be determined by the Minister:

Provided that a Law Commissioner may, at any time, resign and may also, for a good cause, be removed from office and a person who ceases to be a Commissioner may be eligible for re-appointment.

(4) A person who holds judicial office may be appointed as Law Commissioner notwithstanding the provisions of article 16 of the Code of Organization and Civil Procedure but shall not, unless otherwise provided by the terms of his appointment, be required to perform his duties as a Judge or Magistrate while he remains a member of the Commission.

(5) There shall be paid to the Law Commissioner and to the consultants such remuneration, if any, as the Minister may, with the approval of the Minister responsible for Finance, determine and different remuneration may be paid to the consultants according to circumstances.

(6) It shall also be the function of the Commission to perform such other duties as may, after consultation with it, be assigned to it by the Minister.

4. (1) In carrying out its functions under this Act, the Commission shall have power:

(a) to omit:

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(i) all statute laws or parts of statute laws which have been expressly repealed or which have expired or have become spent or which shall no longer have any effect;

(ii) all repealing provisions contained in any statute law;

(iii) all preambles to statute laws where such omission can, in the opinion of the Commission, be conveniently made;

(iv) all introductory words of an enactment in any article, regulation or paragraph of a statute law which consists of more than one article, regulation or paragraph;

(v) all enactments prescribing the date on which a statute law is to come into force, where such omission may, in the opinion of the Commission, be conveniently made;

(vi) all amending provisions contained in a statute law where the amendments effected thereby and which are still in force have been embodied by the Commission in the statute law to which they relate;

(vii) all subsidiary legislation that is, or is intended to be, of a temporary nature or is subject to relative or frequent changes or is otherwise such that, in the opinion of the Commission, may be properly omitted:

Provided that any such omission shall not affect the continued operation of any such subsidiary legislation for as long as it otherwise remains in force;

(b) to consolidate into one statute law any two or more statute laws *pari materia*, making such verbal alterations in the consolidated law as may thereby become necessary;

(c) to alter the order of articles or other sub-divisions of a statute law and, wherever necessary, to re-number those articles or other sub-divisions;

(d) to alter the form or arrangement of any article or other sub-division of a statute law, either by combining it in whole or in part with another article or subdivision, or other articles or sub-divisions, or by dividing it into two or more parts or sub-divisions;

(e) to divide any statute law, whether consolidated or

not, into parts or other divisions;

(f) to add a short title to any statute law which may, in the opinion of the Commission, require it and, if necessary, to alter the short title of any statute law;

(g) to supply or alter marginal notes;

(h) to shorten and simplify the phraseology of any statute law;

(i) to correct grammatical, typographical and other mistakes in the existing copies of the statute laws, and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any provision;

(j) to convert any weight or measure into a metric weight or measure corresponding thereto as nearly as practicable, and for that purpose the Commission shall have power to round off any decimal as it may deem appropriate;

(k) to disregard any fraction of one euro in respect of any fee, duty, levy or other charge, by whatever name called, payable to a Government entity, an Authority or an Agency, or other entity established by law, and round down to the nearest euro any amount so payable which is not a multiple of five euro;

(l) to disregard any fraction of one euro in respect of any fine (*multa* or *ammenda*) imposed by law for the commission of an offence, by rounding up to the nearest euro any amount which is not a multiple of five euro;

(m) to make any addition, omission or alteration which is consequential to any amendment to any statute law or provision thereof; and

(n) to do all other things relating to form and method which may improve the revised edition.

(2) Where any statute law is to have effect or is to be read or construed as provided in another statute law, the Commission may treat such a provision in the same manner as an amendment of the former by the latter enactment.

(3) The powers conferred by this article shall not be construed as empowering the Commission to make any alteration or amendment in the matter or substance of any statute law:

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Provided that the Commission shall have power to make any alteration or amendment which may be necessary to make the revised edition more faithful to the original text or to remove any conflict between the Maltese and the English text of any law, and for these purposes the Commission shall have power to alter or amend either of those texts or both, including the prevailing text.

Power to omit certain laws.

5. The Commission shall not include in a revised edition any statute law omitted under the authority of the Statute Law Revision Act, 1980.

Printing and, or electronic publication of revised edition.

6. (1) A revised edition shall be prepared in such order, form and manner, and shall contain such tables, indices and other information as the Commission may deem necessary or expedient.

(2) Without prejudice to the generality of the foregoing provisions of this article the Commission may -

(a) add to any revised edition further parts containing the laws in force on a date or dates subsequent to that indicated in the revised edition, or in a further part thereof, as in force on such date or dates as are indicated in the further part or parts, and any such further part shall be deemed to be an integral part of the revised edition;

(b) keep the laws contained in any part of a revised edition updated to a date or dates indicated by the Commission, and for such purpose the Commission may publish a revised edition or any part thereof in a loose-leaf form and, or electronically, and keep it updated in such manner and under such conditions as the Commission may deem appropriate,

and the provisions of this Act, including in particular, but without prejudice to the generality of the expression, articles 4 and 8, shall apply to any further part, and to any revised edition or part thereof published in a loose-leaf form and, or electronically, as the case may be, as they apply to any other revised edition or part thereof.

(3) A revised edition shall be printed and, or published electronically, as the case may be, under such arrangements as the Commission may, with the approval of the Minister, determine.

Construction of references to enactments.

7. (1) Where in any enactment or in any document of whatever kind, reference is made to any enactment affected by or under the operation of this Act, or to any provision of such enactment, such reference shall, where necessary and practicable, extend and apply to the corresponding enactment, or provision thereof, in the revised edition then in force.

(2) Where parts of a revised edition are brought into force on different dates, and in a part which is in force reference is made to an enactment, or a provision of an enactment, as such an enactment or provision will be contained in a part of the same edition which is not yet in force, such reference shall, until such time as the latter part comes into force, be read as a reference to the corresponding enactment or provision thereof as then in force.

(3) Where the Commission finds that any part of a revised edition published by it, whether such part has or has not come into force, contains an error or an omission, including an error or an omission which should have been rectified in a revised edition, it may publish, and cause to be sealed and signed as provided in article 9, a correction in such form as it may deem appropriate; and, with effect from such date as the Minister may by notice in the Gazette appoint, being a date not earlier than the coming into force of the part of the revised edition to which the correction refers, the said part of the revised edition shall, notwithstanding any other provision of this Act, have effect subject to such correction.

(4) Where an enactment contained in a part of a revised edition is amended with effect from a date subsequent to the publication but before the coming into force of that part of the edition, and the Commission recommends to the Minister alterations in the amending enactment in order that the latter may be read and construed more appropriately as one with the principal enactment amended by it as contained in the revised edition, the Minister may by order in the Gazette make the alterations so recommended; and thereupon, or as from such date as the Minister may in the notice specify, the amended enactment shall have effect as so amended.

8. (1) A revised edition shall come into force on such day as the Minister may by notice in the Gazette appoint.

Bringing into force and validity of revised edition.

(2) From the date of the coming into force of a revised edition, that edition shall be without any question whatever in all Courts of Justice and for all purposes whatsoever, the sole and only proper and authentic text of the statute laws included in it as in force on such date as the Minister shall by notice in the Gazette specify, but subject to any amendments thereto or any repeal thereof made after such date:

Provided that where a revised edition is published in electronic format, that edition shall be the sole and only proper and authentic text of the statute laws included in it, so however that any copy thereof or of any part thereof, printed on paper or in any other form and issued by the Commission, shall, in so far as it conforms to the revised edition printed in electronic format, also be an authentic

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text of the laws included in the said copy.

(3) If there is any conflict between the Maltese and the English texts of any revised edition, the Maltese text shall, subject to the provisions of the particular statute law, prevail.

(4) Notwithstanding anything contained in the foregoing provisions of this article, the Minister may, in any notice given thereunder, appoint or specify different dates for different parts of any revised edition, and in any such case the said provisions shall apply accordingly.

Copies to be signed, sealed and deposited.

9. One copy of each volume of a revised edition shall be signed by the Law Commissioner and shall be sealed with the Public Seal of Malta. Such copies shall then be transmitted to the Registrar of the Courts and also to the Clerk of the House of Representatives to be enrolled on record in their offices.

Place of this Act in the revised edition.

10. This Act shall be printed and, or published electronically at the commencement of a revised edition.

Publication of revised edition in electronic format.

11. (1) One copy of the revised edition in electronic format shall be transmitted to the Registrar of the Courts and also to the Clerk of the House of Representatives to be enrolled on record in their offices as provided in article 9, and another shall be placed at the office of the Commission and shall be open for inspection by the public on the payment of such fees as the Commission, with the concurrence of the Minister, may determine.

(2) At the request of any person, the Commission may issue hard copies of particular laws in a revised edition on the payment of such fees as it may, with the concurrence of the Minister, determine, and shall cause such copies to be authenticated by such officer of the Commission as the Commission may by notice in the Gazette from time to time determine. Such authenticated copies shall, unless the contrary is proved, be accepted in evidence before any court of law as a true copy of such law as it appears in the revised edition.

(3) A revised edition made in electronic format shall not come into force before copies thereof have been transmitted to the Registrar of the Courts as provided in sub-article (1).

Publication of laws on the internet.

12. (1) The Minister may cause to be published on an internet site a consolidated version of any revised edition incorporating all amendments which may have been made to any law in a revised edition and including in such internet site all Acts enacted after the publication of the last revised edition incorporating all amendments thereto. Such Acts enacted after the publication of a revised edition

shall be given a chapter number as if they were incorporated in a revised edition and may be referred to by such chapter number.

(2) The Minister may also cause to be published on such internet site an up to date consolidated version of subsidiary legislation made under the laws included in a revised edition and under Acts subsequently enacted, and may in such publication cause such subsidiary legislation to be given such enumeration with reference to the chapter number of the principal law or otherwise as the Minister may deem proper and reference to such subsidiary legislation by such enumeration shall be valid as if reference were made to the same subsidiary legislation as previously promulgated as a Government or legal notice or otherwise.

(3) The Minister shall cause a notice to be published in the Gazette giving the address of the website wherein the said laws are published on the Internet.

(4) Unless proof is brought to the contrary the text of any law published on an internet site in accordance with this article shall be deemed to be a true representation of the law incorporating all amendments up to the date indicated on the internet site.

13. (1) No person may without the permission of the Government make, or cause to be made copies or reproductions in any material form of any revised edition or any part thereof as published by the Commission. Application of the Copyright Act. Cap.415.

(2) The provisions of sub-article (1) shall not apply to the printing or publication of any law contained in a revised edition, by whatever means, provided that no part thereof is photocopied, scanned, electronically printed out or otherwise produced by using the revised edition or any part thereof as the physical base for the reproduction, and provided further that any such publication contains a declaration stating that it is not an official publication of the law in question.

(3) The provisions of article 9 of the Copyright Act shall apply *mutatis mutandis* to sub-article (1). Cap. 415.

(4) Any person who acts in breach of the provisions of this article shall be guilty of an offence and shall on conviction be liable to imprisonment for a term of one year or to a fine (*multa*) not exceeding fifteen thousand euro (€15,000) or to both such fine and imprisonment.

(5) The provisions of sub-article (4) shall be without prejudice to any right of action for damages pertaining to the Government against any person committing the offence.

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Repeal of
Statute Law
Revision Act,
1980.

14. The Statute Law Revision Act, 1980 is hereby repealed, without prejudice to anything done or omitted to be done thereunder.

Passed by the House of Representatives at Sitting No. 487 of the 12th July, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives