

MALTA

ATT Nru IV tal-2022

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

ATT sabiex jemenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, Kap. 69 u l-Att dwar it-Tiġdid ta' Kiri ta' Raba', Kap. 199 għall-evitar possibbli ta' duplikazzjoni ta' xogħol u spejjeż fil-kisba ta' valutazzjonijiet jew opinjonijiet tekniċi.

ACT No. IV of 2022

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Reletting of Urban Property (Regulation) Ordinance, Cap. 69 and the Agricultural Leases (Reletting) Act, Cap. 199 for the possible avoidance of duplication of work and expense in obtaining valuations or technical opinions.

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

4 ta' Frar, 2022

ATT Nru IV tal-2022

ATT sabiex jemenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, Kap. 69 u l-Att dwar it-Tiġdid ta' Kiri ta' Raba', Kap. 199 għall-evitar possibbli ta' duplikazzjoni ta' xogħol u spejjeż fil-kisba ta' valutazzjonijiet jew opinjonijiet tekniċi.

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 huwa l-Att tal-2022 li jemenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini u l-Att dwar it-Tiġdid ta' Kiri ta' Raba'. Titolu fil-qosor.

TAQSIMA I
EMENDA GHALL-ORDINANZA LI TIRREGOLA T-TIĠDID
TAL-KIRI TA' BINI

2. Din it-Taqsima temenda l-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini u għandha tinqara u tinftiehem haġa waħda mal-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini, hawn aktar 'il quddiem f'din it-Taqsima msejha "l-Ordinanza prinċipali". Emenda għall-Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini. Kap. 69.

Emenda tal-artikolu 23 tal-Ordinanza prinċipali.

3. Fis-subartikolu (1) tal-artikolu 23 tal-Ordinanza prinċipali, il-kliem "kif iċ-*chairman* jista' jordna." għandhom jiġu sostitwiti bil-kliem "kif iċ-*chairman* jista' jordna:" u minnufih wara għandhom jiġu miżjuda dawn il-provisos godda li ġejjin:

"Izda fejn l-istima ta' xi fond jew kull opinjoni teknika oħra fir-rigward il-fond hija meħtieġa quddiem il-bord u fejn:

(i) jirriżulta li l-istima jew opinjoni teknika oħra fir-rigward tal-istess fond ingħatat quddiem qorti minn Perit jew Inġinier Ċivili mahtur minn dik il-qorti bil-qbil tas-sid il-keru u l-kerrej li kienu partijiet fl-imsemmi każ qabel il-qorti u li huma wkoll partijiet fil-każ quddiem il-bord; u

(ii) l-imsemmija stima jew opinjoni teknika oħra giet ikkonfermata f'sentenza finali ta' qorti,

iċ-*chairman* jista', wara li jisma' lill-partijiet, jiddeċiedi li jistrieħ fuq l-imsemmija stima jew opinjoni teknika sa fejn jidhirlu xieraq minflok jassenja żewġ (2) membri tal-Lista sabiex jeżaminaw il-fond skont dan l-artikolu:

Izda wkoll iċ-*chairman* jista', minflok ma jassenja żewġ (2) membri tal-Lista kif imsemmi qabel, jiddeċiedi wkoll li jistrieħ fuq kwalunkwe stima jew opinjoni teknika oħra fejn il-partijiet kollha fil-każ jaqblu."

TAQSIMA II

EMENDA GHALL-ATT DWAR IT-TIĠDID TA' KIRI TA' RABA'

Emenda għall-Att dwar it-Tiġdid ta' Kiri ta' Raba'. Kap. 199.

4. Din it-Taqsima temenda l-Att dwar it-Tiġdid ta' Kiri ta' Raba' u għandha tinqara u tintfiehmed haġa waħda mal-Att dwar it-Tiġdid ta' Kiri ta' Raba', hawn aktar 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda tal-artikolu 5 tal-Att prinċipali.

5. Fis-subartikolu (8) tal-artikolu 5 tal-Att prinċipali, il-kliem "kif iċ-*chairman* jista' jordna." għandhom jiġu sostitwiti bil-kliem "kif iċ-*chairman* jista' jordna:" u minnufih wara għandhom jiġu miżjuda dawn il-provisos godda li ġejjin:

"Izda fejn l-istima ta' xi raba' jew kull opinjoni teknika oħra fir-rigward ta' kull każ hija meħtieġa quddiem il-bord u fejn:

(i) jirriżulta li l-istima jew opinjoni teknika oħra fir-rigward tal-istess raba' ngħatat quddiem qorti minn Perit jew Inġinier Ċivili jew minn espert tekniku ieħor

maħtur minn dik il-qorti bil-qbil tas-sid il-kera u l-kerrej li kienu partijiet fl-imsemmi każ qabel il-qorti u li huma wkoll partijiet fil-każ quddiem il-bord; u

(ii) l-imsemmija stima jew opinjoni teknika oħra giet ikkonfermata f'sentenza finali ta' qorti,

ic-chairman jista', wara li jisma' lill-partijiet, jiddeċiedi li jistrieħ fuq l-imsemmija stima jew opinjoni teknika sa fejn jidhirlu xieraq minflok jassenja żewġ (2) membri tal-lista sabiex jeżaminaw ir-raba' skont dan l-artikolu:

Izda wkoll *ic-chairman* jista', minflok ma jassenja żewġ (2) membri tal-lista kif imsemmi qabel, jiddeċiedi wkoll li jistrieħ fuq kwalunkwe stima jew opinjoni teknika oħra fejn il-partijiet kollha fil-każ jaqblu."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 539 tas-26 ta' Jannar, 2022.

ANĠLU FARRUGIA

Speaker

RAYMOND SCICLUNA

Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

4th February, 2022

ACT No. IV of 2022

AN ACT to amend the Reletting of Urban Property (Regulation) Ordinance, Cap. 69 and the Agricultural Leases (Reletting) Act, Cap. 199 for the possible avoidance of duplication of work and expense in obtaining valuations or technical opinions.

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 Reletting of Urban Property (Regulation) Ordinance and the Agricultural Leases (Reletting) Act (Amendment) Act, 2022.

PART I

**AMENDMENT TO THE RELETTING OF URBAN PROPERTY
(REGULATION) ORDINANCE**

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

2. This Part amends the Reletting of Urban Property (Regulation) Ordinance and it shall be read and construed as one with the Reletting of Urban Property (Regulation) Ordinance, hereinafter in this Part referred to as "the principal Ordinance".

3. In sub-article (1) of article 23 of the principal Ordinance, the words "as the Chairman may direct." shall be substituted by the words "as the Chairman may direct:" and immediately thereafter, there shall be added the following new provisos:

Amendment of article 23 of the principal Ordinance.

"Provided that where the valuation of any premises or any other technical opinion in respect of premises is required before the board and where:

(i) it results that the valuation or other technical opinion in respect of the same premises was given before a court by an Architect or Civil Engineer appointed by such court with the agreement of the lessor and the tenant who were parties to the said case before the court and who are also parties to the case before the board; and

(ii) the said valuation or other technical opinion was confirmed in a final judgment of a court,

the chairman may, after hearing the parties, decide to rely on the said valuation or technical opinion to such an extent as he deems fit instead of assigning two (2) members of the Panel to examine the premises in accordance with this article:

Provided further that the chairman may also decide to rely on any valuation or other technical opinion instead of assigning two (2) members of the Panel as aforesaid where all the parties to the case agree."

PART II AMENDMENT TO THE AGRICULTURAL LEASES (RELETTING) ACT

4. This Part amends the Agricultural Leases (Reletting) Act and it shall be read and construed as one with the Agricultural Leases (Reletting) Act, hereinafter in this Part referred to as "the principal Act".

Amendment to the Agricultural Leases (Reletting) Act. Cap. 199.

5. In sub-article (8) of article 5 of the principal Act, the words "as the chairman may direct." shall be substituted by the words "as the chairman may direct:" and immediately thereafter there shall be added the following new provisos:

Amendment of article 5 of the principal Act.

"Provided that where the valuation of any agricultural land or any other technical opinion in respect of any case is required before the board and where:

(i) it results that the valuation or other technical

opinion in respect of the same agricultural land was given before a court by an Architect or Civil Engineer or by another technical expert appointed by such court with the agreement of the lessor and the tenant who were parties to the said case before the court and who are also parties to the case before the board; and

(ii) the said valuation or other technical opinion was confirmed in a final judgment of a court,

the chairman may, after hearing the parties, decide to rely on the said valuation or technical opinion to such extent as he deems fit instead of assigning two (2) members of the panel to examine the agricultural land in accordance with this article:

Provided further that the chairman may also decide to rely on any valuation or other technical opinion instead of assigning two (2) members of the panel as aforesaid where all the parties to the case agree."

Passed by the House of Representatives at Sitting No. 539 of the 26th January, 2022.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives