

## Nru. 262

08. 02. 2022

### MALTA

#### KAMRA TAD-DEPUTATI

#### HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Clifton Grima, M.P., Ministru għall-Edukazzjoni u l-Isport, f'isem il-Ministru għall-Intern, is-Sigurtà Nazzjonali u l-Infurzar tal-Liġi, u moqri għall-Ewwel darba fis-Seduta tat-2 ta' Frar 2022.

A BILL introduced by the Honourable Clifton Grima, M.P., Minister for Education and Sport on behalf of the Minister for Home Affairs, Law Enforcement and National Security, and read the First time at the Sitting of the 2nd February 2022.

**ATT sabiex jemenda liġijiet varji relatati mal-protezzjoni ċivili.**

**AN ACT to amend various laws relating to civil protection.**

RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



**ABBOZZ TA' LIĠI**  
**msejjah**

*ATT sabiex jemenda liġijiet varji relatati mal-protezzjoni ċivili.*

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

**1.** It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2022 li jemenda Titolu fil-qosor. Liġijiet Varji dwar il-Protezzjoni Ċivili.

**TAQSIMA I**

Emendi għall-Kostituzzjoni ta' Malta

**2.** Din it-Taqsima temenda l-Kostituzzjoni ta' Malta u din it-Taqsima għandha tinqara u tinftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawn iżjed 'il quddiem f'din it-Taqsima msejja "l-Kostituzzjoni". Emendi tal-Kostituzzjoni.

**3.** Fis-subartikolu (1) tal-artikolu 47 tal-Kostituzzjoni, fit-tifsira "korp dixxiplinat", minnufih wara l-paragrafu (d) għandu jiżdied il-paragrafu ġdid li ġej: Emenda tal-artikolu 47 tal-Kostituzzjoni.

"(e) il-Forza ta' Għajnuna u Salvataġġ fi hdan id-Dipartiment tal-Protezzjon Ċivili;"

**TAQSIMA II**

Emendi għall-Att dwar il-Protezzjoni Ċivili

**4.** Din it-Taqsima temenda l-Att dwar il-Protezzjoni Ċivili u dan l-Att għandu jinqara u jinftiehem bħala haġa waħda mal-Att dwar il-Protezzjoni Ċivili, hawn iżjed 'il quddiem f'din it-Taqsima msejja "l-Att prinċipali". Emendi tal-Att dwar il-Protezzjoni Ċivili. Kap. 411.

C 6858

Emenda tal-artikolu 2 tal-Att prinċipali.

**5.** L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) it-tifsira "id-Direttur" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "Diretturi" tfisser id-Diretturi tad-Dipartiment tal-Protezzjoni Ċivili li għandhom jaqdu kwalunkwe funzjoni jew dmir kif indikat mid-Direttur Ġenerali;" u minnufih warajha għandha tiżdied it-tifsira ġdida li ġejja:

"Direttur Ġenerali" tfisser id-Direttur Ġenerali tad-Dipartiment tal-Protezzjoni Ċivili u tinkludi kull uffiċjal maħtur jew awtorizzat mid-Direttur Ġenerali biex jaġixxi minfloku;" u

(b) it-tifsira "il-Forza" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "Forza" tfisser il-Forza ta' Għajjnuna u Salvataġġ imwaqqfa bl-artikolu 8 li tikkonsisti fid-Direttur Ġenerali, id-Diretturi, id-Deputati Diretturi, l-Uffiċjali Kapijiet tal-Għajjnuna u Salvataġġ, l-Uffiċjali tal-Istazzjon, l-Uffiċjali Għolja tal-Għajjnuna u Salvataġġ, l-Uffiċjali tal-Għajjnuna u Salvataġġ, l-Ispetturi għas-Sigurtà tan-Nirien jew xi uffiċjali fi grad ekwivalenti li jwettqu dmirijiet ekwivalenti;".

Emenda tal-artikolu 3 tal-Att prinċipali.

**6.** Fl-artikolu 3 tal-Att prinċipali, il-kliem "uffiċjal pubbliku li jkun magħruf bħala d-Direttur tal-Protezzjoni Ċivili" għandhom jiġu sostitwiti bil-kliem "id-Direttur Ġenerali tal-Protezzjoni Ċivili".

Emenda tal-artikolu 5 tal-Att prinċipali.

**7.** L-artikolu 5 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (3) tiegħu, il-kliem "d-Direttur tal-Protezzjoni Ċivili" għandhom jiġu sostitwiti bil-kliem "d-Direttur Ġenerali tal-Protezzjoni Ċivili"; u

(b) fis-subartikolu (8) tiegħu, il-kliem "Id-Direttur tal-Protezzjoni Ċivili" għandhom jiġu sostitwiti bil-kliem "Id-Direttur Ġenerali tal-Protezzjoni Ċivili".

Emenda tal-artikolu 6 tal-Att prinċipali.

**8.** Fis-subartikolu (2) tal-artikolu 6 tal-Att prinċipali, il-kliem "mid-Direttur tad-Dipartiment tal-Protezzjoni Ċivili" għandhom jiġu sostitwiti bil-kliem "mid-Direttur Ġenerali tal-Protezzjoni Ċivili".

Emenda tal-artikolu 8 tal-Att prinċipali.

**9.** L-artikolu 8 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (2) tiegħu, il-kliem "mid-Direttur jew minn xi uffiċjal ieħor hekk kif jista' jiġi preskritt mill-Ministru"

għandhom jiġu sostitwiti bil-kliem "mid-Direttur Ġenerali jew kwalunkwe uffiċjal mahtur jew awtorizzat mid-Direttur Ġenerali biex jaġixxi minfloku"; u

(b) is-subartikolu (4) tiegħu għandu jiġi emendat kif ġej:

(i) il-paragrafu (a) tiegħu għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(a) li tara li jkun hemm servizz adegwat għal intervent immedjat fil-każ ta' hruq u salvataġġ fuq l-art u l-baħar, għargħar, helsien mill-għarqa, salvataġġ jew f'kull sitwazzjoni oħra ta' diżastru sew naturali sew kaġunat mill-bniedem li tkun tehtieg l-għajnuna immedjata ta' forza pubblika jew ta' tagħmir speċjali"; u

(ii) fil-paragrafu (ċ) tiegħu, il-kliem "id-Direttur tal-Protezzjoni Ċivili" għandhom jiġu sostitwiti bil-kliem "id-Direttur Ġenerali tal-Protezzjoni Ċivili"; u

(ċ) minnufih wara s-subartikolu (7) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

(8) Kandidat għall-ħatra bħala uffiċjal fil-Forza ta' Għajnuna u Salvataġġ irid ikun għalaq tmintax (18)-il sena u ma jridx ikun għalaq iktar minn disgħa u tletin (39) sena:

Iżda, kwalunkwe membru tal-Korp tal-Voluntiera tal-Protezzjoni Ċivili li għandu aktar minn disgħa u tletin (39) sena xorta jista' jkun eliġibbli għall-ħatra bħala uffiċjal fil-Forza ta' Għajnuna u Salvataġġ jekk ikun ilu attiv fil-Korp għal mill-inqas sentejn (2)."

**10.** Fis-subartikolu (2) tal-artikolu 9 tal-Att prinċipali, il-kliem "id-Direttur" għandhom jiġu sostitwiti bil-kliem "id-Direttur Ġenerali". Emenda tal-artikolu 9 tal-Att prinċipali.

**11.** Fis-subartikolu (2) tal-artikolu 20 tal-Att prinċipali, il-kelma "Id-Direttur" għandha tiġi sostitwita bil-kliem "Id-Direttur Ġenerali". Emenda tal-artikolu 20 tal-Att prinċipali.

### TAQSIMA III

#### Emendi Ġenerali għall-Liġijiet ta' Malta

**12.** Din it-Taqsima temenda l-Liġijiet ta' Malta u kull referenza f'kwalunkwe liġi oħra għal "Direttur" li tfisser "Direttur tal-Protezzjoni Ċivili" għandha tinqara u tinftiehem, wara d-dhul fis-seħh ta' dan l-Att, bħala referenza għad-"Direttur Ġenerali tad-Dipartiment Emendi ġenerali tal-Liġijiet ta' Malta.

C 6860

tal-Protezzjoni Ċivili".

---

### **Għanijiet u Raġunijiet**

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex jinkludu l-Forza ta' Għajnuna u Salvataġġ fi hdan id-Dipartiment tal-Protezzjoni Ċivili bħala forza dixxiplinata għall-finijiet tal-Kostituzzjoni ta' Malta kif ukoll li jirrevedu d-dispożizzjonijiet legiżlattivi fir-rigward tad-Direttur tad-Dipartiment tal-Protezzjoni Ċivili u kwistjonijiet oħra konnessi magħhom u anċillari għalihom.

**A BILL  
entitled**

*AN ACT to amend various laws relating to civil protection.*

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.** The short title of this Act is the Various Laws relating to Civil Protection (Amendment) Act, 2022. Short title.

**PART I  
Amendments to the Constitution of Malta**

**2.** This Part amends the Constitution of Malta and this Part shall be read and construed as one with the Constitution of Malta, hereinafter in this Part referred to as "the Constitution". Amendments to the Constitution of Malta.

**3.** In sub-article (1) of article 47 of the Constitution, in the definition "disciplined force", immediately after paragraph (d) there shall be added the following new paragraph: Amendment of article 47 of the Constitution.

"(e) the Assistance and Rescue Force within the Civil Protection Department;"

C 6862

PART II  
Amendments to the Civil Protection Act

Amendments of  
the Civil  
Protection Act.  
Cap. 411.

**4.** This Part amends the Civil Protection Act and it shall be read and construed as one with the Civil Protection Act, hereinafter in this Part referred to as "the principal Act".

Amendment of  
article 2 of the  
principal Act.

**5.** Article 2 of the principal act shall be amended as follows:

(a) the definition "Director" shall be substituted by the following new definition:

" "Directors" means the Directors of the Department of Civil Protection who shall be assuming any such function or duty as indicated by the Director General;" and immediately thereafter there shall be added the following new definition:

"Director General" means the Director General of the Department of Civil Protection and includes any officer designated or authorised by the Director General to act on his behalf;" and

(b) the definition "the Force" shall be substituted by the following new definition:

" "Force" means the Rescue and Assistance Force established by article 8 consisting of the Director General, the Directors, the Deputy Directors, the Chief Assistance and Rescue officers, the Station Officers, the Leading Assistance and Rescue Officers, the Assistance and Rescue Officers and the Fire Safety Inspectors or any officers in equivalent grades;".

Amendment of  
article 3 of the  
principal Act.

**6.** In article 3 of the principal Act, the words "a public officer to be styled Director of Civil Protection" shall be substituted by the words "the Director General of Civil Protection".

Amendment of  
article 5 of the  
principal Act.

**7.** Article 5 of the principal Act shall be amended as follows:

(a) in sub-article (3) thereof, the words "the Director of Civil Protection" shall be substituted by the words "the Director General of Civil Protection"; and

(b) in sub-article (8) thereof, the words "The Director of Civil Protection" shall be substituted by the words "The Director General of Civil Protection".



**8.** In sub-article (2) of article 6 of the principal Act, the words "the Director, Civil Protection Department" shall be substituted by the words "the Director General, Civil Protection".

Amendment of article 6 of the principal Act.

**9.** Article 8 of the principal Act shall be amended as follows:

Amendment of article 8 of the principal Act.

(a) in sub-article (2) thereof, the words "a Chief Assistance and Rescue Officer" shall be substituted by the words "the Director General or any officer designated or authorised by the Director General to act on his behalf"; and

(b) sub-article (4) thereof shall be amended as follows:

(i) paragraph (a) thereof shall be substituted by the following new paragraph:

"(a) to maintain an adequate service for prompt intervention in the case of fire and rescue on land and at sea, flooding, sea salvage, rescue and any other natural or man-made disaster situation which requires the immediate assistance of a public force or special equipment;"; and

(ii) in paragraph (c) thereof, "the Director of Civil Protection" shall be substituted by the words "the Director General of Civil Protection"; and

(c) immediately after sub-article (7) thereof there shall be added the following new sub-article:

"(8) A candidate for appointment as an officer in the Assistance and Rescue Force must have attained eighteen (18) years of age and must not be above thirty-nine (39) years of age:

Provided that, any member of the Civil Protection Volunteer Corps who is above thirty-nine (39) years of age may still be eligible for appointment as an officer in the Assistance and Rescue Force if he has been active in the Corps for at least two (2) years."

**10.** In sub-article (2) of article 9 of the principal Act, the words "the Director" shall be substituted by the words "the Director General".

Amendment of article 9 of the principal Act.

**11.** In sub-article (2) of article 20 of the principal Act, the words "The Director" shall be substituted by the words "The Director General".

Amendment of article 20 of the principal Act.

C 6864

PART III  
General Amendments to the Laws of Malta

General  
amendments of  
the Laws of  
Malta.

**12.** This Part amends the Laws of Malta and any reference in any other law to "Director" meaning "Director of Civil Protection" shall be read and construed, after the coming into force of this Act, as a reference to the "Director General of the Department of Civil Protection".

---

**Objects and Reasons**

The objects and reasons of this Bill are to include the Assistance and Rescue Force within the Civil Protection Department as a disciplined force for the purposes of the Constitution of Malta as well as to review the legislative provisions in relation to the Director of the Civil Protection Department and other matters connected therewith and ancillary thereto.



# VERŻJONI ELETTRONIKA