
Nru. 75

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MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Vincent Moran, M.P., Ministru tas-Saħħa u moqri għall-Ewwel darba fis-Seduta ta' 1-20 ta' Ġunju, 1984.

A BILL introduced by the Honourable Vincent Moran, M.P., Minister of Health and read the First time at the Sitting of the 20th June, 1984.

ATT biex ikompli jemenda l-Att ta' 1-1968 dwar Żibel u Skart.

AN ACT further to amend the Litter Act, 1968.

C. MIFSUD
Skrivan tal-Kamra tad-Deputati

C. MIFSUD
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Att ta' l-1968 dwar Żibel u Skart.

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

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1984 li jemenda l-Att dwar Żibel u Skart u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1968 dwar Żibel u Skart, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Emenda ta' l-artikolu 9 ta' l-Att prinċipali.

2. L-artikolu 9 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minnufih wara s-subartikolu (1) tiegħu għandu jidhöl is-subartikolu ġdid li ġej:

"(1A) Jekk f'reat li għalih japplika s-subartikolu (1) ta' dan l-artikolu min jagħmel ir-reat jarmi skart, *swill* jew żibel ta' dak id-daqs jew f'dik il-kwantità jew ta' dak il-kumulu li, meta tqisu waħdu jkun biżżejjed biex iwassal għat-thassir ta' xi post fil-beraħ, dan jeħel, meta jinsab ħati, multa ta' mhux inqas minn ħames mitt lira Maltija iżda mhux iżjed minn elf lira Maltija.";

(b) fis-subartikolu (3) tiegħu minflok il-kliem "għal żmien ta' mhux anqas minn xahar iżda ta' mhux iżjed minn sitt xhur u s-sospensjoni għal żmien daqs dak ta' kull liċenza tas-sewqan li tkun f'isem min jagħmel ir-reat, matul liema żmien il-manutenzjoni u t-tiswija (jekk ikun hemm) tal-vettura jkun għas-spejjeż tad-detentur tal-liċenza tagħha" għandhom jidhlu l-kliem "għal żmien ta' mhux anqas minn xahrejn iżda ta' mhux iżjed minn sena u s-sospensjoni għal żmien daqs dak ta' kull liċenza tas-sewqan li tkun f'isem min jagħmel ir-reat, matul liema żmien il-manutenzjoni u t-tiswija (jekk ikun hemm) tal-vettura jkun għas-spejjeż tad-detentur tal-liċenza tagħha jew tas-sid tagħha, u l-qorti għandha b'żieda ma' kull piena tordna lil min jagħmel ir-reat li jneħhi mill-post fejn ikun sar ir-reat il-materjal kollu li jkun hemm."; u

(ċ) minnufih wara s-subartikolu (3) tiegħu għandhom jidhlu s-subartikoli ġodda li ġejjin:

“(3A) Jekk min jagħmel ir-reat ma jkunx is-sid tal-vettura msemmija fis-subartikolu (3) ta’ dan l-artikolu iżda jkun aġixxa taħt l-istruzzjonijiet jew bit-tagħrif ta’ dak is-sid, is-sid jeħel, meta jinsab ħati, l-istess piena bħal min jagħmel ir-reat.

(3B) Jekk xi materjal li jintrema kontra l-liġi juri indikazzjoni ċara dwar min hu s-sid ta’ dak il-materjal, is-sid jew il-persuna l-oħra responsabbli għal dak il-materjal minnufih qabel ir-rimi tiegħu għandha titqies li ddepożitat dak il-materjal u teħel l-istess piena kif provdut f’dak l-artikolu, kemm-il darba ma tipprovax li r-reat ikun sar mingħajr it-tagħrif tagħha.”.

3. Minnufih wara l-artikolu 9A ta’ l-Att prinċipali għandu jżied l-artikolu ġdid li ġejj:

“Setgħa għall-egħmil ta’ regolamenti. 9B. Il-Ministru jista’ jagħmel regolamenti għat-twertieq aħjar tad-dispożizzjonijiet ta’ dan l-Att, u bla ħsara għall-generalità ta’ din id-dispożizzjoni, jista’:

Zieda ta’ artikolu ġdid 9B ma’ l-Att prinċipali.

(a) jippreskrivi l-postijiet fejn jista’ jsir rimi ta’ żibel u skart;

(b) jippreskrivi l-postijiet u l-lokalitajiet fejn jistgħu jsiru *barbecues* jew attivitajiet oħra bħal dawn;

(ċ) jippreskrivi l-kondizzjonijiet u l-mod li suġġett għalihom xi waħda mill-imsemmija attivitajiet jistgħu jsiru skond il-liġi;

(d) jippreskrivi l-mod li bih *swill* prodott lokalment jista’ jingabar u jiġi disponut;

(e) jipprovdi għal kull haġa inċidentali jew supplementari għal kull waħda mid-dispożizzjonijiet ta’ qabel;

(f) jippreskrivi l-pieni għal kull ksur ta’ xi regolamenti magħmula taħt id-dispożizzjonijiet ta’ dan l-artikolu, liema peni għandhom, kemm-il darba m’hemmx provduta għalih piena oghla fl-Att, ma jkunx iktar minn multa ta’ mitt lira Maltija għal kull reat.”.

Għanijiet u Raġunijiet

L-Għan ta’ dan l-Abbozz huwa li jzid il-piena għar-reat ta’ rimi ta’ żibel u skart u sabiex il-Ministru jingħata s-setgħa li jagħmel regolamenti bil-ħsieb li l-ambjent jinżamm nadif.

A BILL
entitled

AN ACT further to amend the Litter Act, 1968.

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. This Act may be cited as the Litter (Amendment) Act, 1984 and shall be read and construed as one with the Litter Act, 1968 hereinafter referred to as the "principal Act".

Amendment of section 9 of the principal Act.

2. Section 9 of the principal Act shall be amended as follows:

(a) immediately after subsection (1) thereof there shall be inserted the following new subsection:

"(1A) If in an offence to which subsection (1) of this section applies an offender dumps refuse, swill or litter of such size or in such quantity or accumulation as, taken by itself, is sufficient to lead to defacement of any place in the open air, he shall be liable, on conviction, to a fine (*multa*) of not less than five hundred Maltese liri but not exceeding one thousand Maltese liri.";

(b) in subsection (3) thereof for the words "for a term of not less than one month but not exceeding six months and the suspension for an equal term of any driving licence held by the offender, during which period the maintenance of and repair (if any) to the vehicle shall be at the expense of its licensee" there shall be substituted the words "for a term of not less than two months but not exceeding one year and the suspension for an equal term of any driving licence held by the offender, during which period the maintenance of and the repair (if any) to such vehicle shall be at the expense of its licensee or owner; and the court shall in addition to any punishment order the offender to remove from the place where the offence has taken place all the material existing thereat."; and

(c) immediately after subsection (3) thereof there shall be inserted the following new subsections:

“(3A) If the offender is not the owner of the vehicle mentioned in subsection (3) of this section but has acted under the instructions or with the knowledge of such owner, the owner shall be liable, on conviction, to the same punishment as the offender.

(3B) If any material which is unlawfully dumped shows a clear indication as to the ownership of such material, the owner or other person responsible for such material immediately prior to its dumping shall be deemed to have deposited that material and shall be liable to the punishment provided for in this section, unless he proves that the offence has taken place without his knowledge.”.

3. Immediately after section 9A of the principal Act there shall be added the following new section:

Addition of
new section 9B
to the principal
Act.

“Power to
make
regulations.

9B. The Minister may make regulations for the better enforcement of the provisions of this Act, and without prejudice to the generality of this provision, may:

- (a) prescribe areas where dumping of refuse or waste may lawfully be carried out;
- (b) prescribe areas or localities where barbecues or similar activities may be held;
- (c) prescribe conditions or manner subject to which any aforesaid activities may be lawfully carried out;
- (d) prescribe the manner in which locally produced swill may be collected and disposed;
- (e) provide for any matter incidental or supplementary to any of the foregoing provisions;
- (f) prescribe the penalties for any contravention against any regulations made under the provisions of this section, which penalties shall, unless a higher punishment is provided therefor in this Act, not exceed a fine (*multa*) of one hundred Maltese liri for each offence.”.

Objects and Reasons

The Object of this Bill is to increase the punishment for the offence of dumping of litter and to enable the Minister to make regulations with a view to keeping the environment clean.