

**MALTA**

**ATT Nru. XXV ta' l-1989**

**ACT No. XXV of 1989**

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

AN ACT enacted by the Parliament of Malta.

**ATT biex jemenda l-Att ta' l-1970 dwar l-Immigrazzjoni.**

**AN ACT to amend the Immigration Act, 1970.**

Naghti l-kunsens tiegħi.

(L.S.)

ĊENSU TABONE  
President

28 ta' Lulju, 1989

**ATT Nru. XXV ta' l-1989**

*ATT biex jemenda l-Att ta' l-1970 dwar l-Immigrazzjoni.*

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

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1989 li jemenda l-Att dwar l-Immigrazzjoni, u għandu jinqara u jftiehem haġa waħda ma' l-Att ta' l-1970 dwar l-Immigrazzjoni, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor u bidu fis-seħh.

Att Nru. IX ta' l-1970.

(2) Dan l-Att għandu jibda jseħh fl-1 ta' Awissu, 1989.

2. Fl-artikolu 2 ta' l-Att prinċipali, it-tifsira ta' "dipendent" għandha tiġi emendata kif ġej:

Emenda ta' l-artikolu 2 ta' l-Att prinċipali.

(a) il-paragrafu (a) tiegħu għandu jithassar; u

(b) il-paragrafi (b), (ċ) u (d) għandhom jiġu rispettivament indikati bħala (a), (b) u (ċ).

3. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' l-artikolu 4 ta' l-Att prinċipali.

(a) id-dispożizzjoni li hemm għandha tiġi enumerata mill-ġdid bħala s-subartikolu (1) tiegħu;

(b) minflok il-paragrafu (f) fis-subartikolu (1) tiegħu kif enumerat mill-ġdid għandu jidhol dan li ġej:

“(f) li hija dipendenti minn xi persuna msemmija fil-paragrafi ta' qabel dan; jew

(g) li hija r-raġel jew il-mara ta' xi persuna msemmija f'xi wieħed mill-paragrafi ta' qabel dan u ma hijiex qeghda tghix separata mill-parti l-oħra bis-saħħa ta' sentenza ta' qorti kompetenti jew ta' att ta' firda; jew

(h) li hija l-armla jew l-armel ta' xi persuna msemmija fil-paragrafu (a) jew (b) ta' dan l-artikolu u li ma kenitx qeghda tghix separata mill-parti l-oħra b'sentenza ta' qorti kompetenti jew ta' att ta' firda fi żmien il-mewt tiegħu jew tagħha.”;

(c) fil-proviso għas-subartikolu (1) tiegħu kif enumerat mill-ġdid, minflok il-kliem “Iżda dipendent ta' persuna” għandhom jidhlu l-kliem “Iżda r-raġel jew il-mara jew id-dipendenti ta' xi persuna”; u

(d) minnufih wara s-subartikolu (1) tiegħu kif enumerat mill-ġdid għandhom jiżdiedu dawn il-paragrafi li ġejjin:

“(2) Il-Prim Ministru jista' b'Ordni li għandu jiġi notifikat lil xi persuna msemmija fil-paragrafi (g) u (h) tas-subartikolu (1) ta' dan l-artikolu, li ma tkunx persuna li għaliha il-paragrafi (a) sa (f) tas-subartikolu (1) ta' dan l-artikolu jistgħu jirreferu, jiddikjara li dik il-persuna ma tkunx iktar persuna eżenti, jekk il-Prim Ministru jkun sodisfatt li l-ġhoti ta' dik l-eżenzjoni lil dik il-persuna ma jkunx fl-interess pubbliku, u mal-ħruġ ta' dak l-Ordni d-dispożizzjonijiet tat-Taqsima III ta' dan l-Att għandhom japplikaw għal dik il-persuna.

(3) Il-Prim Ministru ma għandux ikun meħtieġ li jagħti ebda raġuni għall-ħruġ ta' xi Ordni msemmi fis-subartikolu (2) ta' dan l-artikolu u d-deċiżjoni tal-Prim Ministru dwar xi Ordni bħal dan ma għandhiex tkun sugġetta għal appell jew skrutinju f'ebda qorti.”.

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Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 273 tal-21 ta' Lulju, 1989.

LAWRENCE GONZI  
*Speaker*

P. MUSCAT TERRIBILE  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

ĈENSU TABONE  
President

28th July, 1989

**ACT No. XXV of 1989**

*AN ACT to amend the Immigration Act, 1970.*

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. (1) This Act may be cited as the Immigration (Amendment) Act, 1989, and shall be read and construed as one with the Immigration Act, 1970, hereinafter referred to as “the principal Act”.

Short title  
and  
commencement.  
Act IX of 1970.

(2) This Act shall come into force on 1st August, 1989.

2. In section 2 of the principal Act, the definition of “dependant” shall be amended as follows:

Amendment of  
section 2  
of the  
principal  
Act.

(a) paragraph (a) thereof shall be deleted; and

(b) paragraphs (b), (c) and (d) shall be respectively indicated as (a), (b) and (c).

3. Section 4 of the principal Act shall be amended as follows:

Amendment of  
section 4  
of the  
principal  
Act.

(a) the present provision shall be renumbered as subsection (1) thereof;

(b) for paragraph (f) in subsection (1) thereof as renumbered there shall be substituted the following:

“(f) who is a dependant of any person referred to in the foregoing paragraphs; or

(g) who is the spouse of any person referred to in any of the foregoing paragraphs and is not living apart from the other

party under a judgement of a competent court or a deed of separation; or

(h) who is the widow or widower of any person mentioned in paragraph (a) or (b) of this section and was not living apart from the other spouse by a judgement of a competent court or a deed of separation at the time of his or her death.”;

(c) in the proviso to subsection (1) thereof, as renumbered for the words “Provided that the dependant of a person” there shall be substituted the words “Provided that the spouse or the dependant of a person”; and

(d) immediately after subsection (1) thereof as renumbered there shall be added the following subsections:

“(2) The Prime Minister may by Order to be notified to any person referred to in paragraphs (g) and (h) of subsection (1) hereof, not being a person to whom paragraphs (a) to (f) of subsection (1) hereof may refer, declare such person to be no longer an exempt person, if the Prime Minister is satisfied that the grant of such an exemption to such person is not in the public interest, and upon the issue of such an Order the provisions of Part III of this Act shall apply to such person.

(3) The Prime Minister shall not be required to assign any reason for the issue of any Order referred to in subsection (2) of this section and the decision of the Prime Minister on any such Order shall not be subject to appeal to or review in any court.”.

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Passed by the House of Representatives at Sitting No. 273 of the 21st July, 1989.

LAWRENCE GONZI  
*Speaker*

P. MUSCAT TERRIBILE  
*Clerk to the House of Representatives*