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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli Michael Falzon, M.P., Ministru għall-Iżvilupp ta' l-Infrastruttura, u moqri għall-Ewwel darba fis-Seduta tas-6 ta' Novembru, 1989.

ATT biex jemenda l-Ordinanza dwar l-Eстетika tal-Bini (Kap. 87).

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Michael Falzon, M.P., Minister for Development of Infrastructure, and read for the First time at the Sitting of the 6th November, 1989.

AN ACT to amend the Aesthetic Buildings Ordinance (Cap. 87).

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI imsejjah

ATT biex jemenda l-Ordinanza dwar l-Eстетika tal-Bini (Kap. 87).

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. Dan l-Att jista' jissejjah l-Att ta' l-1989 li jemenda l-Ordinanza dwar l-Eстетika tal-Bini, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar l-Eстетika tal-Bini, hawnhekk iżjed "il-liġi prinċipali".

Titolu
fil-qosor.
Kap. 87.

2. Fl-artikolu 3 tal-liġi prinċipali minflok il-kliem "fil-postijiet imsemmijin fl-Iskeda li hawn ma' din l-Ordinanza jew f'kull post iehor li l-Ministru responsabbli għax-xogħlijiet pubbliċi jista', minn żmien għal iehor, iżid f'dik l-Iskeda b'notifikazzjoni fil-Gazzetta tal-Gvern" għandhom jidhlu l-kliem "f'kull post".

Emenda ta'
l-artikolu 3
tal-liġi
prinċipali.

3. L-artikolu 4 tal-liġi prinċipali għandu jiġi emendat kif ġej:—

Emenda ta'
l-artikolu 4
tal-liġi
prinċipali.

(a) l-artikolu kif inhu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (1) tiegħu; u

(b) minnufih wara s-subartikolu (1) tiegħu kif enumerat mill-ġdid għandu jżjed dan li ġej:

"(2) Għall-finijiet tas-subartikolu (1) ta' dan l-artikolu, it-tqegħid ta' Terminal Riċevitur tat-Televiżjoni bis-Satellita fuq jew fl-inhawi ta' xi bini jew f'xi lok iehor għandu jitqies bħala kostruzzjoni jew tibdil ta' bini."

Emenda ta' l-artikolu 7 tal-liġi prinċipali.

4. Fl-artikolu 7 tal-liġi prinċipali minflok il-kliem "u xoghol ieħor ta' arkitettura:" għandhom jidhlu l-kliem "u xoghol ieħor ta' arkitettura; u bil-parir tal-Bord u tal-Ispettur Ewlieni tat-Telegrafija mingħajr Fili jista', dwar kull lokalità, jagħmel regoli biex jirregolaw it-tqegħid ta' *Terminals* Riċevituri tat-Televizjoni bis-Satellita."

Emenda ta' l-artikoli 10, 11 u 14 tal-liġi prinċipali.

5. Fl-artikoli 10, 11 u 14 tal-liġi prinċipali, minflok il-kliem "żewġ liri", kull fejn jinsabu, għandhom jidhlu l-kliem "għaxar liri".

Dispożizzjonijiet transitorji.

6. (1) Min mad-dhul fis-seħħ ta' dan l-Att ikollu mqiegħed Terminal Riċevitur tat-Televizjoni bis-Satellita, li tqegħid tiegħu wara d-dhul fis-seħħ ta' dan l-Att ikun jaqa' taħt l-artikoli 4, 6, 8 u 9 tal-liġi prinċipali, fuq bini jew f'xi lok ieħor għandu fi żmien xahrejn mid-dhul fis-seħħ ta' dan l-Att, jissottometti lill-Bord ta' l-Eстетika disinn kif hemm imsemmi f'dak l-artikolu u d-dispożizzjonijiet ta' l-artikoli 4, 6, 8 u 9 tal-liġi prinċipali għandhom japplikaw daqslikieku t-Terminal Riċevitur tat-Televizjoni bis-Satellita kellu jitqiegħed wara d-dhul fis-seħħ ta' dan l-Att.

(2) Meta l-Bord ta' l-Eстетika jew il-Qorti ta' l-Appell, kif ikun il-każ, jirriġettaw jew jemendaw id-disinn li jkun ġie prezentat skond is-subartikolu (1) ta' dan l-artikolu, dik il-persuna għandha fi żmien xahrejn mid-deċiżjoni tal-Bord ta' l-Eстетika jew meta jkun sar appell, tal-Qorti ta' l-Appell, tneħhi t-Terminal Riċevitur tat-Televizjoni bis-Satellita jew tibdlu skond id-disinji emendati, kif ikun il-każ.

Kap. 9

(3) Min jikser id-dispożizzjonijiet jew jonqos li jikkonforma ruħu mas-subartikoli (1) u (2) ta' dan l-artikolu, ikun hati ta' reat, u meta jinstab hati jehel il-piena li hemm fil-Kodiċi Kriminali għal kontravenzjonijiet u l-qorti għandha, b'żieda ma' xi piena bħal dik, tordna lil min ikun ikkommetta r-reat li jikkonforma ruħu mal-liġi fi żmien dak il-perijodu li l-qorti tista' tikkunsidra li jkun suffiċjenti għal dak l-iskop.

(4) Il-perijodu oriġinarjament stabbilit mill-qorti jista' għal raġuni ġusta jiġġedded wara li jsir rikors għal dak il-għan minn min ikun instab hati tar-reat.

(5) Jekk min jinstab hekk hati jonqos milli jesegwixxi dik l-ordni fi żmien dak il-perijodu li jiġi hekk stabbilit jew imġedded, huwa jista' jehel ammenda ta' mhux iżjed minn għaxar liri għal kull jum li matulu jitkompla r-reat, u l-qorti tista' tordna t-tneħhija jew it-tibdil tat-Terminal Riċevitur tat-Televizjoni bis-Satellita mid-Dipartiment tax-Xogħlijiet Pubbliċi bi spejjeż ta' min ikun instab hati tar-reat.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa sabiex jipprovdi li jiġi regolat it-tqegħid ta' *dish antennas* għal raġunijiet estetiċi.

A BILL
entitled

AN ACT to amend the Aesthetic Buildings Ordinance (Cap. 87).

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. This Act may be cited as the Aesthetic Buildings (Amendment) Act, 1989, and shall be read and construed as one with the Aesthetic Buildings Ordinance, hereinafter referred to as "the principal law". Short title.
Cap. 87.

2. In section 3 of the principal law for the words "in the localities mentioned in the Schedule to this Ordinance or in any locality which the Minister responsible for public works may, from time to time, add thereto by notice published in the Government Gazette" there shall be substituted the words "in any locality". Amendment of
section 3
of the
principal law.

3. Section 4 of the principal law shall be amended as follows:— Amendment of
section 4
of the
principal law.
 - (a) the present provision shall be renumbered as subsection (1) thereof; and
 - (b) immediately after subsection (1) thereof as renumbered there shall be added the following:

“(2) For the purposes of subsection (1) of this section, the installation of a Satellite Television Receiving Terminal on or in the precincts of any building or in any other place shall be deemed the construction or alteration of a building.”.

4. In section 7 of the principal law for the words "and other architectural features:" there shall be substituted the words "and other architectural features; and on the advice of the Board and of the Chief In- Amendment of
section 7
of the
principal law.

spector of Wireless Telegraphy, with respect to any locality, make rules for regulating the installation of Satellite Television Receiving Terminals.”.

Amendment of sections 10, 11 and 14 of the principal law.

5. In sections 10, 11 and 14 of the principal law, for the words “two liri”, wherever they occur, there shall be substituted the words “ten liri”.

Transitory provisions..

6. (1) Any person who on the coming into force of this Act has a Satellite Television Receiving Terminal, the installation of which after the coming into force of this Act would fall to be governed by sections 4, 6, 8 and 9 of the principal law, installed on any building or in any other place shall within two months from the coming into force of this Act, submit to the Aesthetics Board a design as is referred to in that said section and the provisions of sections 4, 6, 8 and 9 of the principal law shall apply as if such Satellite Television Receiving Terminal were to be installed after the coming into force of this Act.

(2) Where the Aesthetics Board or the Court of Appeal, as the case may be, reject or amend the design as submitted in terms of subsection (1) of this section, such person shall within two months from the decision of the Aesthetics Board or where an appeal has been entered, of the Court of Appeal, remove the Satellite Television Receiving Terminal or alter it in accordance with the amended designs, as the case may be.

Cap. 9.

(3) Any person who acts in contravention of or fails to comply with the provisions of subsections (1) and (2) of this section, shall be guilty of an offence, and shall on conviction be liable to the punishment laid down in the Criminal Code for contraventions and the court shall, in addition to any such punishment, order the offender to comply with the law within such time as the court may consider sufficient for the purpose.

(4) The time originally prescribed by the court may for just cause be extended on the application of the person convicted of the offence.

(5) If the person so convicted fails to carry out such order within the time so prescribed or extended, he shall be liable to a fine (*ammenda*) not exceeding ten liri for every day during which the offence continues, and the court may direct the removal or alteration of the Satellite Television Receiving Terminal by the Department of Public Works at the expense of the person convicted of the offence.

Objects and Reasons

The Object of the Bill is to provide for the regulation of the installation of Dish Antennas for Aesthetic reasons.