

## Nru. 112

27. 2. 90

### MALTA

#### KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Guido de Marco, M.P., Viċi Prim Ministru u Ministru ta' l-Intern u Ġustizzja, u moqri għall-Ewwel darba fis-Seduta tat-18 ta' Diċembru, 1989.

**ATT biex jemenda l-Ordinanza dwar it-Telegrafija mingħajr Fili (Kap. 49).**

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

#### HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister of Interior and Justice and read the First time at the Sitting of the 18th December, 1989.

**AN ACT to amend the Wireless Telegraphy Ordinance (Cap. 49).**

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

## ABBOZZ TA' LIĠI

### msejjaħ

*ATT biex jemenda l-Ordinanza dwar it-Telegrafija mingħajr Fili (Kap. 49).*

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-1990 li jemenda l-Ordinanza dwar it-Telegrafija mingħajr Fili u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar it-Telegrafija mingħajr Fili (Kap. 49), hawnhekk aktar 'il quddiem imsejjaħ "il-liġi prinċipali".

Titolu fil-qosor  
u bidu  
fis-seħh.

(2) L-artikoli 3 u 5 ta' dan l-Att għandhom jitqiesu li daħlu fis-seħh fl-14 ta' Diċembru, 1989.

2. (1) Minnufih wara t-tifsira ta' "Malta" fl-artikolu 2 tal-liġi prinċipali, għandha tiżdied din it-tifsira ġdida li ġejja:

Emenda ta'  
l-artikolu 2  
tal-liġi  
prinċipali  
u emenda  
generali  
konsegwenzjali.

" "Ministru" tfisser il-ministru responsabbli għat-telegrafija mingħajr fili u hlief għas-setgħa li jagħmel regolamenti mogħtija lill-Ministru bis-saħħa ta' din l-Ordinanza, tinkludi kull uffiċjal pubbliku li jkun qiegħed jaġixxi taħt l-awtorità tiegħu;".

(2) Fl-Att prinċipali, minflok il-kliem "Ministru responsabbli għat-telegrafija mingħajr fili" kull fejn jinsabu, għandha tidhol il-kelma "Ministru".

3. Minnufih fi tmiem is-subartikolu (1) ta' l-artikolu 3 tal-liġi prinċipali għandu jiżdied dan il-proviso ġdid li ġej:

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

"Izda ma tkun tinhtieg ebda liċenza għar-riċezzjoni ta' xandir bis-smiegh biss."

Emenda ta' l-artikolu 6 tal-liġi prinċipali.

4. Minflok il-kliem "penali ta' hamsa u għoxrin ċenteżmu" fil-proviso li hemm ma' l-artikolu 6 tal-liġi prinċipali, għandhom jidhlu l-kliem "penali ta' għaxar liri Maltin", u minflok il-kelma "Fine" fit-test Inġliż tan-nota marginali li tinsab mal-proviso, għandha tidhol il-kelma "Penalty".

Sostituzzjoni ta' l-artikolu 11 tal-liġi prinċipali.

5. Minflok l-artikolu 11 tal-liġi prinċipali għandu jidhol dan li ġej:

"Il-liċenza tinhareg mill-Ministru.

11. (1) Il-liċenza sabiex wiehed iżomm u juża impjant ta' telegrafija mingħajr fili skond din it-Taqsima ta' din l-Ordinanza tista' tingħata mill-Ministru lis-sid tal-bastiment jew lill-aġent tiegħu li jagħmel talba għaliha malli l-Ministru jirċievi mingħand il-perit jew spettur iċ-ċertifikat hawn fuq imsemmi:

Iżda l-Ministru jista', minkejja d-dispożizzjonijiet ta' dan l-artikolu, johroġ liċenza provviżorja għal żmien ta' mhux iżjed minn sitt xhur, ma' l-ewwel reġistrazzjoni ta' bastiment taht Bandiera Maltija, f'dawk iċ-ċirkostanzi u taht dawk il-kondizzjonijiet li jista' jqis li jkun xierqa.

(2) Liċenza tkun valida għal dak il-perijodu, li ma jkunx iktar minn perijodu ta' sitta u tletin xahar kalendarju, li jista' jiġi indikat fil-liċenza u tista' tiġġedded għal perijodi oħra li jiġu wara, li kull wiehed minnhom ma jkunx jaqbeż is-sitta u tletin xahar, hekk kif jiġi indikat meta jsir it-tiġdid."

### Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa sabiex jagħmel ċertu tibdil fil-liġi li bih il-Ministru jista' jiddelega s-setgħat tiegħu biex johroġ liċenzi lil uffiċjali pubbliċi awtorizzati minnu. L-Abbozz jipprovi wkoll għall-possibilità ta' l-ghoti ta' liċenza provviżorja lil bastimenti ma' l-ewwel reġistrazzjoni tagħhom taht Bandiera Maltija, f'ċerti ċirkostanzi meta ma jkunx għadhom intemmu dawk il-formalitajiet kollha mehtieġa. L-Abbozz fl-aħħar jagħmel emendi oħrajn l-iktar ta' xorta amministrattiva.

**A BILL  
entitled**

*AN ACT to amend the Wireless Telegraphy Ordinance (Cap. 49)*

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 Wireless Telegraphy (Amendment) Act, 1990, and shall be read and construed as one with the Wireless Telegraphy Ordinance (Cap. 49), hereinafter referred to as “the principal law”.

Short title  
and  
commencement.

(2) Sections 3 and 5 of this Act shall be deemed to have come into force on the 14th December, 1989.

2. (1) Immediately after the definition of “Malta” in section 2 of the principal law, there shall be added the following new definition:

Amendment  
of section 2  
of the  
principal law  
and  
consequential  
general  
amendment.

““Minister” means the minister responsible for wireless telegraphy and except for the power to make regulations granted to the Minister by this Ordinance, includes any public officer acting under his authority;”.

(2) In the principal Act, for the words “Minister responsible for wireless telegraphy” wherever they occur, there shall be substituted the word “Minister”.

3. Immediately at the end of subsection (1) of section 3 of the principal law there shall be added the following proviso:

Amendment of  
section 3  
of the  
principal law.

“Provided that no licence shall be required for sound only broadcast receivers.”.

Amendment of section 6 of the principal law.

4. For the words a fine of "twenty-five cents" in the proviso to section 6 of the principal law, there shall be substituted the words "a penalty of ten Maltese liri", and for the word "Fine" in the marginal note thereto, there shall be substituted the word "Penalty".

Substitution of section 11 of the principal law.

5. For section 11 of the principal law there shall be substituted the following:

"Licence to be issued by the Minister.

11. (1) The licence to keep and use a wireless telegraphy installation required by this Part of this Ordinance may be issued by the Minister to the owner of a ship or his agent applying for the same as soon as the Minister shall have received from the surveyor or inspector the certificate aforesaid:

Provided that the Minister may, notwithstanding the provisions of this subsection, issue a provisional licence for a period of not more than six months, on the first registration of a vessel under the Maltese flag, in such circumstances and under such conditions as he may deem appropriate.

(2) A licence shall be valid for the period, not being more than a period of thirty-six calendar months as may be stated in the licence and may be renewed for successive periods each not being of more than thirty-six months, as may be stated on renewal."

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### Objects and Reasons

The purpose of the Bill is to make certain changes in the law whereby the Minister may delegate his powers to grant licences to public officers authorised by him. The Bill also provides for the possibility of the grant of a provisional licence to vessels on their first registration under the Maltese flag, in certain circumstances when not all the formalities otherwise required have been completed. The Bill finally makes other amendments mostly of an administrative nature.