

Nru. 148

24. 7. 90

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Guido de Marco, M.P., Viċi Prim Ministru u Ministru ta' l-Affarijiet Barranin u Ġustizzja, u moqri għall-Ewwel darba fis-Seduta ta' l-20 ta' Lulju, 1990.

A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister of Foreign Affairs and Justice, and read the First time at the Sitting of the 20th July, 1990.

ATT biex jemenda l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutorji.

AN ACT to amend the Statute Law Revision Act, 1990.

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jemenda l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutorji.

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-1990 li jemenda l-Att dwar ir-Revizjoni tal-Ligijiet Statutorji, u għandu jinqara u jiftiehem haġa wahda ma' l-Att ta' l-1980 dwar ir-Revizjoni tal-Ligijiet Statutorji, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu
fil-qosor.

Att Nru. IX
ta' l-1980.

2. L-artikolu 6 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta'
l-artikolu 6
ta' l-Att
prinċipali.

(a) is-subartikolu (2) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (3); u

(b) minnufih wara s-subartikolu (1) tiegħu għandu jidhol dan is-subartikolu ġdid li ġej:

“(2) Mingħajr preġudizzju għall-generalità tad-dispożizzjonijiet ta' qabel ta' dan l-artikolu l-Kummissjoni tista' —

(a) iżżid ma' edizzjoni riveduta iktar partijiet li jkun fihom il-ligijiet fis-seħh f'data jew f'dati li jiġu wara d-data msemmija fl-edizzjoni riveduta, jew f'parti ohra tagħha, kif ikunu fis-seħh f'dik id-data jew dati li huma msemmija fil-parti l-ohra jew partijiet ohrajn, u kull parti ohra bħal dik għandha titqies bħala parti li tkun tagħmel haġa wahda ma' l-edizzjoni riveduta;

(b) iżżomm il-liġijiet li jinsabu f'xi parti ta' edizzjoni riveduta aġġornati sa data jew dati indikati mill-Kummissjoni, u għal dak il-għan il-Kummissjoni tista' tippubblika edizzjoni riveduta jew parti minnha f'għamla mhux illegata u iżżommha aġġornata f'dak il-mod u skond dawk il-kondizzjonijiet li l-Kummissjoni tista' tqis li jkunu xierqa;

u d-dispożizzjonijiet ta' dan l-Att, magħdud in b'mod partikolari, iżda minghajr preġudizzju għall-ġeneralità tal-frażi, l-artikolu 4 u l-artikolu 8 ta' dan l-Att, għandhom japplikaw għal kull parti oħra, u għal kull edizzjoni riveduta jew parti minnha pubblikata f'għamla mhux illegata, kif japplikaw għal kull edizzjoni riveduta oħra jew parti minnha.”.

Emenda ta' l-artikolu 7 ta' l-Att prinċipali.

3. Fl-artikolu 7 ta' l-Att prinċipali, minnufih wara s-subartikolu (2) tiegħu, għandhom jiżdiedu dawn is-subartikoli ġodda li ġejjin:

“(3) Meta l-Kummissjoni tintebaħ li xi parti ta' edizzjoni riveduta pubblikata minnha, sew jekk dik il-parti tkun jew ma tkunx dahlet fis-seħh, ikun fiha żball jew ommissjoni, magħdud in żball jew ommissjoni li messhom ġew rettifikati f'edizzjoni riveduta, il-Kummissjoni tista' tippubblika, u tara li tiġi sigillata u firmata kif provdut fl-artikolu 9 ta' dan l-Att, korrezzjoni f'dik l-għamla li tista' tqis li tkun xierqa; u, b'seħh minn dik id-data li l-Ministru jista' b'avviż fil-Gazzetta jstabbilixxi, li tkun data mhux iktar kmieni mid-dhul fis-seħh ta' dik il-parti ta' l-edizzjoni riveduta li għaliha tirreferi l-korrezzjoni, dik il-parti msemmija ta' l-edizzjoni riveduta għandha, minkejja kull dispożizzjoni oħra ta' dan l-Att, ikollha seħh kif sugġetta għal dik il-korrezzjoni.

(4) Meta liġi li tkun tinsab f'xi parti ta' edizzjoni riveduta tiġi emendata b'seħh minn data li tiġi wara l-pubblikazzjoni ta' dik il-parti ta' l-edizzjoni iżda qabel id-dhul fis-seħh tagħha, u l-Kummissjoni tirrakkomanda lill-Ministru li jsiru tibdiliet fil-liġi ta' emenda sabiex din l-emenda tkun tista' tinqara u tiftiehem b'mod iktar xieraq b'haħa waħda mal-liġi prinċipali li tkun qegħda tiġi emendata minnha u li tkun tinsab fl-edizzjoni riveduta, il-Ministru jista' b'ordni fil-Gazzetta jagħmel dawk it-tibdiliet li jiġu hekk rakkomandati lilu; u wara li jsir dan, jew minn dik id-data li l-Ministru jista' jstabbilixxi fl-ordni, il-liġi emendata għandu jkollha seħh kif tkun ġiet emendata.”.

Għanijiet u Raġunijiet

L-għan ewlieni ta' l-Abbozz huwa sabiex jawtorizza lill-Kummissjoni taġġorna edizzjoni riveduta billi żżid magħha leġislazzjoni mghoddija wara d-data ta' dik l-edizzjoni u billi tippubblika wkoll edizzjoni ġdida f'għamla mhux illegata u iżżomm dik l-edizzjoni aġġornata.

L-Abbozz jaghti wkoll setgħa lill-Kummissjoni li tikkorreġi żbalji jew omissjonijiet li jinsabu f'edizzjoni riveduta; u tagħti setgħa lill-Ministru, fuq rakkomandazzjoni tal-Kummissjoni, li jiżgura ruħu li leġislazzjoni li tkun temenda liġijiet li jinsabu f'edizzjoni riveduta li tkun għadha ma gietx fis-seħħ, tista' tinqara b'mod xieraq bħala haġa waħda ma' l-edizzjoni riveduta meta l-edizzjoni tidhol fis-seħħ; bħal per eżempju, meta kien hemm enumerazzjoni ġdida fil-liġi prinċipali li tkun tinsab f'edizzjoni riveduta iżda billi tkun għadha ma dahlitx fis-seħħ, il-liġi li temenda tkun tirreferi għaliha billi tuża l-enumerazzjoni qadima.

A BILL

entitled

AN ACT to amend the Statute Law Revision Act, 1980.

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.

Act IX of 1980.

Amendment of section 6 of the principal Act.

1. This Act may be cited as the Statute Law Revision (Amendment) Act, 1990, and shall be read and construed as one with the Statute Law Revision Act, 1980, hereinafter referred to as “the principal Act”.

2. Section 6 of the principal Act shall be amended as follows:

(a) subsection (2) thereof shall be renumbered subsection (3); and

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

“(2) Without prejudice to the generality of the foregoing provisions of this section the Commission may —

(a) add to any revised edition further parts containing the laws in force on a date or dates subsequent to that indicated in the revised edition, or in a further part thereof, as in force on such date or dates as are indicated in the further part or parts, and any such further part shall be deemed to be an integral part of the revised edition;

(b) keep the laws contained in any part of a revised edition up-dated to a date or dates indicated by the Commission, and for such purpose the Commission may publish a revised edition or any part thereof in a loose leaf form and keep it up-dated in such manner and under such conditions as the Commission may deem appropriate;

and the provisions of this Act, including in particular, but without prejudice to the generality of the expression, section 4 and section 8 of this Act, shall apply to any further part, and to any revised edition or part thereof published in a loose-leaf form, as they apply to any other revised edition or part thereof.”.

3. In section 7 of the principal Act, immediately after subsection (2) thereof, there shall be added the following new subsections:

Amendment of section 7 of the principal Act.

“(3) Where the Commission finds, that any part of a revised edition published by it, whether such part has or has not come into force, contains an error or an omission, including an error or an omission which should have been rectified in a revised edition, it may publish, and cause to be sealed and signed as provided in section 9 in this Act, a correction in such form as it may deem appropriate; and with effect from such date as the Minister may by notice in the Gazette appoint, being a date not earlier than the coming into force of the part of the revised edition to which the correction refers, the said part of the revised edition shall, notwithstanding any other provision of this Act, have effect subject to such correction.

(4) Where an enactment contained in a part of a revised edition is amended with effect from a date subsequent to the publication but before the coming into force of that part of the edition, and the Commission recommends to the Minister alterations in the amending enactment in order that the latter may be read and construed more appropriately as one with the principal enactment amended by it as contained in the revised edition, the Minister may by order in the Gazette make the alterations so recommended; and thereupon, or as from such date as the Minister may in the notice specify, the amended enactment shall have effect as so amended.”.

Objects and Reasons

The main object of the Bill is to authorise the Commission to up-date a revised edition by adding to it legislation passed subsequent to its date and also by publishing a fresh edition in a loose-leaf form and keeping such edition up-dated.

The Bill also enables the Commission to correct errors or omissions contained in a revised edition; and empowers the Minister, on the recommendation of the Commission, to ensure that legislation amending laws contained in a revised edition not yet in force may be read appropriately in conjunction with the revised edition when the latter comes into force; e.g. where there has been a re-numbering in the principal law contained in a revised edition but as it has not yet come into force, the amending law refers to it using the old numbering.