

Nru. 250

12. 10. 90

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Eddie Fenech Adami, M.P., Prim Ministru, u moqri għall-Ewwel darba fis-Seduta tat-8 ta' Ottubru, 1990.

ATT biex jemenda l-Att ta' l-1975 dwar l-Interpretazzjoni.

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Eddie Fenech Adami, M.P., Prime Minister, and read the First time at the Sitting of the 8th October, 1990.

AN ACT to amend the Interpretation Act, 1975.

P. MUSCAT TERRIBILE
Clerk to the House of Representatives



ABBOZZ TA' LIĠI
msejjah

ATT biex jemenda l-Att ta' l-1975 dwar l-Interpretazzjoni.

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 l-Interpretazzjoni, u għandu jinqara u jftiehem haġa waħda ma' l-Att ta' l-1975 dwar l-Interpretazzjoni, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor.

Att Nru. VII
ta' l-1975.

2. Minflok il-paragrafu (ċ) ta' l-artikolu 6 ta' l-Att prinċipali, għandu jidhol dan li ġej:

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

(ċ) meta xi Att bħal dak jagħti setgħa lil detentur ta' kariga, u dik is-setgħa tkun dwar xi xogħol tal-Gvern, jew hija eżerċitabbli bħala parti mix-xogħol ta' dipartiment tal-Gvern li r-responsabbiltà għalih tkun ġiet assenjata lil Ministru skond il-Kostituzzjoni, dik is-setgħa għandha tkun eżerċitabbli mid-detentur ta' dik il-kariga, u hlief safejn id-detentur ta' dik il-kariga jkun espressament dikjarat b'xi liġi li ma jkunx sugġett għad-direzzjoni ta' jew kontroll minn xi persuna jew awtorità oħra, il-Ministru responsabbli għal dak ix-xogħol jew dipartiment tal-Gvern ikollu s-setgħa, ukoll jekk imfissra li hija eżerċitabbli fid-diskrezzjoni (sew assoluta jew xort'oħra) tad-detentur ta' dik il-kariga, li jagħti dik id-direzzjoni bil-miktub dwar l-eżerċizzju ta' dik is-setgħa (maghduda direzzjoni li tkun tordna t-tneħhija ta' deċiżjoni) hekk kif dak il-Ministru jista' jidhirlu xieraq:".

Dispożizzjoni
transitorja.

3. Id-dispożizzjonijiet ta' dan l-Att ma ghandhomx iħassru l-eżerċizzju ta' kull setgħa qabel id-dhul fis-seħħ ta' dan l-Att, meta dak l-eżerċizzju kien validu skond il-liġi.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa li, bla ħsara għar-responsabbiltà fuq kollox tal-Ministru li jkun responsabbli għal dipartiment, tingħata lill-kap ta' dipartiment li lili tingħata setgħa skond xi liġi responsabbiltà u kontabbiltà ikbar dwar l-eżerċizzju ta' dik is-setgħa.

**A BILL
entitled**

AN ACT to amend the Interpretation Act, 1975.

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 Interpretation (Amendment) Act, 1990, and shall be read and construed as one with the Interpretation Act, 1975 hereinafter referred to as "the principal Act". Short title.
Act VII of 1975.

2. For paragraph (c) of section 6 of the principal Act, there shall be substituted the following: Amendment of
section 6
of the
principal Act.

“(c) where such Act confers a power on the holder of an office, and such power relates to any business of the Government, or is exercisable as part of the functions of a department of Government for which responsibility has been assigned to a Minister under the Constitution, such power shall be exercisable by the holder of that office, and except to the extent that the holder of that office is expressly declared by any law not to be subject to the direction or control of any other person or authority, the Minister responsible for that business or department of the Government shall have power, even where such power is expressed to be exercisable in the discretion (whether absolute or otherwise) of the holder of that office, to give such direction in writing relative to the exercise of that power (including a direction ordering the reversal of a decision) as such Minister may deem fit.”.

Transitory provisions.

3. The provisions of this Act shall not render invalid the exercise of any power before the coming into force of this Act, where such exercise was valid in accordance with the law.

Objects and Reasons

The Object of the Bill is, subject to an overriding responsibility of the Minister responsible for a department, to give to the head of department on whom a power is conferred under any law a greater responsibility and accountability in relation to the exercise of such power.