

MALTA

ATT Nru. XX ta' l-1983

ACT No. XX of 1983

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

AN ACT enacted by the Parliament of Malta.

ATT biex jipprovdi għax-xoljiment tal-Bank ta' Tifdii tal-Gvern ta' Malta u biex jirregola hwejjeġ li għandhom x'jaqsmu ma' dan ix-xoljiment.

AN ACT to make provision for the winding up of the Malta Government Savings Bank and to regulate matters connected therewith.

Nagħti l-kunsens tiegħi.

(L.S.)

AGATHA BARBARA
President

22 ta' Dicembru, 1983

ATT Nru. XX ta' 1-1983

ATT biex jipprovdi għax-xoljiment tal-Bank ta' Tifdil tal-Gvern ta' Malta u biex jirregola hwejjeġ li għandhom x'jaqsmu ma' dan ix-xoljiment.

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

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' 1-1983 dwar ix-Xoljiment tal-Bank ta' Tifdil tal-Gvern ta' Malta.

Tifsir.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġ xort' oħra —

“Bank Kummerċjali” tfisser jew il-Bank of Valletta Limited, jew il-Mid-Med Bank Limited;

“Bank ta' Tifdil” tfisser il-Bank ta' Tifdil tal-Gvern ta' Malta kostitwit u mwaqqaf taħt l-artikolu 3 ta' l-Ordinanza.

“depożitu” tinkludi depożitu ta' tifdil jew depożitu fiss, inkluż kull imgħax akkumulat;

“Ministru” tfisser il-Ministru responsabbli għall-finanzi;

“sena finanzjarja” tfisser il-perijodu ta' tnax-il xahar li jagħlaq fil-wieħed u tletin ta' Dicembru ta' kull sena;

Ord. XXV ta' 1-1961

“Ordinanza” tfisser l-Ordinanza ta' 1-1961 dwar il-Bank ta' Tifdil tal-Gvern ta' Malta;

Xogħol tal-Bank ta' Tifdil.

3. Minkejja kull haġa li tinsab fl-Ordinanza, il-Bank ta' Tifdil ma jaċċettax aktar depożiti mill-1 ta' Jannar, 1984.

Trasferiment ta' depożiti.

4. Mill-1 ta' Jannar, 1984 l-*Accountant General* ikun jista' jittrasferixxi kull depożitu mal-Bank ta' Tifdil għal kull Bank Kummerċjali:

Iżda d-depożitanti mal-Bank ta' Tifdil jistgħu, mhux aktar tard mit-30 ta' Ġunju, 1984, jagħtu struzzjonijiet ta' disponiment lill-*Accountant General* għat-trasferiment tal-kontijiet tagħhom għal Bank Kummerċjali li jagħzlu huma, f'liema każ it-trasferiment għandu jsir skond dawk l-istruzzjonijiet.

5. Bla ħsara għad-dispożizzjonijiet ta' l-artikolu 6 ta' dan l-Att kull depożitu trasferit mill-Bank ta' Tifdil għal Bank Kummerċjali għandu ma' dak it-trasferiment jibqa' sugġett għal kull ordni ta' Qorti jew għal kull kondizzjonijiet jew restrizzjonijiet oħra li dak id-depożitu jkun sugġett għalihom fil-ħin tat-trasferiment.

Depożiti sugġetti għal restrizzjonijiet.

6. Mat-trasferiment ta' kull depożitu għal Bank Kummerċjali kif provdut fl-artikoli ta' qabel ta' dan l-Att, l-artikolu 7 ta' l-Ordinanza ma jkomplix japplika għal kull depożitu hekk trasferit.

Il-garanzija ma tkomplix tapplika.

7. Wara t-trasferiment ta' depożiti skond l-istruzzjonijiet għal disponiment riċevuti mill-*Accountant General* u b'mod ieħor kif provdut fl-artikolu 4 ta' dan l-Att, kull depożiti li jifdal għandhom jibqgħu fdati f'idejn l-*Accountant General* u għandhom jgħaddu f'fond speċjali mwaqqaf taħt l-artikolu 8 ta' dan l-Att.

Waqfien ta' zbanek.

8. (1) Għandu jitwaqqaf fond speċjali, li jkun magħruf bħala l-Fond għal Depożiti li Jifdal fil-Bank ta' Tifdil tal-Gvern ta' Malta, li fih jiġi trasferit l-ammont tad-depożiti kollha li jifdal kif imsemmi fl-artikolu 7 ta' dan l-Att.

Twaqqif ta' fond speċjali.

(2) Dak il-fond għandu jiġi amministrat mill-*Accountant General*.

(3) L-attiv tal-fond jista' jiġi nvestit kif l-*Accountant General*, bl-approvazzjoni tal-Ministru, jista' jstabbilixxi minn żmien għal żmien, u r-rikavat minn dawk l-investimenti jgħaddi għall-kreditu tal-fond.

(4) Kull depożiti trasferiti fil-fond għandhom jibqgħu jaqilgħu l-imgħax bir-rata fil-mija fis-sena li minn żmien għal żmien tiffallas għall-depożiti simili f'banek kummerċjali.

(5) Minn dak il-fond għandhom jithallsu kull depożiti li l-izbank tagħhom jiġi mitlub mis-sid legittimu kif ukoll kull imgħax li jkun akkumula fuq kull depożitu bħala dak.

(6) Kull ammont li jeċċedi t-total tad-depożiti u l-imgħaxijiet akkumulati fuqhom għandu fl-aħħar tas-sena finanzjarja jgħaddi għall-kreditu tal-Fond Konsolidat.

9. Minkejja kull haġa li tinsab fl-Ordinanza kull attiv *surplus* li jibqa' wara li l-*Accountant General* ikun ittrasferixxa għall-Banek Kummerċjali u għall-fond speċjali attiv tal-Bank ta' Tifdil f'ammont li jkunu daqs id-depożiti trasferiti għal kull wieħed minn dawk il-banek u għall-fond, u wara li jkun tħallas il-passiv kollu għandu f'data li tiġi stabbilita mill-Ministru, jgħaddih għall-kreditu tal-Fond Konsolidat;

Disponiment ta' attiv.

Iżda l-parti ta' dak is-*surplus* li tikkonsisti f'investimenti jista' jsir minnha kif jordna l-Ministru, u r-rikavat li jkun hemm għandu jgħaddi għall-Fond Konsolidat.

Kontijiet finali.

10. Jekk id-data stabbilita mill-Ministru kif provdut fl-artikolu 9 ta' dan l-Att ma tkunx l-istess data stabbilita fl-artikolu 11 ta' l-Ordinanza, il-prospetti meħtieġa b'dak l-artikolu ta' l-Ordinanza għandhom jintbagħtu mill-*Accountant General* lid-Direttur tal-Verifika kemm jista' jkun malajr u mhux aktar tard minn tliet xhur mid-data stabbilita mill-Ministru kif intqal qabel.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 150 ta' l-20 ta' Diċembru, 1983.

DANIEL MICALLEF

Speaker

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

AGATHA BARBARA
President

22nd December, 1983

ACT No. XX of 1983

AN ACT to make provision for the winding up of the Malta Government Savings Bank and to regulate matters connected therewith.

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 Malta Government Savings Bank (Winding up) Act, 1983. Short title.

2. In this Act, unless the context otherwise requires — Interpretation.
 - “Commercial Bank” means either the Bank of Valletta Limited, or the Mid-Med Bank Limited;
 - “deposit” includes a savings or a fixed deposit, including any interest accrued;
 - “financial year” means the period of twelve months ending on the thirty-first day of December in any year;
 - “Minister” means the Minister responsible for finance;
 - “Ordinance” means the Malta Government Savings Bank Ordinance, 1961; Ord. XXV of 1961
 - “Savings Bank” means the Malta Government Savings Bank constituted and established under section 3 of the Ordinance.

3. Notwithstanding anything contained in the Ordinance, the Savings Bank shall not accept any further deposits as from the 1st January, 1984. Savings Bank business.

4. As from the 1st January, 1984 it shall be lawful for the Accountant General to transfer any deposit with the Savings Bank to any Commercial Bank. Transfer of deposits.

Provided that depositors with the Government Savings Bank may, not later than the 30th June, 1984, give disposal instructions to the Accountant General for the transfer of their accounts to any Commercial Bank of their choice, in which case the transfer shall be effected according to such instructions.

Deposits subject to restrictions.

5. Saving the provisions of section 6 of this Act any deposit transferred by the Savings Bank to a Commercial Bank shall upon such transfer remain subject to any Court order or any other conditions or restrictions to which that deposit was subject at the time of the transfer.

Cessor of security.

6. Upon the transfer of any deposit to a Commercial Bank as is provided in the preceding sections of this Act, section 7 of the Ordinance shall cease to apply to any deposit so transferred.

Termination of withdrawals.

7. After the transfer of deposits in accordance with disposal instructions received by the Accountant General and as otherwise provided in section 4 of this Act, any residual deposits shall remain in trust with the Accountant General and shall be passed to the special fund set up under section 8 of this Act.

Constitution of special fund.

8. (1) There shall be constituted a special fund, to be known as the Government Savings Bank (Residual Deposits) Fund, to which shall be transferred the amount of all residual deposits referred to in section 7 of this Act.

(2) Such fund shall be administered by the Accountant General.

(3) The assets of the fund may be invested as the Accountant General, with the approval of the Minister may from time to time determine, and the proceeds from such investments shall go to the credit of the fund.

(4) Any deposits transferred to the fund shall continue to bear interest at the rate per centum per annum payable from time to time for similar deposits in commercial banks.

(5) Out of such fund there shall be paid any deposits the withdrawal of which is requested by the rightful owner as also the interest accruing in respect of such deposit.

(6) Any amounts in excess of the total deposits and interests accruing thereon shall at the end of the financial year be passed to the credit of the Consolidated Fund.

Disposal of assets.

9. Notwithstanding anything contained in the Ordinance any surplus assets remaining after the Accountant General has transferred to the Commercial Banks and to the special fund assets of the Savings Bank in an amount equivalent to the deposits transferred to each of such banks and fund, and after all liabilities have been settled, shall on a date to be determined by the Minister, be passed to the credit of the Consolidated Fund:

Provided that the part of such surplus consisting in investments may be disposed of as the Minister may direct, and the resulting proceeds shall be passed to the credit of the Consolidated Fund.

10. If the date determined by the Minister as provided in section 9 of this Act does not coincide with the date laid down in section 11 of the Ordinance, the statements required by that section of the Ordinance shall be forwarded by the Accountant General to the Director of Audit as soon as possible and not later than three months from the date determined by the Minister as aforesaid. Final accounts.

Passed by the House of Representatives at Sitting No. 150 of the 20th December, 1983.

C. MIFSUD

Clerk to the House of Representatives

DANIEL MICALLEF
Speaker