

MALTA

ATT Nru. XXIII ta' l-1986

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

ATT biex ikompli jemenda l-Att ta' l-1976 dwar Relazzjonijiet Industrjali.

ACT No. XXIII of 1986

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Industrial Relations Act, 1976.

Nagħti l-kunsens tiegħi.

(L.S.)

AGATHA BARBARA
President

24 ta' Gunju, 1986

ATT Nru. XXIII ta' l-1986*ATT biex ikompli jemenda l-Att ta' l-1976 dwar Relazzjonijiet Industrijali.*

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

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1986 li jemenda l-Att ta' l-1976 dwar Relazzjonijiet Industrijali, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1976 dwar Relazzjonijiet Industrijali, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.
u bidu fis-sehh.

2. Minnufih wara s-subartikolu (2) ta' l-artikolu 28 ta' l-Att prinċipali għandu jiżdied is-subartikolu ġdid li ġej:

Emenda ta'
l-artikolu 28 ta'
l-Att prinċipali.

“(3) Fil-każijiet fejn jiġi allegat li saret tkeċċija ngusta, kull avviż jew talba li hemm riferenza għalihom fis-subartikolu ta' qabel dan għandhom isiru lill-Ministru mhux iktar tard minn erba' xhur mid-data effettiva tat-tkeċċija.”.

3. Minnufih wara l-artikolu 31 ta' l-Att prinċipali għandu jiżdied l-artikolu ġdid li ġej:

Zieda ta'
artikolu ġdid
31A ma' l-Att
prinċipali.

“Drittijiet. 31A. (1) Il-Ministru jista' jagħmel regolamenti li jkunu jiffissaw id-drittijiet li għandhom jithallsu lil xi persuna li tkun qed tidher għall-partijiet waqt proċeduri quddiem it-Tribunal.

(2) It-Tribunal għandu fis-sentenza jew fid-deċiżjoni tiegħu jintaxxa d-drittijiet tal-persuna jew persuni illi jkunu qegħdin jidhru għal xi waħda mill-partijiet skond Tariffa li tkun saret taħt il-provvedimenti tas-subartikolu ta' qabel dan.

(3) Hadd ma jista' jitlob il-ħlas ta' drittijiet li jkunu iktar minn dawk li jiġu ntaxxati mit-Tribunal jew, fejn ma jkunx hemm taxxa simili, iktar mit-tariffa.

(4) Jekk xi parti tintalab thallas iktar milli hu indikat f'dan l-artikolu, dan jista' jitlob lura kull hlas żejjed li jkun sar permezz ta' ittra lit-Tribunal, u dan imbagħad iġħaddi biex jordna 'l min ikun irċieva l-hlas żejjed biex jirrifondi dan il-hlas lill-parti.

(5) Meta t-Tribunal jaqtagħha li l-hlas żejjed mitlub kien eċċessiv, dan jista' jordna lil min ikun irċieva dak il-hlas żejjed li jħallas penali ta' mhux iżjed minn elf lira Maltija lis-Segretarju, li meta jirċievi din il-penali għandu jgħaddiha lill-Fond Konsolidat.

(6) Kull ordni li tingħata għar-rifużjoni ta' hlas skond il-provvedimenti tas-subartikolu (4) ta' dan l-artikolu u kull ordni għall-hlas ta' penali skond il-provvedimenti tas-subartikolu (5) ta' dan l-artikolu, huwa titolu eżekuttiv għall-finijiet u effetti tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili u jkun eżegwibbli bħala tali mill-Prim'Awla tal-Qorti Ċivili bl-istess mod u bl-istess mezzi provduti f'dak il-Kodiċi.

Dispożizzjoni
transitorja.

4. Il-perijodu ta' erba' xhur indikat fl-artikolu 2 ta' dan l-Att għandu għar-rigward ta' xi tkeċċija li saret effettiva qabel ma beda jseħħ dan l-Att, jibda għaddej mill-jum minn meta jidhol fis-seħħ dan l-Att.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 357 tat-18 ta' Ġunju, 1986.

JOHN BUTTIGIEG
Agent Speaker

P. MUSCAT TERRIBILE
*Agent Skrivani tal-Kamra
tad-Deputati*

I assent.

(L.S.)

AGATHA BARBARA
President

24th June, 1986

ACT No. XXIII of 1986

AN ACT further to amend the Industrial Relations Act, 1976.

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 Industrial Relations (Amendment) Act, 1986, and shall be read and construed as one with the Industrial Relations Act, 1976, hereinafter referred to as "the principal Act". Short title and commencement.

2. Immediately after subsection (2) of section 28 of the principal Act there shall be added the following new subsection: Amendment of section 28 of the principal Act.

“(3) In cases of alleged unfair dismissal referred to in this section, any notification or request mentioned in the last preceding subsection shall be made to the Minister not later than four months from the effective date of the dismissal.”.

3. Immediately after section 31 of the principal Act there shall be added the following new section: Addition of new section 31A to the principal Act.

“Fees. 31A. (1) The Minister may by regulations prescribe the fees payable to any person representing the parties in proceedings before the Tribunal.

(2) The Tribunal shall in its award or decision tax the fees of the person or persons representing either party in accordance with the Tariff made under the preceding subsection.

(3) No person shall charge fees in excess of those taxed by the Tribunal or in the absence of such taxation, in excess of the tariff.

(4) Any party who is charged fees in excess of this section may claim back the excess by a written request to the Tribunal, which shall thereupon order the person to whom the excess was paid to refund it to that party.

(5) If the Tribunal finds that there was gross overcharging it may order the person so overcharging to pay a penalty not exceeding one thousand Maltese liri to the Secretary, who shall upon receiving that penalty transmit it to the Consolidated Fund.

(6) An order for reimbursement made in terms of subsection (4) of this section and an order to pay a penalty made in terms of subsection (5) of this section, shall be an executive title for all intents and purposes of the Code of Organization and Civil Procedure and shall be enforceable as such by the Civil Court, First Hall in the same manner and by the same means laid down in that Code.

Transitory provision.

4. The period of four months laid down in section 2 of this Act shall in respect of any dismissal that become effective before the coming into force of this Act, commence to run from the day of the coming into force of this Act.

Passed by the House of Representatives at Sitting No. 357 of the 18th June, 1986.

JOHN BUTTIGIEG
Acting Speaker

P. MUSCAT TERRIBILE
Acting Clerk to the House of Representatives