

Nru. 69

23. 5. 78

MALTA**KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Liġi mressaq mill-Onorevoli Agatha Barbara, M.P., Ministru tax-Xogħol, Għajnuna Soċjali u Kultura u moqri għall-Ewwel darba fis-Seduta tat-22 ta' Mejju, 1978.

A **BILL** introduced by the Honourable Agatha Barbara, M.P., Minister of Labour, Welfare and Culture and read the First time at the Sitting of the 22nd May, 1978.

ATT biex ikompli jemenda l-Att ta' 1-1955 dwar is-Servizz ta' l-Impiegi.

AN ACT further to amend the Employment Service Act, 1955.

C. MIFSUD
Skrivan tal-Kamra tad-Deputati

C. MIFSUD
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Att ta' l-1955 dwar is-Servizz ta' l-Impiegi.

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:—

Titolu
fil-qosor.

1. Dan l-Att jista' jissejjah l-Att ta' l-1978 li jemenda l-Att dwar is-Servizz ta' l-Impiegi, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1955 dwar is-Servizz ta' l-Impiegi, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Emenda ta'
l-artikolu 2
ta' l-Att
prinċipali.

2. Fl-artikolu 2 ta' l-Att prinċipali, minflok it-tifsira ta' "Ministru" għandha tidhol din li ġejja:

"“Ministru” tfisser il-Ministru responsabbli għax-xogħol u tinkludi, sal-limitu ta' l-awtorità mogħtija, kull persuna awtorizzata mill-imsemmi Ministru għal hekk għal xi għan ta' dan l-Att;"

Emenda ta'
l-artikolu 14A
ta' l-Att
prinċipali.

3. Minflok is-subartikolu (1) ta' l-artikolu 14A ta' l-Att prinċipali għandu jidhol dan li ġej:

"(1) Ebda persuna ma għandha —

(a) tmexxi xi aġenzija jew servizz ikun liema jkun li l-għanijiet u/jew ix-xogħol tiegħu jkun bħal jew jixbhu, għal kollox jew f'parti, daww imsemmija fl-artikolu 3 ta' dan l-Att, jew

(b) f'Malta ddaħħal xi ċittadin ta' Malta għal impieg barra minn Malta:

Izda l-Ministru jista', dwar id-dhul ta' ċittadin ta' Malta għal impieg li ma jkunx f'Malta, jeżenta bil-miktub lil kull persuna mid-disposizzjoni ta' dan l-artikolu, taħt dawk il-pattijiet u kondizzjonijiet li jidhirlu xierqa li jimponi.”.

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa li jemenda l-Att ta' l-1955 dwar is-Servizz ta' l-Impiegi, sabiex ikun jidher ċar li ebda persuna, sakemm ma tkunx giet eżentata mill-Ministru mid-disposizzjoni relattiva ta' l-imsemmi Att, ma tkun tista' f'Malta ddaħħal xi ċittadin ta' Malta biex jaħdem barra minn Malta.

Emenda oħra hi sabiex it-tifsira ta' "Ministru" tkun xorta kif imfissra f'ligijiet oħra.

Section 14A of the principal Act shall be substituted as follows:—

Section 14A

Section 14A of the principal Act shall be substituted as follows:—

A BILL
entitled

AN ACT further to amend the Employment Service Act, 1955.

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.

1. This Act may be cited as the Employment Service (Amendment) Act, 1978, and shall be read and construed as one with the Employment Service Act, 1955, hereinafter referred to as "the principal Act".

Amendment of section 2 of the principal Act.

2. In section 2 of the principal Act, for the definition of "Minister" there shall be substituted the following:

"Minister" means the Minister responsible for labour and includes, to the extent of the authority given, any person authorised by the said Minister in that behalf for any purpose of this Act;"

Amendment of section 14A of the principal Act.

3. For subsection (1) of section 14A of the principal Act there shall be substituted the following:

"(1) No person shall —

(a) conduct any agency or service whatsoever the purposes and/or functions of which are identical or similar, in whole or in part, to those referred to in section 3 of this Act, or

(b) recruit in Malta any citizen of Malta for employment outside Malta:

Provided that the Minister may, in respect of recruitment of citizens of Malta for employment otherwise than in Malta, exempt in writing any person from the provision of this section, under such terms and conditions as he may deem fit to impose.”

Objects and Reasons

The Object of this Bill is to amend the Employment Service Act, 1955, so as to make it clear that no person, unless exempted by the Minister from the relative provision of the said Act, may recruit in Malta any citizen of Malta for work outside Malta.

A further amendment is to bring the definition of “Minister” into line with the same definition in other laws.