



MALTA

ATT Nru. XL ta' I-1976

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

ATT biex jikkontrolla u jirregola t-tattoo' tal-ġilda.

ACT No. XL of 1976

AN ACT enacted by the Parliament of Malta.

AN ACT to control and regulate skin tattooing.



Naghti l-kunsens tiegħi.

A. Buttigieg

President

28 ta' Diċembru, 1976

ATT Nru. XL ta' l-1976

ATT biex jikkontrolla u jirregola t-'tattoo' tal-gilda.

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:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjah l-Att ta' l-1976 dwar il-Kontroll tat-'Tattoo'.

Tifsir.

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

“licenza” tfisser licenza maħruġa skond l-artikolu 6 ta' dan l-Att;

“licenza valida” tfisser licenza li tinħareġ b'mod validu u li tkun għadha fis-seħħ fiż-żmien rilevanti;

“Ministru” tfisser il-Ministru responsabbli għas-saħħa pubblika u tinkludi, sal-limitu ta' l-awtorità mogħtija, kull persuna awtorizzata mill-Ministru f'dak is-sens għal xi wiehed mill-ghani-jiet ta' dan l-Att;

“preskritt” tfisser preskritt b'regolamenti taħt dan l-Att;

“tattoo” tfisser id-dhul fil-gilda ta' xi materjal li jagħti kulur maħsub biex iħalli marka permanenti;

“żmien rilevanti”, għall-finijiet ta' l-artikoli 3 u 5 ta' dan l-Att, tfisser iż-żmien meta persuna jkollha fil-pussess jew taħt il-kontroll tagħha xi oġġetti hekk kif imsemmija f'dak l-artikolu.

Projbizzjoni ta' tattoo fuq minuri jew mingħajr licenza.

3. Ikun reat kontra dan l-Att li jsir tattoo fuq xi persuna li jkollha inqas minn tmintax-il sena jew li jsir tattoo fuq xi persuna oħra jekk mhux minn persuna li jkollha licenza valida.

4. Ikun reat kontra dan l-Att li xi persuna jkollha fil-pussess tagħha jew taħt il-kontroll tagħha xi strument, materjal li jagħti kulur jew xi oġġett ieħor użat għat-*tattoo*, kemm-il darba dik il-persuna ma jkollhiex liċenza valida.

Pussess ta' strumenti, eċċ. għat-*tattoo*.

5. (1) Ikun reat kontra dan l-Att li xi persuna li jkollha anqas minn tmintax-il sena titlob, tħalli, toqgħod għal jew tippermetti li jsirilha *tattoo* fuq xi parti ta' persunitha.

Ebda persuna ma jista' jsirilha *tattoo* hlief minn xi hadd li jkollu liċenza.

(2) Ikun reat kontra dan l-Att li xi persuna oħra titlob, tħalli, toqgħod għal jew tippermetti li jsirilha *tattoo* fuq xi parti ta' persunitha hlief meta t-*tattoo* jsir minn persuna li jkollha liċenza valida.

6. (1) Jekk il-Ministru jkun sodisfatt li persuna jkollha l-hila meħtieġa biex tagħmel it-*tattoo* mingħajr periklu għas-saħħa u x'aktarx tkun se tagħmel dak it-*tattoo* b'dak il-mod u taħt dawk il-kondizzjonijiet iġġeniċi li jkun jisthoqq il-hruġ ta' liċenza, il-Ministru jista' johroġ lil xi persuna bħal dik liċenza bil-miktub biex tagħmel it-*tattoo*.

Liċenza biex wiehed jagħmel *tattoo*.

(2) Kull liċenza tkun valida biss sal-31 ta' Diċembru tas-sena li fiha tkun giet maħruġa u tista' tiġġedded biss għal perijodu ieħor jew għal perijodi oħra ta' sena-il wiehed, u tiskadi u ttemm milli jkollha seħħ jew ma tiġġeddidx mill-Ministru kif intqal qabel.

(3) Kull liċenza tkun tista' tiġi sospiża jew irtirata mill-Ministru f'kull żmien u l-Ministru ma jkunx marbut li jagħti xi raġuni għall-egħmil tiegħu. Liċenza li tkun giet sospiża jew irtirata ttemm milli jkollha seħħ waqt li tkun sospiża jew wara li tiġi irtirata.

(4) Ebda liċenza ma tingħata jew tiġġedded kemm-il darba ma iithallasx lill-Ministru dritt ta' hames liri, jew dak id-dritt l-ieħor li l-Ministru jista' minn żmien għal żmien jippreskrivi, dwar l-għoti u dwar kull tiġdid tagħha.

7. (1) Kull uffiċjal pubbliku, awtorizzat mill-Ministru, ikollu s-setgħa li jidhol fi u jispezzjona kull post li fih ikun qed isir, jew ikun hemm suspett li qieghed isir, it-*tattoo*.

Setgħa ta' dħul u spezzjon.

(2) Kull persuna li tfixkel, jew ittellef lil xi uffiċjal pubbliku fil-qadi tad-dmirijiet tiegħu skond is-subartikolu (1) ta' dan l-artikolu tkun hatja ta' reat kontra dan l-Att.

8. Il-Ministru jista' jagħmel regolamenti biex jagħti aktar seħħ lil kull waħda mid-disposizzjonijiet ta' dan l-Att, u bla ħsara għall-ġeneralità ta' l-imsemmija setgħat, dawk ir-regolamenti jistgħu —

Regolamenti.

(a) jipprovdu għall-mod u l-kondizzjonijiet li bihom jew taħthom jista' jsir it-*tattoo*;

(b) jipprovdu għall-mod kif u l-kondizzjonijiet li taħthom kull strument, materjal li jagħti l-kulur jew oġġett ieħor użat għat-*tattoo* għandu jinżamm jew jintrefa';

(c) jipprovdu għal reati dwar kull haġa li jiġi provdut għaliha bir-regolamenti, u jistabbilixxu pjeni dwar dawk ir-reati li ma jkunux iktar minn multa ta' hames mitt lira, jew prigunerija għal żmien sitt xhur, jew dik il-multu u prigunerija flimkien;

(d) jippreskrivu kull haġa li tista' jew li hi meħtieġa li tiġi preskritta taħt dan l-Att.

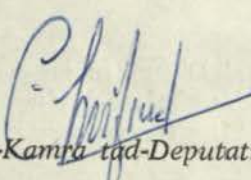
Reati.

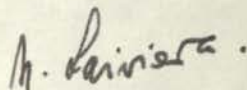
9. Kull persuna li taghmel reat kontra dan l-Att tehel —

(a) meta tinsab hatja l-ewwel darba multa ta' mhux inqas minn hamsin lira izda mhux izjed minn mitejn lira, jew prigunerija ghal mhux iktar minn tliet xhur, jew dik il-multa u prigunerija flimkien; u

(b) meta tinsab hatja t-tieni darba u wara, prigunerija ghal mhux inqas minn xahar izda mhux izjed minn sitt xhur u multa ta' mhux inqas minn mitt lira izda mhux iktar minn hames mitt lira.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 12 tas-27 ta' Dicembru, 1976.


Skrivan tal-Kamra tad-Deputati


Speaker



I assent.

A. Bultigren
President

28 December, 1976

ACT No. XL of 1976

AN ACT to control and regulate skin tattooing.

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 Control of Tattooing Act, 1976.
- Interpretation. 2. In this Act, unless the context otherwise requires —
- “licence” means a licence issued under section 6 of this Act;
- “Minister” means the Minister responsible for public health, and includes, to the extent of the authority given, any person authorised by the Minister in that behalf for any purpose of this Act;
- “prescribed” means prescribed by regulations under this Act;
- “relevant time”, for the purposes of sections 3 and 5 of this Act, means the time when the tattoo is performed, and, for the purposes of section 4 of this Act, means the time when a person has in his possession or control any of the things duly mentioned in that section;
- “tattoo” means the insertion into the skin of any colouring material designed to leave a permanent mark;
- “valid licence” means a licence which is validly issued and which is still in force at the relevant time.
- Prohibition of 3. It shall be an offence against this Act to tattoo any person
tattooing who is under eighteen years of age or to tattoo any other person
a minor or unless by a person who is in possession of a valid licence.
without a
licence.

4. It shall be an offence against this Act for any person to have in his possession or under his control any instrument, colouring material or other object used for the purpose of tattooing, unless such person is in possession of a valid licence.

Possession of tattooing instruments, etc.

5. (1) It shall be an offence against this Act for any person who is under eighteen years of age to request, allow, suffer or permit the tattooing of any part of his body.

No person may be tattooed except by licensed tattooist.

(2) It shall be an offence against this Act for any other person to request, allow, suffer or permit the tattooing of any part of his body except when the tattoo is performed by a person who is in possession of a valid licence.

6. (1) If the Minister is satisfied that a person has the necessary ability to perform tattooing without danger to health and is likely to perform tattooing in such manner and in such hygienic conditions as justify the issue of a licence, the Minister may issue to any such person a licence in writing to practise tattooing.

Licence to practise as tattooist.

(2) Every licence shall be valid only until the 31st December of the year in which it is issued and may only be renewed for a further period or further periods of one year each, and shall expire and cease to have effect unless it is renewed by the Minister as aforesaid.

(3) Every licence shall be subject to suspension or withdrawal by the Minister at any time and the Minister shall not be bound to give any reason for his action. A licence which has been suspended or withdrawn shall cease to have effect while it is suspended or after it has been withdrawn.

(4) No licence shall be granted or renewed unless a fee of five pounds, or of such other fee as the Minister may from time to time prescribe, in respect of the grant and of every renewal thereof, has been paid to the Minister.

7. (1) Any public officer, authorised by the Minister, shall have the power to enter and inspect any premises in which tattooing is performed or is suspected of being performed.

Power of entry and inspection.

(2) Any person who hinders, or obstructs, any public officer in the carrying out of his duties under subsection (1) of this section shall be guilty of an offence against this Act.

8. The Minister may make regulations to give fuller effect to any of the provisions of this Act, and without prejudice to the generality of the aforesaid powers, such regulations may —

Regulations.

(a) provide for the manner and conditions in which and under which tattooing may be performed;

(b) provide for the manner in which and the conditions under which any instrument, colouring material or other object used for the purpose of tattooing is to be kept or preserved;

(c) provide for offences in respect of any matter for which provision is made by the regulations, and establish punishments in respect of such offences not exceeding a fine (*multa*) of five

hundred pounds, or imprisonment for a term of six months, or to both such fine and imprisonment;

(d) prescribe anything that may be or is required to be prescribed under this Act.

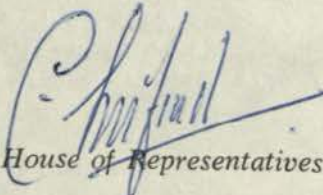
Offences.

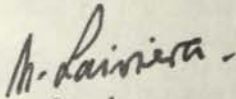
9. Any person committing an offence against this Act shall be liable —

(a) on a first conviction to a fine (*multa*) of not less than fifty pounds but not exceeding two hundred pounds, or to imprisonment for not more than three months, or to both such fine and imprisonment; and

(b) on a second or subsequent conviction, to imprisonment for not less than one month but not exceeding six months and to a fine (*multa*) of not less than one hundred pounds but not exceeding five hundred pounds.

Passed by the House of Representatives at Sitting No. 12 of the 27th December, 1976.


Clerk to the House of Representatives


Speaker