



MALTA

ATT Nru. XIII ta' l-1978

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

ATT biex jemenda l-Att ta' l-1972 dwar Hwejjeġ ta' l-Ikel, Mediċinali u Ilma tax-Xorb.

ACT No. XIII of 1978

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Food, Drugs and Drinking Water Act, 1972.



Nagħti l-kunsens tiegħi.

Anton Fenech
President

21 ta' April, 1978

ATT Nru. XIII ta' l-1978

ATT biex jemenda l-Att ta' l-1972 dwar Hwejjeġ ta' l-Ikel, Mediċinali u Ilma tax-Xorb.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa 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' l-1978 li jemenda l-Att dwar Hwejjeġ ta' l-Ikel, Mediċinali u Ilma tax-Xorb, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1972 dwar Hwejjeġ ta' l-Ikel, Mediċinali u Ilma tax-Xorb, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

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

2. L-artikolu 2 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok it-tifsira ta' "Kunsill tas-Saħħa" għandu jidhol dan li ġej:

" "Kunsill tas-Saħħa" tfisser il-Kunsill tas-Saħħa mwaqqaf taħt l-Ordinanza dwar il-Kostituzzjoni tad-Dipartiment tas-Saħħa jew xi liġi oħra li tissostitwiha; ", u

(b) minnufih wara t-tifsira ta' "Awtorità Sanitarja" għandha tidhol it-tifsira ġdida li ġejja:

" "tbiegħ" tinkludi toffri, turi, tirreklama jew iżzomm għall-bejgħ, u taġti bhala kumpens jew xort'oħra; ".

Emenda ta' l-artikolu 9 ta' l-Att prinċipali.

3. Fil-paragrafu (a) tas-subartikolu (4) ta' l-artikolu 9 ta' l-Att prinċipali, minflok il-kliem "43 fil-mija" għandhom jidhlu l-kliem "40 fil-mija".

4. L-artikolu 26 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta'
l-artikolu 26 ta'
l-Att prinċipali.

(a) is-subartikoli (1) u (2) tiegħu għandhom jiġu numerati mill-ġdid rispettivament b'hal subartikoli (2) u (3), u

(b) minnufih qabel is-subartikolu (2) tiegħu għandu jidhrol is-subartikolu ġdid li ġej:

“(1) Ebda persuna ma għandha mingħajr il-permess tat-Tabib Veterinarju tal-Gvern toqtol xi annimal, li laħmu jkun maħsub għall-bejgħ għall-konsum mill-bniedem, ħlief f'biċċerija.”.

5. L-artikolu 34 ta' l-Att prinċipali għandu jiġi emendat biż- Emenda ta'
l-artikolu 34 ta'
l-Att prinċipali.

zieda tal-provisos li ġejjin fit-tarf tiegħu:

“Iżda dak l-imbullar ma jneħħix il-ħtija ta' xi persuna li tbiiegħ xi laħam jew fdal, jew xi prodott tal-laħam li kien fi stat ta' deterjorazzjoni jew b'xi mod mhux tajjeb għall-konsum mill-bniedem:

Iżda wkoll, bla ħsara għad-disposizzjonijiet l-oħra ta' dan l-Att, laħam mibjugħ f'reċipjent ippakkjat minn qabel u issigillat u ippreparat u ippakkjat f'post li jkollu liċenza għal hekk ma hemmx bżonn li jkollu boll.”.

6. Minflok is-subartikoli (2) u (3) ta' l-artikolu 53 ta' l-Att prin- Emenda ta'
l-artikolu 53 ta'
l-Att prinċipali.

ċipali għandu jidhrol dan li ġej:

“(2) Meta jittiehed xi kampjun kif intqal qabel, il-kwantità hekk meħuda, jekk hekk mitlub mill-bejjiiegħ fil-waqt li jittiehed il-kampjun u kemm-il darba fil-fehma ta' l-uffiċjal awtorizzat il-qsim tal-kwantità meħuda ma jkunx Prattikalment raġonevoli jew itellef fl-analisi jew fl-eżami, għandha tinqasam fi tliet partijiet bejn wieħed u ieħor indaqs, li minnhom parti waħda tingħata lill-bejjiiegħ u ż-żewġ partijiet l-oħra jinżammu mill-uffiċjal awtorizzat għall-analisi jew eżami.

(3) Kull kampjun li jittiehed, jew kull parti tiegħu skond il-każ, għandu —

(a) jiġi issigillat b'dak il-mod li ma jkunx jista' jinfe-
taħ mingħajr ma jinkiser is-sigill, u

(b) jiġi iffirmat, jew ikollu mwahħal miegħu tikketta
iffirmata, kemm mill-bejjiiegħ kif ukoll mill-uffiċjal awtoriz-
zat:

Iżda, jekk il-bejjiiegħ ma jkunx jista' jew ma jkunx irid jiffir-
ma l-kampjun, jew xi parti minnu, jew it-tikketta, skond il-każ,
il-firma fuqhom ta' l-uffiċjal awtorizzat tkun biżżejjed:

Iżda wkoll, jekk il-bejjiiegħ ma jkunx jista' jew ma jkunx
irid ikun preżenti matul it-teħid tal-kampjun, l-uffiċjal awtoriz-
zat jista' jieħu l-kampjun minkejja n-nuqqas ta' dak il-bejjiiegħ u,
f'dak il-każ, id-disposizzjonijiet ta' dan l-artikolu dwar il-firma
tal-bejjiiegħ ma japplikawx.”.

Emenda ta' l-artikolu 57 ta' l-Att prinċipali.

7. Fl-ewwel proviso għas-subartikolu (3) ta' l-artikolu 57 ta' l-Att prinċipali, minflok il-kliem "tkun multa" għandhom jidhru l-kliem "tkun ammenda".

Thassir ta' l-artikolu 70 ta' l-Att prinċipali.

8. L-artikolu 70 ta' l-Att prinċipali għandu jithassar.

Emenda ta' l-artikolu 71 ta' l-Att prinċipali.

9. Is-subartikolu (2) ta' l-artikolu 71 ta' l-Att prinċipali għandu jiġi emendat billi jizjed il-proviso li ġej fit-tarf tiegħu:

"Izda l-Ministru jista', b'ordni, jhassar kull regolamenti bħal dawn."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 155 tat-18 ta' April, 1978.

Skrivan tal-Kamra tad-Deputati

Speaker



I assent.

Anton Buk
President

21 April, 1978

ACT No. XIII of 1978

AN ACT to amend the Food, Drugs and Drinking Water Act, 1972.

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 Food, Drugs and Drinking Water (Amendment) Act, 1978, and shall be read and construed as one with the Food, Drugs and Drinking Water Act, 1972, hereinafter referred to as "the principal Act".

Amendment of section 2 of the principal Act.

2. Section 2 of the principal Act shall be amended as follows:

(a) for the definition of "Council of Health" there shall be substituted the following:

" "Council of Health" means the Council of Health constituted under the Department of Health (Constitution) Ordinance or under any other law substituting it;"; and

(b) immediately after the definition of "Sanitary Authority" there shall be inserted the following new definition:

" "to sell" includes to offer, expose, advertise or keep for sale, and to supply by way of compensation or otherwise;";

Amendment of section 9 of the principal Act.

3. In paragraph (a) of subsection (4) of section 9 of the principal Act, for the words "43 per cent" there shall be substituted the words "40 per cent".

Amendment of section 26 of the principal Act.

4. Section 26 of the principal Act shall be amended as follows:

(a) subsections (1) and (2) thereof shall be renumbered respectively as subsections (2) and (3), and

(b) immediately before subsection (2) thereof there shall be inserted the following new subsection:

“(1) No person shall without the permission of the Government Veterinary Surgeon slaughter any animal, the flesh of which is intended for sale for human consumption, except in a slaughterhouse.”.

5. Section 34 of the principal Act shall be amended by the addition of the following provisos at the end thereof:

Amendment of section 34 of the principal Act.

“Provided that any such stamp shall not exculpate any person who sells any meat or offal or any meat product which is deteriorated or in any way unfit for human consumption:

Provided further that, subject to the other provisions of this Act, meat sold in a sealed pre-packed container and prepared and packed in premises licensed for the purpose, need not bear such stamp.”.

6. For subsections (2) and (3) of section 53 of the principal Act there shall be substituted the following:

Amendment of section 53 of the principal Act.

“(2) When any sample is taken as aforesaid, the quantity so taken, if so requested by the seller at the moment of the taking of the sample and unless in the opinion of the authorised officer division of the quantity taken is not reasonably practicable or would interfere with analysis or examination, shall be divided into three approximately equal parts, one part thereof to be handed over to the seller and the other two parts to be retained by the authorized officer for analysis or examination.

(3) Each sample taken, or any part thereof as the case may be, shall —

(a) be sealed in such manner that it cannot be opened without breaking the seal, and

(b) be signed, or bear affixed to it a tag signed, by both the seller and the authorised officer:

Provided that, if the seller is unable or refuses to sign the sample, or any part thereof, or the tag, as the case may be, the signature thereon of the authorised officer shall be sufficient:

Provided further that, if the seller is unable or refuses to be present during the taking of the sample, the authorised officer may take the sample notwithstanding the absence of such seller and, in that case, the provisions of this section referring to the signature of the seller shall not apply.”.

7. In the first proviso to subsection (3) of section 57 of the principal Act, for the words “of a fine (*multa*)” there shall be substituted the words “of a fine (*ammenda*)”.

Amendment of section 57 of the principal Act.

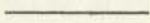
Repeal of
section 70 of the
principal Act.

8. Section 70 of the principal Act shall be repealed.

Amendment
of section 71
of the
principal Act.

9. Subsection (2) of section 71 of the principal Act shall be amended by the addition of the following proviso at the end thereof:

“Provided that the Minister may, by order, revoke any such regulations.”.



Passed by the House of Representatives at Sitting No. 155 of the 18th April, 1978.

A handwritten signature in blue ink, appearing to be 'C. Marshall'.

Clerk to the House of Representatives

A handwritten signature in blue ink, consisting of a large stylized 'S' and 'P'.

Speaker