

MALTA

**ATT Nru IV tal-2025**

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

**ATT sabiex jemenda l-Kodiċi Kriminali, Kap. 9.**

**ACT No. IV of 2025**

AN ACT enacted by the Parliament of Malta.

**AN ACT to amend the Criminal Code, Cap. 9.**



Nagħti l-kunsens tiegħi.

(L.S.)

**MYRIAM SPITERI DEBONO**  
**President**

18 ta' Frar, 2025

**ATT Nru IV tal-2025**

*ATT sabiex jemenda l-Kodiċi Kriminali, Kap. 9.*

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2025 li jemenda l-Kodiċi Kriminali u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Kodiċi Kriminali, hawnhekk iżjed 'il quddiem imsejjaħ il-"Kodiċi".

Titolu fil-qosor.

Kap. 9.

2. L-artikolu 95 tal-Kodiċi għandu jiġi sostitwit bl-artikolu ġdid li ġej:

Sostituzzjoni tal-artikolu 95 tal-Kodiċi.

"Inġurji jew theddid kontra persuni inkarigati skont il-liġi minn servizz pubbliku, inklużi uffiċjali pubbliċi u impjegati pubbliċi ohra jew offiċi fuq il-persuna tagħhom. Kap. 595.

95. Kull min, f'kull każ ieħor mhux imsemmi fl-aħħar żewġ artikoli preċedenti, jingurja, jew jhedded, jew jagħmel offiża fuq il-persuna ta' wieħed inkarigat skont il-liġi minn servizz pubbliku, inklużi uffiċjal pubbliku u impjegat pubbliku kif imfissra fl-artikolu 2 tal-Att dwar l-Amministrazzjoni Pubblika, waqt li jkun qed jagħmel jew minħabba li jkun għamel dan is-servizz, jew bil-ħsieb li jbeżżgħu jew li jinfluwixxi fuq kontra l-liġi fl-eżekuzzjoni ta' dak is-servizz,

għandu jehel meta jinstab hati l-piena stabbilita għall-ingurja, għat-theddid jew għall-offiża fuq il-persuna, meta jitwettqu mingħajr iċ-ċirkostanzi msemmija f'dan l-artikolu, miżjuda b'żewġ gradi u multa ta' mhux inqas minn elf u mitejn euro (€1,200) u mhux iżjed minn sebat elef u ħames mitt euro (€7,500)."

Sostituzzjoni tal-artikolu 96 tal-Kodiċi.

**3.** L-artikolu 96 tal-Kodiċi għandu jiġi sostitwit bl-artikolu ġdid li ġej:

"Attakk jew reżistenza.

Kap. 595.

96. Kull min jattakka jew jagħmel reżistenza bi vjolenza jew b'hebb, ta' xorta li ma titqiesx vjolenza pubblika, kontra xi persuna inkarigata skont il-liġi minn servizz pubbliku, inklużi uffiċjal pubbliku u impjegat pubbliku kif imfissra fl-artikolu 2 tal-Att dwar l-Amministrazzjoni Pubblika, fil-waqt li jkunu qed jaġixxu għall-eżekuzzjoni tal-liġi jew ta' ordni mogħti skont il-liġi mill-awtorità kompetenti, għandu jehel meta jinstab hati:

(a) jekk l-attakk jew ir-reżistenza jsiru minn persuna waħda (1) jew żewġ (2) persuni, il-piena ta' prigunerija minn sena (1) sa erba' (4) snin u multa ta' mhux inqas minn sitt elef euro (€6,000) u mhux iżjed minn ħmistax-il elf euro (€15,000);

(b) jekk l-attakk jew ir-reżistenza jsiru minn tliet (3) persuni jew aktar, il-piena ta' prigunerija minn tmintax (18)-il xahar sa sitt (6) snin u multa ta' mhux inqas minn sebat elef u ħamest mitt euro (€7,500) u mhux iżjed minn tnejn u għoxrin elf u ħames mitt euro (€22,500)."

Emenda tal-artikolu 97 tal-Kodiċi.

**4.** Fl-artikolu 97 tal-Kodiċi l-kliem "jehel il-piena ta' prigunerija minn sena sa erba' snin u għal multa ta' mhux inqas minn tmint elef euro (€8,000) u mhux iżjed minn għoxrin elf euro (€20,000)." għandhom jiġu sostitwiti bil-kliem "jehel il-piena ta' prigunerija minn tmintax-il xahar sa sitt snin u għal multa ta' mhux inqas minn tnax-il elf euro (€12,000) u mhux iżjed minn tletin elf euro (€30,000)."

Sostituzzjoni tal-artikolu 98 tal-Kodiċi.

**5.** L-artikolu 98 tal-Kodiċi għandu jiġi sostitwit bl-artikolu ġdid li ġej:

"98. Meta kwalunkwe wieħed mid-delitti msemmija fl-artikolu 96 ikun akkumpanjat minn vjolenza pubblika, il-piena għandha tkun piena ta' prigunerija minn tliet snin sa seba' snin u multa ta' mhux inqas minn għaxart elef euro (€10,000) u mhux iżjed minn ħamsa u għoxrin elf euro (€25,000)."

6. Minnufih wara l-artikolu 98 tal-Kodiċi għandu jiġi miżjud l-artikolu ġdid li ġej:

Żieda ta' artikolu ġdid fil-Kodiċi.

"In-nuqqas ta' applikabbiltà tal-artikoli 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I u tal-artikolu 22 tal-Att dwar il-Probation. Kap. 446. 98A. Id-disposizzjonijiet tal-artikoli 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I ta' dan il-Kodiċi u l-artikolu 22 tal-Att dwar il-Probation ma għandhomx japplikaw għall-artikoli 96, 97 u 98 ta' dan il-Kodiċi.".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 310 tat-12 ta' Frar, 2025.

ANĠLU FARRUGIA  
*Speaker*

ELEANOR SCERRI  
*Skrivan tal-Kamra tad-Deputati*

I assent.

**(L.S.)**

**MYRIAM SPITERI DEBONO**  
**President**

18th February, 2025

**ACT No. IV of 2025**

*AN ACT to amend the Criminal Code, Cap. 9.*

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.** The short title of this Act is the Criminal Code (Amendment) Act, 2025 and this Act shall be read and construed as one with the  
Cap. 9. Criminal Code, hereinafter referred to as the "Code".

Substitution of article 95 of the Code. **2.** Article 95 of the Code shall be substituted by the following new article:

"Vilification, threats or bodily harm against any person lawfully charged with a public duty, including public officers and public employees.  
Cap. 595.

95. Whosoever, in any other case not referred to in the last preceding two articles, reviles, or threatens, or causes a bodily harm to any person lawfully charged with a public duty, including a public officer and a public employee as defined in article 2 of the Public Administration Act, while in the act of discharging his duty or because of his having discharged such duty, or

with intent to intimidate or unduly influence him in the discharge of such duty, shall on conviction be liable to the punishment established for the vilification, threats, or bodily harm, when not accompanied with the circumstances mentioned in this article, increased by two degrees and to a fine (*multa*) of not less than one thousand and two hundred euro (€1,200) and not more than seven thousand and five hundred euro (€7,500).".

3. Article 96 of the Code shall be substituted by the following new article: Substitution of article 96 of the Code.

"Assault or resistance.

Cap. 595.

96. Whosoever assaults or resists by violence or active force not amounting to public violence, any person lawfully charged with a public duty, including a public officer and a public employee as defined in article 2 of the Public Administration Act, when in the execution of the law or of a lawful order issued by a competent authority, shall on conviction be liable:

(a) where the assault or resistance is committed by one (1) or two (2) persons, to imprisonment for a term from one (1) year to four (4) years and to a fine (*multa*) of not less than six thousand euro (€6,000) and not more than fifteen thousand euro (€15,000);

(b) where the assault or resistance is committed by three (3) or more persons, to imprisonment for a term from eighteen (18) months to six (6) years and to a fine (*multa*) of not less than seven thousand and five hundred euro (€7,500) and not more than twenty-two thousand and five hundred euro (€22,500).".

4. In article 97 of the Code the words "be liable to imprisonment for a term from one year to four years and to a fine (*multa*) of not less than eight thousand euro (€8,000) and not more than twenty thousand euro (€20,000)." shall be substituted by the words "be liable to imprisonment for a term from eighteen months to six years and to a fine (*multa*) of not less than twelve thousand euro (€12,000) and not more than thirty thousand euro (€30,000).". Amendment of article 97 of the Code.

5. Article 98 of the Code shall be substituted by the following new article: Substitution of article 98 of the Code.

"98. Where any of the crimes referred to in article 96 is accompanied by public violence, the punishment shall be imprisonment for a term from three years to seven years and to a

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fine (*multa*) of not less than ten thousand euro (€10,000) and not more than twenty-five thousand euro (€25,000).".

Addition of new article to the Code.

6. Immediately after article 98 of the Code there shall be added the following new article:

"Non-applicability of articles 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I and article 22 of the Probation Act. Cap. 446. 98A. The provisions of articles 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I of this Code and article 22 of the Probation Act shall not apply to articles 96, 97 and 98 of this Code.".

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Passed by the House of Representatives at Sitting No. 310 of the 12th February, 2025.

ANGLU FARRUGIA  
*Speaker*

ELEANOR SCERRI  
*Clerk of the House of Representatives*