Nagħti l-kunsens tiegħi.

(L.S.) ANTON TABONE
Aġent President

20 ta' Diċembru, 2011

ATT Nru. XXVII tal-2011

ATT biex jemenda l-ligi dwar il-Gwardjani Privati u Lokali. (Kap. 389).

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

Titolu fil-qosor u bidu fis-seħħ.

Kap. 389.

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2011 li Jemenda l-Att dwar il-Gwardjani Privati u Lokali, u dan l-Att għandu jinqara u jiftiehem ħaġa waħda mal-Att dwar il-Gwardjani Privati u Lokali, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

(2) Dan l-Att għandu jidħol fis-seħħ f'dik id-data li l-Ministru responsabbli għall-Pulizija jista' jistabbilixxi b'avviż fil-Gazzetta.

Emenda tal-artikolu 17 tal-Att prinċipali.

2. L-artikolu 17 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minflok il-kliem "id-dispożizzjonijiet ta' l-artikoli 6, 7, 8, 9, 10, 11, 12 u 13 għandhom japplikaw" għandhom jidħlu l-kliem "id-dispożizzjonijiet tal-artikoli 6, 7, 8, 9, 10, 11, 12(1)(b), (ċ) u (d) u 13 għandhom japplikaw"; u

(b) minnufih wara s-subartikolu (2) tiegħu għandhom jiżdiedu s-subartikoli ġodda li ġejjin:

"(3) Liċenza maħruġa mill-Kummissarju tal-Pulizija tista’ tiġi revokata jew sospiża minn Bord ta’ Dixxiplina magħmul minn tliet persuni appuntati mill-Ministru responsabbli għall-Gvern Lokali għal perjodu ta’ tliet snin sabiex jisimgħu u jiddeċiedu dwar nuqqasijiet jew abbuż ta’ poter magħmula mill-gwardjani lokali skont regolamenti pubblikati mill-istess Ministru li jistabbilixxu t-terminazzjoni tal-ħatra tal-membri tal-Bord, il-proċeduri quddiem il-Bord u l-funzjonijiet kollha tal-Bord u materji anċillari.

(4) Persuna ma tkunx eliġibbli li tiġi maħtura jew li tokkupa l-kariga ta’ membru tal-Bord jekk:

(a) tkun membru tal-Kamra tad-Deputati; jew

(b) tkun kunsillier jew impjegat ta’ xi Kunsill Lokali; jew

(ċ) tkun Imħallef jew Maġistrat; jew

(d) tkun legalment inkapaċitata; jew

(e) tkun iddikjarata fi stat ta’ falliment jew tkun għamlet kompożizzjoni jew ftehim mal-kredituri tagħha; jew

(f) tkun instabet ħatja ta’ xi reat li jaffettwa l-fiduċja pubblika jew ta’ serq jew frodi jew li tkun bil-ħsieb laqgħet għandha proprjetà akkwistata b’serq jew frodi; jew

(g) ikollha xi interess finanzjarju jew ta’ xort’oħra f’xi intrapriża jew attività li tista’ taffettwa l-qadi tal-funzjonijiet tagħha bħala membru tal-Bord.

(5) Il-Bord għandu jkollu dawn il-funzjonijiet:

(a) li fl-iqsar żmien jinvestiga u jirrapporta fuq kull materja li tirrigwarda l-imġiba ħażina jew abbuż ta’ poter ta’ gwardjani lokali;

(b) li jinvestiga u jirrapporta dwar kull

ilment li jitressaq bil-miktub minn xi gwardjan lokali dwar trattament li dak il-gwardjan iqis bħala ta' preġudizzju jew diskriminatorju għalih:

Iżda f'kull każ il-Ministru jista' minn żmien għal żmien permezz ta' regolamenti jżid jew jirrevedi l-funzjonijiet ta' dan il-Bord.".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 435 tal-14 ta' Diċembru, 2011.

MICHAEL FRENDO
Speaker

PAULINE ABELA
Skrivan tal-Kamra tad-Deputati

VERŻJONI ELETTRONIKA

I assent.

(L.S.) ANTON TABONE
Acting President

20th December, 2011

ACT No. XXVII of 2011

AN ACT to amend the Private Guards and Local Wardens Act (Cap. 389).

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 and commencement.
Cap. 389

1. (1) The short title of this Act is the Private Guards and Local Wardens (Amendment) Act, 2011, and this Act shall be read and construed as one with the Private Guards and Local Wardens Act, hereinafter in this Act referred to as "the principal Act".

(2) This Act shall come into force on such date as the Minister responsible for the Police may by notice in the Gazette appoint.

Amendment of article 17 of the principal Act.

2. Article 17 of the principal Act shall be amended as follows:

(a) in sub-article (1) thereof, for the words "the provisions of articles 6, 7, 8, 9, 10, 11, 12 and 13 shall apply" there shall be substituted the words "the provisions of articles 6, 7, 8, 9, 10, 11, 12(1)(b), (c) and (d) and 13 shall apply"; and

(b) immediately after sub-article (2) thereof, there shall be added the following new sub-articles:

"(3) A licence issued by the Commissioner of Police may be revoked or suspended by a Disciplinary Board made up of three persons appointed by the Minister responsible for Local Government for a period of three years to hear and decide on misconduct or abuse of power of local wardens according to regulations published by the same Minister which the termination of appointment of the members of the Board, the procedures before the Board, the functions of the Board and ancillary matters.

(4) A person shall not be qualified to be appointed or to hold office as a member of the Board if he:

(a) is a member of the House of Representatives; or

(b) is a member or an official of a Local Council, or

(c) is a Judge or a Magistrate; or

(d) is legally incapacitated; or

(e) has been declared bankrupt or has made a composition or arrangement with his creditors; or

(f) has been convicted of a crime affecting public trust or theft or fraud or of knowingly receiving property obtained by theft or fraud; or

(g) has a financial or other interest in any enterprise or activity which is likely to affect the discharge of his functions as a member of the Board.

(5) The Board shall have the following functions:

(a) to expeditiously inquire into and report on any matter regarding the misconduct or abuse of power of local wardens;

(b) to inquire and report on any complaint made to it in writing by a local warden against treatment which the local warden deems

prejudicial or discriminatory:

Provided that the Minister may from time to time add to or revise the functions of the Board by means of regulations.".

Passed by the House of Representatives at Sitting No. 435 of the 14th December, 2011.

MICHAEL FRENDO
Speaker

PAULINE ABELA
Clerk to the House of Representatives