**317. L-Onor Joseph Brincat MP jipproponi:**

Illi l-Abbozz ta' Liġi hawn anness jinqara l-ewwel darba, u sussegwentement jgħaddi mill-istadji kollha, sakemm isir liġi.

ABBOZZ TA' LIĠI

msejjaħ

ATT li jemenda l-Kodici Kriminali, Kap 9

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2007 li jemenda l-Kodiċi Kriminali, u dan l-Att għandu jinqara u jiftiehem ħaga waħda mal-Kodiċi Kriminali hawn iżjed 'il quddiem imsejjaħ "il-Liġi principali".

2. L-Artiklu 692 tal-Liġi prinċipali għandu jiġi emendat kif ġej:

(1) L-Artiklu kif inhu għandu jiġi rinumerat mill-ġdid bħala subartikolu (1); u

(2) Minnufih wara s-subartiklu (1) għandu jidħol is-subartiklu ġdid li ġej"

"(2) L-ebda preskrizzjoni ma tgħaddi meta d-delitt ikun wieħed minn dawk imsemmija fl-artikoli 115 sa 118, 120, 121, 121A, 121 B, 121C, 121D, 124, 125,126, u 127;

B'dan ukoll li dan is-subartikolu għandu japplika wkoll għal dawk ir-reati li l-preskrizzjoni dwarhom ma tkunx għaddiet meta dan is-subartikolu jidħol fis-seħħ.

Għanijiet u Raġunijiet

Dan l-abbozz huwa maħsub biex ma jkunx hemm preskrizzjoni fir-reati ta' korruzzjoni u reati li jolqot prinċipalment l-amministrazzjoni pubblika. L-emenda tagħmilha wkoll ċar li għal dawk il-każijiet fejn il-preskrizzjoni ma tkunx immaturat, xorta waħda japplika dan is-subartiklu.

Dan huwa wkoll skond l-Artiklu 29 tal-Konvenzjoni Kontra l-Korruzzjoni tal-Ġnus Magħquda li daħlet fis-seħħ fl-14 ta' Diċembru, 2005.

A BILL

entitled

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:

1. The short title of this Act is the Criminal Code (Amendment) Act, 2007, and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to as "the principal law".

2. Article 692 of the principal law shall be amended as follows: -

(1) the present article shall be renumbered as subarticle (1);

(2) Immediately after subarticle(1) there shall be inserted the following new subarticle (2):

"(2) Prescription shall not run when the crime is one as mentioned in articles 115 to 118, 120, 121A, 121B, 121C, 121D, 124, 125, 126 and 127;

Provided further that this subarticle shall also apply to crimes the prescriptive period for which has not elapsed, when this subarticle shall come into force."

Objects and Reasons

This bill is intended to remove the running of the prescriptive time for crimes of corruption and abuse in the administration. The amendment also makes it clear that, for those crimes the prescriptive period of which has not lapsed, the provisions of this subarticle shall apply.

This is in conformity with Article 29 of the United Nations Convention against Corruption, which came into force on the 14th December, 2005.

6.11.2007