

Nagħti l-kunsens tiegħi.

(L.S.)

EDWARD FENECH ADAMI
President

20 ta' April, 2007

ATT Nru V ta' l-2007

ATT biex jipprovdi għall-Ġustizzja Amministrattiva f'Malta.

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

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att ta' l-2007 dwar il-Ġustizzja Amministrattiva. Titolu fil-qosor u bidu fis-sehħ.

(2) Dan l-Att għandu jidhol fis-sehħ f'dik id-data li l-Ministru jista' jstabilixxi b'avviż fil-Gazzetta, u dati differenti jistgħu jigu hekk stabbiliti għal disposizzjonijiet differenti u għal skopijiet differenti ta' dan l-Att.

(3) Avviż taht is-subartikolu (2) jista' jagħmel dawk id-disposizzjonijiet transitorji li l-Ministru jidhirlu li jkunu meħtieġa jew spedjenti fir-rigward tad-disposizzjonijiet li permezz tiegħu jiddaħħlu fis-sehħ.

TAQSIMA I

Disposizzjonijiet Preliminari

2. F'dan l-Att, sakemm ir-rabta tal-kliem ma tkunx teħtieġ Tifsir. mod ieħor -

"amministrazzjoni pubblika" tfisser il-Gvern ta' Malta, magħdud in il-Ministeri u d-Dipartimenti tiegħu, awtoritajiet lokali u kull korp magħqud kostitwit permezz ta' liġi;

"att amministrattiv" tinkludi l-ħruġ mill-amministrazzjoni pubblika ta' ordni, liċenza, permess, warrant, awtorizzazzjoni, konċessjoni, deċiżjoni jew każda ta' xi talba magħmula minn membru tal-pubbliku, iżda ma tinkludix miżura li tittiehed għall-organizzazzjoni interna jew ta' amministrazzjoni fi hdan l-istess amministrazzjoni pubblika;

"il-Ministru" tfisser il-Ministru responsabbli għall-ġustizzja;

"prinċipji ta' mġiba amministrattiva tajba" tfisser il-prinċipji ta' mġiba amministrattiva tajba elenkati fit-Taqsima II ta' dan l-Att;

"is-Segretarju" tfisser is-Segretarju tat-Tribunal ta' Revizjoni Amministrattiva;

"tribunal amministrattiv" tfisser tribunal elenkat fl-Ewwel Skeda;

"Tribunal ta' Revizjoni Amministrattiva" tfisser it-Tribunal ta' Revizjoni Amministrattiva stabbilit bl-artikolu 5(1).

TAQSIMA II

Tribunali Amministrattivi

Disposizzjoni
ġenerali li
tapplika għal
tribunali
amministrattivi.

3. (1) Fir-relazzjonijiet tagħhom mal-pubbliku, it-tribunali amministrattivi kollha għandhom jirrispettaw u japplikaw il-prinċipji ta' mġiba amministrattiva tajba stabbiliti f'din it-Taqsima ta' dan l-Att.

(2) Il-prinċipji ta' mġiba amministrattiva tajba jinkludu dawn li ġejjin:-

(a) tribunal amministrattiv għandu jirrispetta d-dritt tal-partijiet li jingħataw smiegh xieraq, inklużi l-prinċipji tal-ġustizzja naturali, jiġifieri:

(i) *nemo judex in causa sua*, u

(ii) *audi et alteram partem*;

(b) it-terminu li tribunal amministrattiv ikollu biex jieħu d-deċiżjoni tiegħu għandu jkun wieħed raġonevoli skond iċ-ċirkostanzi ta' kull każ. Id-deċiżjoni għandha tingħata kemm

jista' jkun malajr u għal dan il-għan it-Tribunal għandu jagħti deċiżjoni waħda dwar il-kwestjonijiet kollha involuti fil-kawża kemm jekk ikunu ta' natura preliminari, proċedurali jew sostantiva;

(ċ) tribunal amministrattiv għandu jiżgura li l-partijiet fil-proċeduri jkollhom l-istess mezzi proċedurali. Kull parti għandha tinghata l-opportunità li tippreżenta l-każ tagħha, bil-kitba jew bil-fomm jew bit-tnejn, mingħajr ma titqiegħed fi żvantaġġ;

(d) tribunal amministrattiv għandu jiżgura li l-amministrazzjoni pubblika tagħmel disponibbli d-dokumenti u l-informazzjoni rilevanti għall-każ u għandu jara li l-parti jew il-partijiet l-oħra fil-proċeduri jkollhom aċċess għal dawn id-dokumenti u informazzjoni;

(e) il-proċeduri quddiem tribunal amministrattiv għandu jkollhom il-forma ta' parti kontra l-oħra. Il-provi kollha li t-tribunal jaċċetta għandhom, bħala prinċipju, jkunu disponibbli għaž-żewġ partijiet biex dawn ikunu jistgħu jargumentaw il-pożizzjonijiet diversi tagħhom;

(f) tribunal amministrattiv għandu jkun f'qagħda li jeżamina kull punt ta' natura fattwali u legali rilevanti għall-każ ipprezentat mill-partijiet skond il-liġi applikabbli;

(g) sakemm il-liġi ma tiddisponix mod ieħor, il-proċeduri quddiem tribunal amministrattiv għandhom isiru bil-miftuh;

(h) is-sentenzi għandhom ikunu motivati. Tribunal amministrattiv għandu jagħti, b'mod biżżejjed ċar, il-motivi li fuqhom tkun mibnija d-deċiżjoni. Għalkemm ma jkunx meħtieġ li t-tribunal jiddisponi minn kull punt imqajjem bħala argument, sottomissjoni li tkun, li kieku din tiġi aċċettata, meħuda deċiżiva għar-riżultat tal-kawża, għandu jkollha risposta speċifika u espressa.

4. Il-Ministru jista' jagħmel regolamenti biex jimplimenta u jwettaq b'mod aħjar id-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att, u jista', mingħajr preġudizzju għas-setgħa ġenerali preċedenti:

(a) jistabilixxi d-data tad-dhul fis-seħħ tad-disposizzjonijiet ta' din it-Taqsima fir-rigward ta' xi tribunal amministrattiv imsemmi fl-Ewwel Skeda li l-Ministru jista' b'regolamenti jindika;

Il-Ministru jagħmel regolamenti biex iwettaq id-disposizzjonijiet ta' din it-Taqsima.

(b) jagħmel dawk l-emendi, alterazzjonijiet, thassir, revoki, korrezzjonijiet, bidliet u modifiki f'kull liġi prinċipali jew liġi sussidjarja bil-għan li jgħib dik il-liġi primarja jew liġi sussidjarja konformi mad-disposizzjonijiet ta' din il-Taqsima ta' dan l-Att u jista' minn żmien għal żmien jaġġorna l-lista ta' tribunali amministrattivi li hemm elenkati fl-Ewwel Skeda.

TAQSIMA III

It-Tribunal ta' Revizjoni Amministrattiva

Tribunal ta' Revizjoni Amministrattiva.

5. (1) Qiegħed jiġi stabbilit skond id-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att tribunal indipendenti u imparzjali, li jkun magħruf bħala t-Tribunal ta' Revizjoni Amministrattiva, bl-iskop li jkun jista' jirrive di atti amministrattivi istitwiti quddiemu skond dan l-Att jew kull liġi oħra, u bl-iskop ta' l-eżerċizzju ta' kull kompetenza oħra attribwita lit-Tribunal ta' Revizjoni Amministrattiva b'din il-liġi, jew taħt din il-liġi, jew xi liġi oħra, kemm qabel kemm wara li jidhol fis-schħ dan l-Att.

(2) It-Tribunal ta' Revizjoni Amministrattiva jkollu l-kompetenza li jirrive di atti amministrattivi.

Il-prinċipji li jirregolaw it-Tribunal ta' Revizjoni Amministrattiva.

6. It-Tribunal ta' Revizjoni Amministrattiva għandu jikkonforma ruħu mal-prinċipji ta' mgħiba amministrattiva tajba stabbiliti fl-artikolu 3 ta' dan l-Att.

Revizjoni ta' atti amministrattivi.

7. It-Tribunal ta' Revizjoni Amministrattiva għandu jkun kompetenti li jirrive di atti amministrattivi ta' l-amministrazzjoni pubblika fuq punti ta' liġi u ta' fatt. It-Tribunal ikun ukoll kompetenti li jiddeċiedi tilwimiet li jiġu riferiti lilu kemm-il darba ma jkunx hemm xi qorti jew tribunal amministrattiv ieħor li jkun diġà qiegħed jieħu konjizzjoni ta' dik it-tilwima.

Kif ikun magħmul it-Tribunal ta' Revizjoni Amministrattiva.

8. (1) It-Tribunal ta' Revizjoni Amministrattiva jkun magħmul minn President li jippresjedi t-Tribunal.

(2) Il-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' jaħtar iktar minn President wieħed fit-Tribunal ta' Revizjoni Amministrattiva, iżda f'kull każ partikolari joqgħod President wieħed biss.

(3) President, meta jkun *ex*-Imħallef jew *ex*-Maġistrat, għandu jiġi maħtur għal perjodu ta' erba' snin u għandu jispiċċa minn din il-kariga meta jiskadi l-perjodu ta' dik il-kariga.

(4) President għandu jkun persuna li jokkupa jew kien jokkupa

l-kariga ta' mhallef jew magistrat f'Malta.

(5) Matul iż-żmien tal-hatra, il-President ma jistax jitnehha hlief bl-istess mod u għall-istess raġunijiet li għalihom jista' jitnehha magistrat.

(6) Fil-qadi tad-dmirijiet tagħha bħala President, dik il-persuna ma tkun taħt ebda direzzjoni jew kontroll ta' xi persuna jew awtorità oħra.

(7) Malli jinħatar President, huwa għandu jiehu ġurament fejn jahlef li jeżamina u jiddeċiedi l-każijiet li jinġiebu quddiemu b'imparzjalità, ekwità u skond il-liġi. Il-ġurament jittiehed quddiem il-Qorti ta' l-Appell.

(8) Il-*warrants* jew ordnijiet tat-Tribunal ta' Reviżjoni Amministrattiva għandhom jiġu ffirmati mill-President.

(9) Il-ġurament jiġi amministrat lix-xhieda mill-President jew mis-Segretarju tat-Tribunal ta' Reviżjoni Amministrattiva jew minn xi persuna oħra li tista' tiġi inkarigata b'ordni bil-miktub mill-President.

(10) President tat-Tribunal jirċievi dik ir-rimunerazzjoni skond ma jista' jiddetermina, minn żmien għal żmien, il-President ta' Malta li jaġixxi skond il-parir tal-Prim Ministru b'ordni li jiġi ppubblikat fil-Gazzetta. Dik ir-rimunerazzjoni ma għandhiex tinbidel għad-detriment tal-President tat-Tribunal matul iż-żmien li jkun jokkupa dik il-kariga.

9. (1) Il-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' b'ordni jistabbilixxi sezzjonijiet tat-Tribunal ta' Reviżjoni Amministrattiva, u jista' jindika l-kategoriji ta' każijiet li għandhom jiġu assenjati lil kull sezzjoni, u b'ordni sussegwenti jista' jemenda, jirrevoka jew jissostitwixxi ordni bħal dik.

Sezzjonijiet tat-Tribunal ta' Reviżjoni Amministrattiva.

(2) Il-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' jassenja lil President jew Presidenti biex joqgħodu fit-Tribunal ta' Reviżjoni Amministrattiva jew sezzjoni jew għadd ta' sezzjonijiet tat-Tribunal ta' Reviżjoni Amministrattiva u jista' jittrasferixxi lil President minn sezzjoni waħda tat-Tribunal ta' Reviżjoni Amministrattiva għall-oħra.

(3) Id-disposizzjonijiet tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili li jirrigwardaw l-astensjoni u r-rikuża ta' magistrati għandhom japplikaw għall-astensjoni u r-rikuża ta' President.

(4) Meta President tat-Tribunal ikun ġie rikuzat jew ikun

astjena milli joqgħod, jew ma jkunx jista' toqgħod fil-kariga għal xi raġuni ohra, ikun President tat-Tribunal iehor li jiġi surrogat minflok mill-President.

Elenki ta' assistenti.

10. (1) Fil-proċeduri li jsiru quddiemu, it-Tribunal ta' Reviżjoni Amministrattiva għandu jkun assistit minn żewġ assistenti, mahtura skond dan l-artikolu, li t-Tribunal ta' Reviżjoni Amministrattiva jkun jista' jikkonsulta f'kull każ biex jasal għad-deċiżjoni tiegħu.

(2) Il-konsultazzjoni ssir bil-miftuh jew kamerlament u t-Tribunal ta' Reviżjoni Amministrattiva ma jkunx marbut li joqgħod fuq il-parir ta' l-assistenti tiegħu.

(3) Iż-żewġ assistenti għandhom ikunu mahtura mill-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, minn fost persuni li fil-fehma tal-Prim Ministru jkollhom esperjenza preċedenti u kwalifiki speċjali f'xi qasam partikolari ta' hila, li jaqa' taht il-kompetenza tat-Tribunal ta' Reviżjoni Amministrattiva.

(4) Il-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' jinnomina elenki ta' assistenti skond il-materja tal-kwestjoni u s-Segretarju għandu jagħzel żewġ assistenti minn kull elenku għal kull każ.

(5) Il-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' minn żmien għal żmien iżid ma' dan l-ordni jew ivarja biex jinkludi, jneħhi, jgħaqqad jew jibdel l-elenki eżistenti, skond il-każ.

(6) Il-President ta' Malta, li jaġixxi bil-parir tal-Prim Ministru, jista' f'kull żmien jahtar iktar minn żewġ persuni f'kull elenku bħala assistenti tat-Tribunal ta' Reviżjoni Amministrattiva, iżda f'każ partikolari, ikunu żewġ persuni biss minn kull elenku li jistgħu jassistu lit-Tribunal f'xi kawża wahda.

(7) L-uffiċċju ta' assistent tat-Tribunal ta' Reviżjoni Amministrattiva jsir vakanti:

(a) meta jiskadu erba' snin mid-data tal-hatra sakemm il-hatra ma tiġix mġedda għal perjodu jew perjodi ohra ta' erba' snin; jew

(b) meta jitneħha mill-kariga bl-istess mod u għall-istess raġunijiet bħalma jista' jitneħha mill-kariga maġistrat; jew

(ċ) wara li dak l-assistent jagħmel talba bil-miktub

f'dak is-sens li tkun indirizzata lill-Prim Ministru.

(8) L-assistenti tat-Tribunal ta' Revizjoni Amministrattiva jistgħu jastjenu jew jiġu rikuzati bl-istess mod u għall-istess raġunijiet, li għalihom, skond il-liġi, maġistrat jista' jastjeni jew jiġi rikuzat. Kull kwestjoni dwar ir-raġuni ta' l-astensjoni jew ir-rikuża għandha tinqata' mill-President tat-Tribunal.

(9) Fl-eżerċizzju tal-funzjoni tiegħu jew tagħha, assistent tat-Tribunal ta' Revizjoni Amministrattiva ma jkun soġġett għad-direzzjoni jew il-kontroll ta' ebda persuna oħra jew awtorità oħra hlief dik tal-President tat-Tribunal ta' Revizjoni Amministrattiva.

(10) Mal-hatra tiegħu, assistent tat-Tribunal ta' Revizjoni Amministrattiva għandu jieħu l-ġurament tal-kariga. Dak il-ġurament għandu jittiehed quddiem il-President.

(11) Assistent tat-Tribunal ta' Revizjoni Amministrattiva għandu jirċievi dik ir-rimunerazzjoni li l-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, jista' b'ordni fil-Gazzetta jistabbilixxi minn żmien għal żmien. Dik ir-rimunerazzjoni ma tistax tiġi mibdula għad-detriment ta' xi assistent matul il-perijodu fil-kariga tiegħu jew tagħha.

11. (1) It-Tribunal ta' Revizjoni Amministrattiva għandu jżomm is-seduti tiegħu f'Malta u f'Għawdex f'dawk l-intervalli regolari li jidhirlu meħtieġa biex iħaffef ix-xogħol tiegħu. Il-jum u l-hin ta' kull seduta għandhom jiġu ffissati mill-President.

Is-seduti tat-Tribunal ta' Revizjoni Amministrattiva.

(2) Il-Ministru għandu, b'avviż fil-Gazzetta, jsemmi kull bini fejn it-Tribunal ta' Revizjoni Amministrattiva għandu jżomm is-seduti tiegħu f'Malta u f'Għawdex.

(3) Sakemm ma jkunux xort'oħra ġew eżentati mill-President, l-assistenti tat-Tribunal ta' Revizjoni Amministrattiva għandhom jattendu għas-seduti kollha ta' dak it-Tribunal.

12. (1) Il-Ministru jista' b'regolamenti jistabbilixxi r-registru tat-Tribunal ta' Revizjoni Amministrattiva u l-funzjonijiet tiegħu, u bl-istess regolamenti jahtar lil dawk l-uffiċjali li jistgħu jkunu meħtieġa biex dak it-Tribunal ikun jista' jaħdem. L-atti kollha tat-Tribunal ta' Revizjoni Amministrattiva għandhom jiġu pprezentati fir-registru msemmi f'dan is-subartikolu.

Ir-Registru tat-Tribunal ta' Revizjoni Amministrattiva.

(2) L-atti tat-Tribunal ta' Revizjoni Amministrattiva għandhom ikunu aċċessibbli għal kulhadd, u kopji tagħhom jinghataw bi hlas tad-dritt stipulat lil kull min jitlobhom.

(3) L-atti tat-Tribunal ta' Reviżjoni Amministrattiva għandhom ikunu depożitati u miżmumin f'dawk l-arkivji li l-Ministru jista' jsemmi b'regolamenti magħmulin taħt dan l-artikolu.

Id-dmirijiet tas-Segretarju.

13. (1) Is-Segretarju tat-Tribunal ta' Reviżjoni Amministrattiva għandu jkun responsabbli għat-tmexxija tar-reġistru. Is-Segretarju għandu wkoll jaqdi dawk id-dmirijiet l-oħra kollha li jiġu fdati lilu jew lilha taħt dan l-Att jew regoli magħmulin taħt l-istess Att.

Kap. 12.

(2) Is-Segretarju għandu jaqdi dmirijietu skond id-disposizzjonijiet tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili.

Id-dehra quddiem it-Tribunal ta' Reviżjoni Amministrattiva.

14. (1) Il-partijiet jistgħu jidhru quddiem it-Tribunal ta' Reviżjoni Amministrattiva personalment jew inkella jkunu rappreżentati minn avukat, prokuratur legali jew xi persuna oħra.

(2) Il-partijiet jistgħu jkunu assistiti minn avukat, prokuratur legali jew minn xi persuna oħra.

Il-proċedura fit-Tribunal ta' Reviżjoni Amministrattiva.
Kap. 12.

15. (1) Id-disposizzjonijiet ta' l-artikoli 21, 22 u 23 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili għandhom japplikaw għat-Tribunal ta' Reviżjoni Amministrattiva.

(2) Il-proċedimenti fit-Tribunal ta' Reviżjoni Amministrattiva għandhom jibdwu bil-preżentata ta' rikors. Ir-rikorrent għandu jipprezenta rikors fir-Registru tat-Tribunal ta' Reviżjoni Amministrattiva. Dan ir-rikors għandu jkun fih:

(a) dikjarazzjoni ċara u korretta tas-suġġett u r-raġuni għat-talba;

(b) it-talba jew it-talbiet;

(ċ) esposizzjoni ċara u dettaljata tal-fatti tal-każ, kif ikun jafhom ir-rikorrent;

(d) l-isem tax-xhieda li r-rikorrent ikun bi ħsiebu jħarrek, inkluż it-taħrik tal-kontroparti, bid-dikjarazzjoni fir-rigward ta' kull xhud tal-prova li r-rikorrent ikun bi ħsiebu jagħmel permezz tagħhom; u

(e) r-rimedju li jkun qiegħed jintalab, bl-ispejjeż kontra l-amministrazzjoni pubblika.

(3) Ir-rikors għandu jiġi notifikat lill-amministrazzjoni pubblika mhux iktar tard minn ħamest ijiem utli mid-data tal-preżentata. Id-dispożizzjonijiet ta' l-artikolu 3 fejn għandhom x'jaqsmu ma' l-ispeditezza tal-proċeduri għandhom jiġu osservati fil-

każ tar-risposta.

(4) L-amministrazzjoni pubblika għandha tippreżenta r-risposta tagħha fi żmien għoxrin jum mid-data tan-notifika tar-rikors, sakemm ma tkunx bi hsiebha tammetti t-talba.

(5) Meta l-amministrazzjoni pubblika tkun bi hsiebha tammetti t-talba, kollha kemm hi u bla ebda kondizzjoni, hija għandha tippreżenta nota f'dak is-sens. Jekk ir-rikorrent jiddikjara, permezz ta' nota ppreżentata fi żmien għoxrin jum min-notifika tan-nota ta' ammissjoni tat-talba mill-amministrazzjoni pubblika, li r-rimedju mogħti mill-amministrazzjoni pubblika huwa wiehed sodisfaċenti, it-Tribunal għandu jastjieni milli jkompli jieħu konjizzjoni tal-każ.

(6) Jekk ir-rikorrent ma jkunx sodisfatt bir-rimedju mogħti mill-intimat, kemm jekk għal kollox kemm jekk biss f'parti, jew jekk l-amministrazzjoni pubblika tkun bi hsiebha tikkontesta t-talba kollha kemm hi u bla ebda kondizzjoni, l-amministrazzjoni pubblika għandha tippreżenta risposta li jkun fiha:

(a) dawk l-eċċezzjonijiet li jitqiesu bhala li jkunu ġew rinunzjati jekk ma jitqajmux qabel il-kontestazzjoni tal-kawża;

(b) dikjarazzjoni ċara u korretta ta' l-eċċezzjonijiet fuq il-meritu tat-talba jew tat-talbiet, fejn issir referenza għad-disposizzjonijiet tal-liġi li taħthom tkun ittiehdet id-deċiżjoni;

(ċ) esposizzjoni ċara u dettaljata tal-fatti tal-każ kif tafhom l-amministrazzjoni pubblika, fejn tiċhad, tammetti jew tispjega ċ-ċirkostanzi ta' fatt dikjarati fir-rikors;

(d) l-isem tax-xhieda li r-rikorrent ikun bi hsiebu jħarrek, inkluż it-taħrik tal-parti l-oħra, bid-dikjarazzjoni fil-każ ta' kull xhud tal-prova li jkun bi hsiebu jagħmel permezz tax-xiehda ta' kull wiehed minnhom;

(e) it-talba li l-amministrazzjoni pubblika tiġi liberata mill-osservanza bl-ispejjeż kontra r-rikorrent.

(7) Meta t-talba tkun kontestata, it-Tribunal għandu jiffissa l-jum għas-smigh.

(8) It-Tribunal għandu, bla hsara għad-disposizzjonijiet ta' dan l-Att jew ta' kull liġi oħra li tkun tapplika u li tirregola l-proċedura tat-Tribunal, jirregola l-proċeduri tiegħu nnifsu.

Il-Ministru jista' jagħmel regolamenti biex jimplimenta d-disposizzjonijiet ta' din it-Taqsima.

16. (1) Il-Ministru jista' jagħmel regolamenti biex jimplimenta u jagħti effett aħjar lid-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att u jista', mingħajr preġudizzju għas-setgħa ġenerali preċedenti, jistabilixxi l-jum tad-dhul fis-seħħ tad-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att fir-rigward ta' l-amministrazzjoni pubblika u tat-tribunali amministrattivi li l-Ministru jista' jispeċifika b'regolamenti.

(2) Il-Ministru jista' wkoll jagħmel regolamenti biex it-Tribunal ta' Reviżjoni Amministrattiva jiffunzjona aħjar, u jista', mingħajr preġudizzju għall-mod ġenerali ta' dan, jagħmel regolamenti li:

(a) jistabilixxu l-proċedura quddiem it-Tribunal ta' Reviżjoni Amministrattiva;

(b) jistabilixxu l-proċedura ta' appelli minn deċiżjonijiet tat-Tribunal ta' Reviżjoni Amministrattiva;

(ċ) jistabilixxu il-formoli li għandhom jintużaw fil-proċeduri quddiem it-Tribunal ta' Reviżjoni Amministrattiva;

(d) jistabilixxu l-formoli li għandhom jintużaw fil-proċeduri ta' appell mit-Tribunal ta' Reviżjoni Amministrattiva;

(e) jistabilixxu r-rati ta' l-ispejjeż fil-proċeduri quddiem it-Tribunal ta' Reviżjoni Amministrattiva;

(f) jistabilixxu d-drittijiet tar-reġistru tat-Tribunal ta' Reviżjoni Amministrattiva;

(g) jistabilixxu d-drittijiet ta' l-avukati, prokuraturi legali u persuni oħra li jirrapreżentaw jew jassistu quddiem it-Tribunal ta' Reviżjoni Amministrattiva;

(h) jistabilixxu d-dmirijiet tas-Segretarju fir-rigward tat-Tribunal ta' Reviżjoni Amministrattiva;

Kap. 12.

(i) jistabilixxu liema disposizzjonijiet tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, jekk ikun hemm, li ma ġewx imsemmija f'dan l-Att, jekk hemm, għandhom japplikaw għall-proċedura quddiem it-Tribunal ta' Reviżjoni Amministrattiva;

(j) jordnaw kull haġa li tista' jew għandha tiġi ordnata skond din it-Taqsima ta' dan l-Att. Notifika ta' atti ġudizzjarji.
Kap. 12.

- 17.** In-notifika ta' atti ġudizzjarji skond din it-Taqsima ta' dan l-Att għandha ssir bil-mod maħsub għan-notifika ta' atti ġudizzjarji fil-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, sakemm il-Ministru, b'regolamenti magħmulin bis-saħħa ta' dan l-artikolu, ma jiddisponix xort'ohra. In-notifika ta' atti ġudizzjarji. Kap. 12.
- 18.** Id-disposizzjonijiet tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili dwar il-benefiċċju ta' l-ghajnuna legali għandhom japplikaw għal partijiet fi proċeduri quddiem it-Tribunal ta' Revizjoni Amministrattiva, sakemm dawn ikunu persuni li jistgħu jibbenefikaw fis-sens ta' dawk id-disposizzjonijiet. Il-benefiċċju ta' għajnuna legali. Kap. 12.
- 19.** L-ispejjeż konnessi ma' l-amministrazzjoni tat-Tribunal ta' Revizjoni Amministrattiva u r-rimunerazzjoni dovuta lill-President u lill-assistenti ta' l-elenku, għandhom jithallsu mill-Fond Konsolidat mingħajr il-htieġa ta' ebda approprijazzjoni ohra. L-ispejjeż ta' l-amministrazzjoni tat-Tribunal ta' Revizjoni Amministrattiva.
- 20.** (1) It-Tribunal ta' Revizjoni Amministrattiva għandu jkollu l-istess setgħat li huma vestiti fil-Prim'Awla tal-Qorti Ċivili mill-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili. Is-Setgħat tat-Tribunal Amministrattiv ta' Revizjoni, Kap. 12.
- (2) L-eżekuzzjoni tad-deċiżjonijiet tat-Tribunal Amministrattiv ta' Revizjoni, skond kif provdut fil-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, tkun vestita fit-Tribunal ta' Revizjoni Amministrattiva nnifsu. Kap. 12.
- (3) It-Tribunal ta' Revizjoni Amministrattiva jista', permezz tal-President, iħarrek lil kull persuna biex tidher quddiemu u tagħti x-xieħda tagħha u ġġib magħha dokumenti, u l-President ikollu s-setgħa li jamministra l-ġurament.
- 21.** Il-Ministru jista' jagħmel regolamenti biex jimplimenta u jwettaq b'mod aħjar id-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att, u jista', mingħajr preġudizzju għas-setgħa ġenerali preċedenti jagħmel dawk l-emendi, alterazzjonijiet, thassir, revoki, korrezzjonijiet, bidliet u modifiki f'kull liġi jew regolament bil-għan li jġib dik il-liġi jew dak ir-regolament konformi mad-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att. Il-Ministru jagħmel regolamenti biex iwettaq id-disposizzjonijiet ta' din it-Taqsima.

TAQSIMA IV

Appelli minn deċiżjonijiet tat-Tribunal ta' Revizjoni Amministrattiva

- 22.** (1) Kull parti fil-proċeduri quddiem it-Tribunal ta' Revizjoni Amministrattiva li thoss ruħha aggravata b'deċiżjoni ta' dak it-Tribunal tista' tappella quddiem il-Qorti ta' l-Appell fil-kompetenza tagħha superjuri jew dik inferjuri. Dritt ta' Appell.

(2) Il-kompetenza tal-Qorti ta' l-Appell biex tisma' u tiddeċiedi appell minn deċiżjoni tat-Tribunal ta' Reviżjoni Amministrattiva tkun dik stabbilita fit-Tieni Skeda:

Iżda l-Ministru jista' jagħmel regolamenti biex jimplementa u jwettaq b'mod aħjar dawk id-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att, u jista', mingħajr preġudizzju għas-setgħa ġenerali preċedenti, jagħmel dawk l-emendi, alterazzjonijiet, tħassir, revoki, korrezzjonijiet, bidliet u modifiki fit-Tieni Skeda u f'kull liġi primarja jew liġi sussidjarja bil-għan li jgħib dik l-Iskeda jew liġi primarja jew liġi sussidjarja konformi mad-disposizzjonijiet ta' din it-Taqsima ta' dan l-Att u jista' minn żmien għal żmien iżid kull referenza oħra li jrid għal-leġislazzjoni fit-Tieni Skeda u li ma tkunx qabel imsemmija f'dik it-Tieni Skeda.

(3) Dak l-appell għandu jingiebu quddiem il-Qorti ta' l-Appell permezz ta' rikors preżentat fir-Registru ta' dik il-Qorti fi żmien għoxrin jum mill-ġurnata li tkun inġat id-deċiżjoni.

(4) Flimkien ma' dak ir-rikors ta' l-appell għandu jsir il-hlas ta' dritt komplessiv tar-registru ta' l-appell skond ma jista' jippreskrivi l-Ministru responsabbli għall-ġustizzja b'konsultazzjoni mal-Ministru responsabbli għall-finanzi. Dak id-dritt għandu jkopri d-drittijiet kollha tar-Registru, inklużi dawk intaxxati mir-Registatur, Qrati Ċivili u Tribunali, meta s-sentenza finali tingħata fil-qorti bil-miftuħ.

(5) Meta jkun hemm żewġ partijiet, l-appell għandu jiġi ppreżentat duplikat permezz ta' rikors. Meta jkun hemm iktar minn żewġ partijiet f'appell quddiem it-Tribunal ta' Reviżjoni Amministrattiva, ir-rikors ta' l-appell għandu jiġi preżentat f'daqstant kopji daqs kemm ikun hemm partijiet f'dak l-appell.

(6) Ir-rikors ta' l-appell għandu jiġi preżentat fir-Registru kompetenti skond ma hemm fil-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili.

(7) Ir-Registatur, Qrati Ċivili u Tribunali, għandu, meta jirċievi r-rikors ta' l-appell, jinnotifika kopja ta' l-istess rikors ta' l-appell lill-parti jew partijiet lill-oħra.

(8) L-appellat jew l-appellati għandhom jipprezentaw ir-risposta tagħhom fi żmien għoxrin ġurnata minn notifika ta' l-appell. Flimkien ma' dawk ir-risposti għandu jsir hlas ta' dritt tar-registru komplessiv skond ma jista' jiġi ordnat mill-Ministru responsabbli għall-ġustizzja f'konsultazzjoni mal-Ministru responsabbli għall-finanzi. Dan id-dritt għandu jkopri d-drittijiet kollha tar-registru, inklużi dawk intaxxati mir-Registatur, Qrati Ċivili u Tribunali, meta

tinghata s-sentenza finali fil-qorti bil-miftuh.

(9) Meta jiġi pprezentat appell fil-Qorti ta' l-Appell kif hawn qabel imsemmi, dak l-appell u r-risposta jew risposti relattivi għandhom jiġu referiti mir-Registratur, Qrati Ċivili u Tribunali, lill-Qorti ta' l-Appell.

23. (1) Il-Qorti ta' l-Appell ikollha s-setgħa, fil-ġudizzju tagħha, li tikkonferma, tirrevoka jew tibdel id-deċiżjoni li minnha jkun sar l-appell u li tagħti dawk l-ordnijiet li tikkunsidra li jkunu xierqa.

Setgħat tal-Qorti ta' l-Appell.

(2) Id-disposizzjonijiet li jirregolaw il-Qorti ta' l-Appell fil-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili għandhom japplikaw għall-Qorti ta' l-Appell meta din tkun qegħda tisma' appelli minn deċiżjonijiet tat-Tribunal ta' Revizjoni Amministrattiva.

Kap. 12.

(3) Bla ħsara għad-disposizzjonijiet preċedenti u ta' kull liġi oħra applikabbli, il-Qorti ta' l-Appell għandha tirregola l-proċeduri tagħha nnifisha.

TAQSIMA V

Disposizzjonijiet Mixxellanji

24. (1) Mad-dhul fis-seħħ tat-Taqsimiet III u IV ta' dan l-Att, il-proċeduri kollha pendenti quddiem dawk il-persuni, korpi jew tribunali amministrattivi li kienu kompetenti qabel id-dhul fis-seħħ ta' l-artikolu 25, għandhom jiġu assenjati lit-Tribunal ta' Revizjoni Amministrattiva għad-deċiżjoni tiegħu u għandhom jiġu regolati bid-disposizzjonijiet ta' l-imsemmija Taqsimiet III u IV ta' dan l-Att; u l-Ministru jista' jstabilixxi dati differenti għad-dhul fis-seħħ tat-Taqsimiet III u IV ta' dan l-Att fir-rigward ta' persuni, korpi u tribunali amministrattivi differenti msemmija fl-artikolu 25.

Disposizzjoni ta' riserva u transitorja. Kap. 12.

(2) Ebda haġa fis-subartikolu (1) ma għandha tirrendi invalida xi proċedura, kemm jekk miktuba kemm jekk bil-fomm, li setgħet saret qabel id-dhul fis-seħħ ta' dan l-Att u li kienet valida skond il-liġi li kienet fis-seħħ meta din tkun saret.

(3) It-Tribunal ta' Revizjoni Amministrattiva għandu jiffirmola u jagħti dawk id-digrietni li jistgħu jkunu meħtieġa biex jirregola dawk il-proċeduri mhux deċiżi li jkunu pendenti quddiem dawk il-persuni, korpi u tribunali amministrattivi msemmija fis-subartikolu (1) qabel id-dhul fis-seħħ ta' dan l-artikolu u li jkunu ġew assenjati fid-data tad-dhul fis-seħħ ta' dan l-artikolu lit-Tribunal ta' Revizjoni Amministrattiva, biex dan it-Tribunal ikun jista' jġib dawn il-proċeduri konformi mad-disposizzjonijiet tat-Taqsima III ta' dan l-

Att:

Iżda, minkejja d-disposizzjonijiet ta' dan l-artikolu l-proċeduri pendenti quddiem dawk il-persuni, korpi u tribunali amministrattivi msemmija fis-subartikolu (1) li jkunu ġew differiti għas-sentenza jew għat-trattazzjoni finali bil-fomm jew permezz ta' sottomissjonijiet bil-miktub fid-data tad-dhul fis-seħħ ta' dan l-artikolu, għandhom jibqgħu jinstemgħu u jiġu deċiżi mill-istess persuni, korpi u tribunali amministrattivi u mhux mit-Tribunal ta' Reviżjoni Amministrattiva.

(4) Mingħajr preġudizzju għall-generalità ta' kif jiddisponi s-subartikolu (1), xi President wiehed jew iktar li normalment joqogħdu fit-Tribunal ta' Reviżjoni Amministrattiva jew f'xi sezzjoni tiegħu, għandhom jiehdu konjizzjoni tal-proċeduri kollha pendenti quddiem dawk il-persuni, korpi jew tribunali amministrattivi msemmija f'dak is-subartikolu u li jiġu assenjati mill-ġdid lit-Tribunal ta' Reviżjoni Amministrattiva. Is-Segretarju tat-Tribunal ta' Reviżjoni Amministrattiva għandu jiżgura li l-proċeduri kollha pendenti quddiem il-persuni, korpi u tribunali amministrattivi msemmija fis-subartikolu (1) jiġu assenjati lil dik is-sezzjoni tat-Tribunal ta' Reviżjoni Amministrattiva li tkun ser tiegħu konjizzjoni ta' dawk il-proċeduri.

(5) Appelli li jkunu saru lill-Qorti ta' l-Appell minn deċiżjonijiet ta' xi persuna, korp jew tribunal amministrattiv, qabel id-dhul fis-seħħ ta' l-artikolu 25 għandhom jibqgħu jinstemgħu mill-istess Qorti sakemm jiġu hekk deċiżi, u d-disposizzjonijiet tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili għandhom japplikaw għalihom.

Kap. 12.

Emendi tal-ligijiet fir-Raba' Skeda.

25. (1) Din id-disposizzjoni għandu jkollha effett bla ħsara għad-disposizzjonijiet ta' l-artikoli 1(2) u (3) u 24.

(2) It-Tribunal ta' Reviżjoni Amministrattiva għandu, mad-dhul fis-seħħ ta' dan l-artikolu, minn issa 'l quddiem ikollu l-kompetenza li kellhom il-persuni, korpi u tribunali amministrattivi msemmija fil-ligijiet elenkati fit-Tielet Skeda, qabel id-dhul fis-seħħ ta' dan l-artikolu.

(3) Il-ligijiet indikati fl-Ewwel Kolonna tat-Tielet Skeda għandu jkollhom effett bla ħsara għall-emendi indikati fit-Tieni Kolonna ta' l-Iskeda u d-disposizzjonijiet ta' l-artikolu 1(2) u (3) għandhom ikunu japplikaw għalihom.

L-EWWEL SKEDA

(Artikolu 4)

Lista ta' Tribunali Amministrattivi li Jimxu skond il-Prinċipju ta' Mgieba Amministrattiva Tajba

Taqsim A - Legislazzjoni Primarja

| Kapitolu Nru. | Isem il-Liġi | Artikolu tal-Liġi/ Regolament Nru. | Isem it-Tribunal Amministrattiv |
|------------------|----------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 3 | Liġi dwar il-Legati taż-Żwieġ | 3 | Deputazzjoni |
| 45 | Ordinanza dwar il-Lebbrużi | 2(8) | Bord |
| 69 | Ordinanza li tirregola t-Tiġdid tal-Kiri ta' Bini | 16 | Bord li Jirregola l-Kera |
| 81 | Att dwar Ir-Regolament ta' Ċerti Xoghlijiet f'Utilitajiet u Servizzi | 4 | Jirreferi għall-Bord ta' l-Appelli dwar Telekomunikazzjonijiet imwaqqaf taht l-Att għat-Twaqqif ta' Awtorità dwar il-Komunikazzjoni |
| 85 | Ordinanza dwar l-Esportazzjoni ta' Prodotti tal-Biedja | 18 | Bord ta' Arbitraġġ (imwaqqaf taht leġislazzjoni sussidjarja SL 85.01 regolament 27) |
| 88 | Ordinanza dwar l-Akkwist ta' Artijiet għal Skopijiet Pubbliċi | 23 | Bord ta' Arbitraġġ dwar Artijiet |
| 94 | Ordinanza dwar l-Organizzazzjoni tad-Dipartiment tas-Sahha | 44 | Bord tas-Servizzi Ġenerali |
| 110 | Ordinanza dwar il-Valutazzjoni ta' Artijiet Mibnija | 9 | Bord ta' Kummissarji Speċjali għall-Valutazzjoni ta' Artijiet |
| 117 | Att dwar il-Provvisti u s-Servizzi | 3(1)(e) | Bordijiet jew Tribunali mwaqqfin taht leġislazzjoni sussidjarja biex jitrattaw dwar reati |
| 125 | Att dwar id-Djar | 8(6) u 12(1) | Jirreferi għall-Bord li Jirregola l-Kera |
| 164 | Att dwar il-Pulizija | 48 | Bord tal-Pulizija |
| 171 | Ordinanza dwar il-Haddiema tal-Port | 10 u 12 | Bord dwar Kwistjonijiet tal-Port |
| 179 | Att dwar Proprietà ta' l-Għadu | 4 | Bord tal-Kustodji |
| 199 | Att dwar it-Tiġdid ta' Kiri ta' Raba' | 5 | Bord dwar il-Kontroll tal-Kiri ta' Raba' |
| 204 | Att dwar il-Bank Ċentrali ta' Malta | 36A | Tribunal għal Servizzi Finanzjarji |

| Kapitolu Nru. | Isem il-Liġi | Artikolu tal-Liġi/Regolament Nru. | Isem it-Tribunal Amministrattiv |
|----------------------|---------------------------------------------------------------------|------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 210 | Att dwar l-Impieg ta' Persuni b'Diżabilità | 13 | Appell lill-awtorità mwaqqfa b'leġislazzjoni sussidjarja |
| 214 | Att li Jirregola l-Impiegi fit-Trasport Pubbliku | 3 | Bord ghax-Xoghol fit-Trasport Pubbliku mwaqqaf bl-artikolu 30 ta' l-Att dwar Awtorità dwar it-Trasport ta' Malta |
| 217 | Att dwar l-Immigrazzjoni | 25A | Bord ta' l-Appelli dwar l-Immigrazzjoni |
| 218 | Att dwar l-Avjazzjoni Ċivili (Ċertifikati ta' Operaturi ta' l-Ajru) | 9 | Bord dwar is-Sigurezza ta' l-Avjazzjoni |
| 254 | Att dwar Servizzi Postali | 2 | Bord ta' l-Appelli dwar il-Komunikazzjonijiet |
| 262 | Att dwar is-Sahha Mentali | 38 | Tribunal ta' Revizjoni dwar Sahha Mentali |
| 288 | Att dwar il-Kontroll tal-Prezzijiet tal-Bini | 9 | Tribunal għall-Kontroll ta' Prezzijiet tal-Bini |
| 291 | Att dwar il-Kummissarji għall-Ġustizzja | 3 | Kummissarji għall-Ġustizzja |
| 308 | Att li Jirregola l-Qsim ta' Wirt | 4 | Tribunal ta' Arbitraġġ dwar il-Qsim ta' Wirt |
| 318 | Att dwar is-Sigurtà Soċjali | 107 u 128 | Arbitru |
| 325 | Att dwar il-Promozzjoni ta' Negozji | 28 | Bord ta' Appelli |
| 327 | Att dwar l-Edukazzjoni | 42 | Tribunal Skolastiku |
| 330 | Att dwar Awtorità għas-Servizzi Finanzjarji ta' Malta | 21 | Tribunal dwar Servizzi Finanzjarji |
| 331 | Att dwar <i>Trusts</i> u <i>Trustees</i> | 55 | Tribunal għal Servizzi Finanzjarji |
| 332 | Att dwar Awtorità dwar it-Trasport ta' Malta | 30 | Bord ghax-Xoghol fit-Trasport Pubbliku |
| 334 | Att dwar il-Portijiet Hielsa ta' Malta | 29 (2) | Bord ta' Appelli magħmul taht l-artikolu 28 ta' l-Att dwar il-Promozzjoni ta' Negozji |
| 337 | Att dwar id-Dazji ta' Importazzjoni | 9 | Bord għal Appelli minn Valutazzjoni tad-Dwana |
| 343 | Att dwar is-Servizzi ta' Impieg u Tahriġ | 3 | Awtorità Nazzjonali tax-Xoghol |
| 345 | Att dwar is-Swieq Finanzjarji | 42 | Tribunal għal Servizzi Finanzjarji |
| 356 | Att dwar l-Ippjanar ta' l-Iżvilupp | 15 | Bord ta' Appelli dwar l-Ippjanar |
| 364 | Att dwar it-Taxxa fuq Dokumenti u Trasferimenti | 57 | Bord tal-Kummissarji Speċjali għat-Taxxa fuq Dokumenti u Trasferimenti |

| Kapitolu Nru. | Isem il-Liġi | Artikolu tal-Liġi / Regolament Nru. | Isem it-Tribunal Amministrattiv |
|----------------------|------------------------------------------------------------------|--------------------------------------------|----------------------------------------------------------------------------|
| 370 | Att dwar Servizzi ta' Investiment | 19 | Tribunal għal Servizzi Finanzjarji |
| 371 | Att dwar il-Kummerċ Bankarju | 10 | Tribunal għal Servizzi Finanzjarji |
| 372 | Att dwar l-Amministrazzjoni tat-Taxxa | 34 | Bord tal-Kummissarji Speċjali għal finijiet tat-taxxa fuq l- <i>income</i> |
| 376 | Att dwar Istituzzjonijiet Finanzjarji | 21 | Tribunal għal Servizzi Finanzjarji |
| 378 | Att dwar l-Affarjiet tal-Konsumatur | 16 | Tribunal għal Talbiet tal-Konsumaturi |
| 379 | Att dwar il-Kompetizzjoni | 4 | Kummissjoni għall-Kummerċ Ġust |
| 380 | Att dwar Tribunal għal Talbiet Żgħar | 3 | Tribunal għal Talbiet Żgħar |
| 383 | Att dwar Kumpanniji Kontrollati (Proċedura ta' Stralċ) | 7 | Bord ta' l-Appelli |
| 395 | Att dwar it-Taxxa tad-Dwana u tas-Sisa | 47 | Tribunal tat-Taxxi tas-Sisa |
| 399 | Att biex Jirregola Komunikazzjonijiet Elettroniċi | 16 | Bord ta' l-Appell dwar il-Komunikazzjonijiet |
| 403 | Att dwar il-Kummerċ ta' l-Assigurazzjoni | 35 | Tribunal għal Servizzi Finanzjarji |
| 406 | Att dwar it-Taxxa fuq il-Valur Miżjud | 43 | Bord ta' l-Appelli dwar it-Taxxa fuq il-Valur Miżjud |
| 409 | Att dwar Servizzi ta' l-Ivvjaġġar u tat-Turiżmu għal Malta | 13 | Bord ta' l-Appelli dwar it-Turiżmu |
| 420 | Att dwar ir-Rifuġjati | 5 | Bord ta' l-Appelli dwar ir-Rifuġjati |
| 423 | Att dwar Awtorità ta' Malta dwar ir-Riżorsi | 32 | Bord ta' l-Appelli dwar ir-Riżorsi |
| 424 | Att dwar l-Awtorità għas-Sahħa u s-Sigurt fuq il-Post tax-Xogħol | 21 | Bord ta' l-Appelli dwar is-Sahħa u s-Sigurtà fuq il-Post tax-Xogħol |
| 435 | Att dwar il-Harsien ta' l-Ambjent | 16 | Appell lill-Bord ta' Appell dwar l-Ippjanar, imwaqqaf taht Kap. 356 |
| 436 | Att dwar l-Inbid | 4 | Bord ta' Appell |
| 440 | Att dwar il-Protezzjoni u l-Privatezza tad-Data | 48 | Tribunal ta' l-Appelli dwar il-Protezzjoni u l-Privatezza tad-Data |
| 441 | Att dwar il-Liċenzi tal-Kummerċ | 8 | Bord ta' l-Appelli dwar il-Liċenzar |
| 442 | Att dwar is-Soċjetajiet Koperativi | 3 | Bord tal-Koperativi |
| 447 | Att dwar l-Għaqdiet tal-Produtturi | 18 | Bord ta' Appelli dwar Organizzazzjonijiet tal-Produtturi |

| Kapitolu Nru. | Isem il-Liġi | Artikolu tal-Liġi/Regolament Nru. | Isem it-Tribunal Amministrattiv |
|----------------------|---------------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------------------------------|
| 450 | Att li Jirregola Fondi Speċjali | 54 | Tribunal għal Servizzi Finanzjarji |
| 451 | Att dwar ir-Rikonoxximent Reċiproku ta' Kwalifiki | 7 | Bord ta' l-Appell dwar ir-Rikonoxximent Reċiproku ta' Kwalifiki |
| 452 | Att dwar l-Impiegi u r-Relazzjonijiet Industrijali | 73 | Tribunal Industrijali |
| 455 | Att dwar l-Isports | 47 | Bord ta' l-Appell għall-Isport |
| 458 | Att dwar il-Mediċini | 21 | Appell lill-Bord ta' Revizjoni dwar il-Mediċini, minn riżultanzi ta' l-Awtorità dwar il-Mediċini |
| 473 | Att dwar l-Eko-Kontribuzzjoni | 26 | Bord ta' l-Appelli dwar l-Eko-Kontribuzzjoni |
| 476 | Att dwar il-Prevenzjoni ta' Abbuż fis-Swieq Finanzjarji | 23 | Tribunal għal Servizzi Finanzjarji |
| 484 | Att dwar is- <i>Securitisatio</i> n | 19(14) | Tribunal għal Servizzi Finanzjarji |
| 487 | Att dwar l-Intermedjarji fl-Assigurazzjoni | 2 | Tribunal għal Servizzi Finanzjarji |

Taqsimha B - Legiżlazzjoni Sussidjarja

| Legiżlazzjoni Sussidjarja/ Avviż Legali Nru. | Isem il-Liġi Sussidjarja | Disposizzjoni Nru. | Isem it-Tribunal Amministrattiv |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------|------------------------------------------------------------------------------------|
| NG 430 tat-28 ta' Settembru 1937 | Regolamenti dwar ic-Ċinematografi u l-Palk | 42 | Bord taċ-Ċensuri tal-Pellikoli u tal-Palk |
| LS 33.04 | Regolamenti dwar Esplożivi Ċivili | It-Tieni Skeda, paragrafu 5 ta' l-Modulu B | Dan ir-regolament jgħid li għandu jkun hemm provvediment għal proċedura ta' appell |
| LS 85.01 | Regolamenti għall-Esportazzjoni tal-Patata | 27 | Bord ta' Arbitraġġ |
| LS 128.02 | Regolamenti dwar Proċeduri għall-Liċenzi | 6 | Tribunal ta' Appelli dwar Liċenzi tal-Pulizija |
| LS 174.02 | Regolamenti dwar l-Akkwisti li jsiru mis-Servizz Pubbliku | 15 | Bord ta' l-Appelli dwar il-Kuntratti Pubbliċi |
| LS 174.04 | Regolamenti dwar il-Kuntratti Pubbliċi | 33 | Bord ta' l-Appelli dwar Kuntratti Pubbliċi |
| LS 254.12 | Regolamenti dwar ir-Regoli ta' Proċedura għar-rigward tal-Bord ta' l-Appelli dwar is-Servizzi Postali | --- | Bord ta' l-Appelli dwar is-Servizzi Postali |
| LS 260.03 | Regolamenti dwar il-Habs | 79 | Tribunal ta' l-Appelli |
| LS 291.04 | Regolamenti dwar Petizzjonijiet quddiem it-Tribunali Lokali | 3 | Bord dwar il-Petizzjonijiet |
| LS 327.85 | Regolamenti dwar it-Testijiet ta' Valutazzjoni | 6 | Bord tad-Dixxiplina ta' l-Università |
| LS 332.09 | Regolamenti dwar Tqeghid ta' Billboards fit-Toroq | 9(7) | Bord ta' Appelli <i>ad hoc</i> sakemm jitwaqqaf Bord ta' Appelli permanenti |

| Legislazzjoni Sussidjarja/ Avviż Legali Nru. | Isem il-Liġi Sussidjarja | Disposizzjoni Nru. | Isem it-Tribunal Amministrattiv |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------|
| LS 458.23 | Regolamenti dwar Liċenzji għal-Kliniċi Mediċi Privati | 5(2) | Tribunal |
| LS 458.25. | Regolamenti dwar il- Liċenzjar ta' Laboratorji Dijanjostiċi Mediċi Privati | 5(2) | Tribunal mahtur bis- sahha tar-regolament 5(2) Liċenzi għal Kliniċi Mediċi Privati (L.S. 458.23) |

IT-TIENI SKEDA

Kompetenza tal-Qorti ta' l-Appell

(Artikolu 22 (2))

| Titolu tal-Liġi | Numru ta' referenza tal-Liġi | Kompetenza tal-Qorti ta' l-Appell |
|----------------------------------------------------------------------|------------------------------|-----------------------------------|
| Ordinanza ta' l-Ispirti | Kap. 41 | Kompetenza inferjuri |
| Ordinanza dwar il-Lebbrużi | Kap. 45 | Kompetenza inferjuri |
| Ordinanza dwar l-Esportazzjoni ta' Prodotti tal-Biedja | Kap. 85 | Kompetenza inferjuri |
| Att dwar il-Provvisti u s-Servizzi | Kap. 117 | Kompetenza inferjuri |
| Att dwar Proprjetà ta' l-Ghadu | Kap. 179 | Kompetenza inferjuri |
| Att dwar l-Inbid | Kap. 436 | Kompetenza inferjuri |
| Att dwar it-Trattament Xieraq ta' l-Animali | Kap. 439 | Kompetenza inferjuri |
| Att dwar is-Socjetajiet Koperativi | Kap. 442 | Kompetenza inferjuri |
| Regolamenti dwar Esplożivi Ċivili | L.S. 33.04 | Kompetenza inferjuri |
| Regolamenti dwar l-Importazzjoni ta' Klieb u Qtates | L.S. 36.42 | Kompetenza inferjuri |
| Regolamenti dwar il-Ġarr Stradali ta' Merkanzija b'Vetturi bil-Mutur | L.S. 65.19 | Kompetenza inferjuri |
| Regolamenti dwar il-Bibljoteka Nazzjonali ta' Malta | L.S. 92.03 | Kompetenza inferjuri |
| Regolamenti dwar il-Bibljoteka Pubblika ta' Malta | L.S. 92.06 | Kompetenza inferjuri |
| Regolamenti dwar il-Kontroll tal-Bejgh tal-Bajd | L.S. 117.17 | Kompetenza inferjuri |
| Regolamenti dwar il-Kontroll tal-Pitolju | L.S. 117.18 | Kompetenza inferjuri |

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| Titolu tal-Liġi | Numru ta' referenza tal-Liġi | Kompetenza tal-Qorti ta' l-Appell |
|-----------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------|
| Airport (Groundhandling Services) Regulations (Dawn ir-regolamenti ġew pubblikati bl-ilsien Inġliż biss) | L.S. 232.15 | Kompetenza inferjuri |

IT-TIELET SKEDA**(Artikolu 25(3))****Emenda tal-Liġijiet**

| L-Ewwel Kolonna | It-Tieni Kolonna |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Liġi | Emenda li għandha ssir |
| Ordinanza ta' l-Ispirti, Kap. 41. | Artikolu 6 ta' l-Ordinanza ta' l-Ispirti, Kap. 41, għandu jiġi sostitwit b'dan li ġej: "Meta ma tinhariġx liċenza. 6. (1) Il-Kontrullur jista' jirrifjuta li jagħti dik il-liċenza lil xi persuna li tapplika għaliha. Madankollu, fil-każ ta' rifjut, il-Kontrullur għandu jagħti lil dik il-persuna dikjarazzjoni bil-miktub għaliex ikun irrifjuta li jagħmel dan. (2) Kull persuna li thoss ruhha aggravata b'rifjut bhal dak tista', fi żmien erbatax-il gurnata wara li tirċievi dik id-dikjarazzjoni, tappella minnha lit-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjonijiet ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |
| Ordinanza dwar il-Lebbużi, Kap. 45. | Artikolu 2(8) ta' l-Ordinanza dwar il-Lebbużi, Kap. 45, għandu jiġi sostitwit b'dan li ġej: "(8) Għall-finijiet tad-disposizzjonijiet ta' qabel ta' dan l-artikolu, id-deċiżjoni dwar jekk persuna tkunx lebbuża tkun wahda li tittiched mit-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandhom ikunu japplikaw għal appell bhal dak." |

| L-Ewwel Kolonna | It-Tieni Kolonna |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Liġi | Emenda li għandha ssir |
| <p>Ordinanza dwar l-Esportazzjoni ta' Prodotti tal-Biedja, Kap. 85.</p> | <p>Artikolu 18 ta' l-Ordinanza dwar l-Esportazzjoni ta' Prodotti tal-Biedja, Kap. 85, għandu jiġi sostitwit b'dan li ġej:</p> |
| <p>Att dwar il-Provvisti u s-Servizzi, Kap. 117.</p> | <p>"Appell minn deċiżjoni ta' spettur.</p> <p>18. (1) Meta spettur jirrifjuta li jgħaddi għall-esportazzjoni xi kunsinna ta' prodotti, huwa għandu minnufih javża bil-miktub lill-esportatur għaliex huwa jkun irrifjuta li jagħmel dan: l-esportatur jista', meta jsir dan, jitlob bil-miktub lill-ispettur jirreferi l-kwistjoni minnufih lit-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak, għal deċiżjoni kemm jista' jkun malajr dwar jekk il-prodott għandux jgħaddi għall-esportazzjoni.</p> <p>(2) L-esportatur jista' jkun preżenti waqt kull eżami tal-prodott minn spettur."</p> <p>Artikolu 3(e) ta' l-Att dwar il-Provvisti u s-Servizzi, Kap. 117, għandu jiġi sostitwit b'dan li ġej:</p> <p>"(e) biex jagħti setgħa lit-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, li jkun jista' jittratta dwar reati li jaqgħu taht kull regolament jew xi regolament speċifiku magħmul taht dan l-Att, biex jistipula l-proċedura li għandha tkun segwita minn dak it-Tribunal, biex jistabbilixxi l-ġurisdizzjoni tiegħu; u biex jipprovdi, skond ma jkun meħtieġ, dwar kif jiġu applikati d-disposizzjonijiet ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, għal appelli mid-deċiżjonijiet ta' dak it-Tribunal;"</p> |

L-Ewwel Kolonna

It-Tieni Kolonna

Ligi

Emenda li għandha ssir

Att dwar Proprjetà ta' l-Għadu,
Kap. 179.

Subartikoli (3) u (4) ta' l-artikolu 4 ta' l-Att
dwar Proprjetà ta' l-Għadu, Kap. 179,
għandhom jiġu sostitwiti b'dan li ġej:

"(3) Id-deċiżjoni tal-Bord għandha tiġi
notifikata lil min ikollu pretensjoni permezz ta'
att ġudizzjarju, u jista' jsir appell minnha
b'rikors quddiem it-Tribunal Amministrattiv ta'
Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att
ta' l-2006 dwar il-Ġustizzja Amministrattiva, u
d-disposizzjoni ta' dan l-Att għandha tkun
tapplika għal appell bhal dak.

(4) Meta l-Bord jew it-Tribunal Amministrattiv
ta' Reviżjoni jew il-Qorti ta' l-Appell, skond il-
każ, jiddeċiedu favur min ikollu pretensjoni, il-
Kustodju għandu jkollu jedd jikkunsinna l-
proprjetà lil min ikollu pretensjoni wara li
jnaqqas minnha d-drittijiet u l-ispejjeż li l-
Kustodju jbati fl-amministrazzjoni tal-proprjetà
u meta din tintradd."

Att dwar l-Inbid,
Kap. 436.

Artikolu 4 ta' l-Att dwar l-Inbid, Kap. 436,
għandu jiġi sostitwit b'dan li ġej:

"Appell lill-Bord ta' l-Appelli.

4. Meta jkun ġie rifjutat il-hruġ jew it-tiġdid
ta' liċenza, id-Direttur għandu jinforma lill-
applikant minnufih li jkun irrifjuta jagħmel dan
u l-applikant ikun jista' jappella minn din id-
deċiżjoni quddiem it-Tribunal Amministrattiv
ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-
Att ta' l-2006 dwar il-Ġustizzja
Amministrattiva, u d-disposizzjoni ta' dan l-Att
għandha tkun tapplika għal appell bhal dak."

Att dwar it-Trattament Xieraq ta' l-
Annimali, Kap. 439.

20. Artikolu 49 ta' l-Att dwar it-Trattament
Xieraq ta' l-Annimali, Kap. 439, għandu jiġi
sostitwit b'dan li ġej:

"Reviżjoni tad-deċiżjonijiet tad-Direttur.

49. (1) Meta d-Direttur jirrifjuta li johroġ permess jew liċenza mehtieġa minn jew taht dan l-Att, jew jagħmel xi tibdil f'xi permess jew liċenza jew iħassarhom, il-persuna li tkun qeghda tapplika għal dak il-permess jew liċenza jew il-persuna li jkollha l-permess jew il-liċenza, skond il-każ, ikollhom id-dritt, sa mhux iżjed tard minn hamest ijiem tax-xogħol, jappellaw kontra d-deċiżjoni tad-Direttur fejn dik il-persuna tiddikjara r-raġunijiet għaliex għandha d-deċiżjoni tad-Direttur tithassar jew tinbidel."

(2) Dak l-appell isir quddiem it-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak.

(3) Malli t-Tribunal Amministrattiv ta' Reviżjoni jirċievi l-appell skond is-subartikolu (1), dan għandu jibgħat dak l-appell lid-Direttur hekk li d-Direttur ikollu jumejn biex jagħmel risposta bil-miktub tiegħu, li fiha jindika r-raġunijiet għaliex l-appell għandu jiġi miċhud; madankollu, id-Direttur jista', meta jkun jidhirlu li l-appell ikun wiehed ġustifikat, jibdel id-deċiżjoni tiegħu skond ma jkun hemm fl-appell u jinforma lit-Tribunal fiż-żmien li jingħatalu għar-risposta tiegħu.

(4) Meta t-Tribunal jirċievi r-risposta tad-Direttur, jew inkella ż-żmien għar-risposta jkun skada mingħajr ma tkun waslet ir-risposta, it-Tribunal għandu jisma' l-appell u f'dan il-każ għandu jkun magħmul mill-president tat-Tribunal u minn dawk il-membri tal-Kunsill mahturin taht l-artikolu 4(1)(ċ), (d) u (e) u wiehed mill-membri mahturin taht l-artikolu 4(1)(f).

(5) It-Tribunal għandu, fi żmien hamest ijiem minn meta jirċievi l-appell, jistudja l-każ u jisma' lil kull persuna li jqis li għandu jisma', inklużi ż-żewġ partijiet.

L-Ewwel Kolonna

It-Tieni Kolonna

Ligi

Emenda li ghandha ssir

| | |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Att dwar is-Socjetajiet Kooperativi, Kap. 442. | <p>(6) Wara li t-Tribunal jiddeċiedi l-appell, dan għandu jagħti ordni bil-miktub lid-Direttur skond l-istess deċiżjoni tiegħu; kopja tad-deċiżjoni tat-Tribunal għandha wkoll tintbagħat lill-appellant."</p> <p>Artikolu 17(v) ta' l-Att dwar is-Socjetajiet Kooperativi, Kap. 442, għandu jiġi sostitwit b'dan li ġej:</p> |
| Regolamenti dwar Esplożivi Ċivili (L.S. 33.04) | <p>"(v) dawk ir-regolamenti jistgħu wkoll jistipulaw id-drittijiet ta' appell minn deċiżjonijiet tal-Bord li jimponi xi sanzjoni amministrattiva għat-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bħal dak."</p> <p>Fil-paragrafu 5 tat-Tieni Skeda tar-Regolamenti dwar Esplożivi Ċivili, L.S. 33.04, il-kliem "Għandu jkun hemm provvediment għal proċedura ta' appelli." għandhom jiġu sostitwiti bil-kliem "Jista' jsir appell mid-deċiżjoni tal-korp notifikat lit-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bħal dak."</p> |
| Regolamenti dwar l-Importazzjoni ta' Klieb u Qtates (L.S. 36.42) | <p>Regolament 9(5) tar-Regolamenti dwar l-Importazzjoni ta' Klieb u Qtates, L.S. 36.42, għandu jiġi sostitwit b'dan li ġej:</p> <p>"(5) Id-Direttur jirriserva l-jedd li jtaqwal iż-żmien ta' kwarantana msemmi fis-subregolamenti (1) u (2) ta' dan ir-regolament għal kull animal:</p> <p>Iżda f'dawk il-każijiet l-importatur jista' jappella minn dik id-deċiżjoni lit-Tribunal Amministrattiv ta' Reviżjoni stabbiliti skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bħal dak."</p> |

| L-Ewwel Kolonna | It-Tieni Kolonna |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Liġi | Emenda li għandha ssir |
| Regolamenti dwar il-Ġarr Stradali ta' Merkanzija b'Vetturi bil-Mutur (L.S. 65.19) | Ir-Regolamenti dwar il-Ġarr Stradali ta' Merkanzija b'Vetturi bil-Mutur, L.S. 65.19, għandhom jiġu emendati kif ġej:- (a) regolament 12(d) għandu jiġi sostitwit b'dan li ġej: "(d) f'każ ta' xi ksur serju ta' dawn ir-regolamenti, l-Awtorità tista' tissospendi l-awtorizzazzjoni. Dik is-sospensjoni għandha tiġi imposta wara li titqies il-gravità tal-ksur u tkun soġġetta għal appell quddiem it-Tribunal Amministrattiv ta' Revizjoni stabbiliti skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak."; u (b) ir-regolament 37 għandu jiġi sostitwit b'dan li ġej: "Appelli. 37. Jista' jsir appell minn kull deċiżjoni ta' l-Awtorità skond ir-regolament 36 quddiem it-Tribunal Amministrattiv ta' Revizjoni, stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |
| Regolamenti dwar il-Bibljoteka Nazzjonali ta' Malta (L.S. 92.03) | Regolament 6 tar-Regolamenti dwar il-Bibljoteka Nazzjonali ta' Malta, L.S. 92.03, għandu jiġi sostitwit b'dan li ġej: "Il-bibljotekarju jista' jirrifjuta li johroġ kotba. 6. Il-Bibljotekarju jista' jirrifjuta li johroġ dawk il-kotba jew manuskritti li, skond ma jidhirlu, m'humiex adattati għall-età jew l-intelliġenza ta' min jitlobhom, b'dan iżda li min jitlobhom jista' jagħmel appell kontra dak ir-rifjut quddiem it-Tribunal Amministrattiv ta' Revizjoni stabbiliti skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |

| L-Ewwel Kolonna | It-Tieni Kolonna |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Liġi | Emenda li għandha ssir |
| Regolamenti dwar il-Bibljoteka Pubblika ta' Malta (L.S. 92.06) | Regolament 39 tar-Regolamenti dwar il-Bibljoteka Pubblika ta' Malta, L.S. 92.06, għandu jiġi sostitwit b'dan li ġej: "Appell. 39. Kull persuna li thoss ruhha aggravata b'deċiżjoni tal-Bibljotekarju li tkun saret jew ittiedet taht dawn ir-Regolamenti, barra minn deċiżjoni taht ir-regolament 34, tista' tappella minnha quddiem it-Tribunal Amministrattiv ta' Reviżjoni stabbilit skond l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |
| Regolamenti dwar il-Kontroll tal-Bejgħ tal-Bajd (L.S. 117.17) | Regolament 4(3) tar-Regolamenti dwar il-Kontroll tal-Bejgħ tal-Bajd, L.S. 117.17, għandu jiġi sostitwit b'dan li ġej: "(3) Kull persuna li thoss ruhha aggravata b'xi deċiżjoni tad-Direttur taht dan ir-regolament tista' tappella minnha quddiem it-Tribunal Amministrattiv ta' Reviżjoni stabbilit taht l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |
| Regolamenti dwar il-Kontroll tal-Pitrolju (L.S. 117.18) | Regolament 5(3) tar-Regolamenti dwar il-Kontroll tal-Pitrolju, L.S. 117.18, għandu jiġi sostitwit b'dan li ġej: "(3) Kull persuna li thoss ruhha aggravata b'xi deċiżjoni tad-Direttur taht dan ir-regolament tista' tappella fi żmien hmistax-il ġurnata minn meta tiġi lillu notifikata d-deċiżjoni bil-miktub quddiem it-Tribunal Amministrattiv ta' Reviżjoni stabbilit taht l-artikolu 5 ta' l-Att ta' l-2006 dwar il-Ġustizzja Amministrattiva, u d-disposizzjoni ta' dan l-Att għandha tkun tapplika għal appell bhal dak." |

| L-Ewwel Kolonna | It-Tieni Kolonna |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Liġi | Emenda li għandha ssir |
| <p>Airport (Groundhandling Services) Regulations (L.S. 232.15)</p> <p>(Dawn ir-regolamenti ġew pubblikati bl-ilsien Inġliż biss)</p> | <p>The Airport (Groundhandling Services) Regulations, L.S. 232.15, għandhom jiġu emendati kif ġej:</p> <p>(a) It-tifsira tal-kelma "Board" fir-regolament 2 għandha tithassar u għandha tiżdied it-tifsira ta' din il-kelma ġdida li ġejja għandha tiżdied qabel it-tifsira ta' "airport":</p> <p>" "Administrative Review Tribunal" means the Administrative Review Tribunal established in terms of article 5 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal;"</p> <p>(b) ir-regolament 16 għandu jiġi sostitwit b'dan li ġej:</p> <p>"Appeals.</p> <p>16. (1) An appeal shall lie to the Administrative Review Tribunal against any decision or authorisation given under regulations 7, 8, 9, 10 and 13.</p> <p>(2) The right to appeal shall be competent to any person aggrieved by the decision or authorisation.";</p> <p>(ċ) ir-regolament 17 għandu jiġi sostitwit b'dan li ġej:</p> <p>"Grounds of appeal.</p> <p>17. (1) An appeal to the Administrative Review Tribunal may be filed on any of the following grounds:</p> <p>(a) that a material error as to the facts has been made;</p> <p>(b) that there was a material procedural error;</p> <p>(c) that an error of law has been made;</p> <p>(d) that there was some material illegality, including unreasonableness or lack of proportionality.</p> |

L-Ewwel Kolonna

It-Tieni Kolonna

Ligi

Emenda li ghandha ssir

(2) The Administrative Review Tribunal shall give reasons for its decision and shall cause such decisions to be made public omitting, if it deems it appropriate for reasons of commercial or security confidentiality, the names of the persons involved and any other information.

(3) In determining an appeal under this regulation the Administrative Review Tribunal may -

(a) dismiss the appeal; or

(b) annul the decision or authorisation, and where the said Tribunal annuls the decision or authorisation it may refer the matter to the managing body of the airport or the Director, as the case may be, with a direction to reconsider it and reach a decision or authorisation consistent with the findings of the Tribunal.

(4) The effect of a decision or authorisation to which an appeal relates shall not, except where the Tribunal or the Court of Appeal, as the case may be, so orders, be suspended in consequence of the bringing of the appeal.";

(d) ir-regolament 18 ghandu jiġi sostitwit b'dan li ġej:

"Powers and procedure of the Administrative Review Tribunal.

18. (1) The Administrative Review Tribunal shall be competent to hear and decide any appeal made to it in accordance with the provisions of these regulations and, subject to regulation 19, the decisions of the Tribunal shall be final and binding.

(2) For the exercise of its functions, the Tribunal may summon any person to appear before it and give evidence and produce documents; and the Chairperson shall have the power to administer the oath."; u

L-Ewwel Kolonna

It-Tieni Kolonna

Ligi

Emenda li ghandha ssir

(c) ir-regolament 19 ghandu jigi sostitwit b'dan li ġej:

"Appeal to the Court of Appeal.

19. (1) Any party to an appeal to the Tribunal who feels aggrieved by a decision of the Board may, on a question of law, appeal to the Court of Appeal in terms of the Administrative Justice Act, 2006."

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 514 tas-17 ta' April, 2007.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Skriivan tal-Kamra tad-Deputati

I assent.

(L.S.)

EDWARD FENECH ADAMI
President

20th April, 2007

ACT No. V of 2007

AN ACT to provide for Administrative Justice in Malta.

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. (1) The short title of this Act is the Administrative Justice Act, 2007. Short title and commencement.

(2) This Act shall come into force on such date as the Minister may, by notice in the Gazette appoint and different dates may be so appointed for different provisions and different purposes of this Act.

(3) A notice under subarticle (2) may make such transitional provisions as appear to the Minister to be necessary or expedient in connection with the provisions thereby brought into force.

PART I

Preliminary Provisions

2. In this Act, unless the context otherwise requires - Interpretation.

“administrative act” includes the issuing by the public administration of any order, licence, permit, warrant, authorisation, concession, decision or a refusal to any demand of a member of the

public, but does not include any measure intended for internal organisation or administration within the said public administration;

“Administrative Review Tribunal” means the Administrative Review Tribunal established by article 5(1);

“administrative tribunal” means a tribunal listed in the First Schedule;

“the Minister” means the Minister responsible for justice;

“principles of good administrative behaviour” means the principles of good administrative behaviour listed in Part II of this Act;

“public administration” means the Government of Malta, including its Ministries and departments, local authorities and any body corporate established by law;

“the Secretary” means the Secretary of the Administrative Review Tribunal.

PART II

Administrative Tribunals

General provision applicable to administrative tribunals.

3. (1) In their relations with the public, administrative tribunals shall respect and apply the principles of good administrative behaviour laid down in this Part of this Act.

(2) The principles of good administrative behaviour include the following:-

(a) an administrative tribunal shall respect the parties’ right to a fair hearing, including the principles of natural justice, namely:

(i) *nemo iudex in causa sua*, and

(ii) *audi et alteram partem*;

(b) the time within which an administrative tribunal shall take its decision shall be reasonable in the light of the circumstances of each case. The decision shall be delivered as soon as possible and for this purpose the tribunal shall deliver one decision about all matters involved in the cause whether they are of a preliminary, procedural or of a substantive nature;

(c) an administrative tribunal shall ensure that there shall be procedural equality between the parties to the proceedings. Each party shall be given an opportunity to present its case, whether in writing or orally or both, without being placed at a disadvantage;

(d) an administrative tribunal shall ensure that the public administration makes available the documents and information relevant to the case and that the other party or parties to the proceedings have access to these documents and information;

(e) proceedings before an administrative tribunal shall be adversarial in nature. All evidence admitted by such a tribunal shall, in principle, be made available to the parties with a view to adversarial argument;

(f) an administrative tribunal shall be in a position to examine all of the factual and legal issues relevant to the case presented by the parties in terms of the applicable law;

(g) save as otherwise provided by law, the proceedings before an administrative tribunal shall be conducted in public;

(h) reasons shall be given for the judgment. An administrative tribunal shall indicate, with sufficient clarity, the grounds on which it bases its decisions. Although it shall not be necessary for a tribunal to deal with every point raised in argument, a submission that would, if accepted, be decisive for the outcome of the case, shall require a specific and express response.

4. The Minister may make regulations to implement and to give better effect to the provisions of this Part of this Act and may, without prejudice to the generality of the foregoing:

Power of
Minister to
make
regulations to
implement
provisions of
this Part.

(a) establish the date of entry into force of the provisions of this Part with regard to any administrative tribunals referred to in the First Schedule that the Minister may by regulations specify;

(b) make such amendments, alterations, deletions, repeals, corrections, changes and modifications to any primary law or subsidiary law for the purpose of bringing such primary law or subsidiary law in conformity with the provisions of this Part of this Act and may from time to time update the list of administrative tribunals listed in the First Schedule.

PART III

The Administrative Review Tribunal

Administrative
Review
Tribunal.

5. (1) There shall be set up in accordance with the provisions of this Part of this Act, an independent and impartial tribunal, to be known as the Administrative Review Tribunal, for the purpose of reviewing administrative acts referred to it in accordance with this Act or any other law, and for the purpose of exercising any other jurisdiction conferred on the Administrative Review Tribunal by or under this or any other law, whether before or after the coming into force of this Act.

(2) The Administrative Review Tribunal shall have jurisdiction to review administrative acts.

Principles which
shall guide the
Administrative
Review
Tribunal.

6. The Administrative Review Tribunal shall comply with the principles of good administrative behaviour laid down in article 3.

Review of
administrative
acts.

7. The Administrative Review Tribunal shall be competent to review administrative acts of the public administration on points of law and points of fact. It shall also be competent to decide disputes referred to it unless any court or other administrative tribunal is already seized of such dispute.

Constitution of
the
Administrative
Review
Tribunal.

8. (1) The Administrative Review Tribunal shall consist of a Chairperson who shall preside over the Tribunal.

(2) The President of Malta, acting on the advice of the Prime Minister, may appoint more than one Chairperson to sit on the Administrative Review Tribunal, but only one Chairperson shall sit in any one case.

(3) A Chairperson who is an ex-Judge or an ex-Magistrate shall be appointed for a term of four years and shall vacate his or her office at the expiration of the term of the said appointment.

(4) A Chairperson shall be a person who holds, or has held, the office of a judge or of a magistrate in Malta.

(5) During the tenure of office, a Chairperson may not be removed except in the same manner and on the same grounds as a magistrate may be removed.

(6) In the exercise of his or her function, a Chairperson shall not be subject to the direction or control of any other person or authority.

(7) Upon his or her appointment, a Chairperson shall take an oath to examine and decide the cases brought before him or her with impartiality, fairness and according to law. The oath shall be taken before the Court of Appeal.

(8) The warrants or orders of the Administrative Review Tribunal shall be signed by the Chairperson.

(9) The oath to the witnesses shall be administered by the Chairperson or by the Secretary of the Administrative Review Tribunal or such other person as the Chairperson may by order in writing appoint.

(10) A Chairperson shall receive such remuneration as the President of Malta, acting on the advice of the Prime Minister, may by order to be published in the Gazette from time to time prescribe. Such remuneration may not be altered to the disadvantage of a Chairperson during his or her period of office.

9. (1) The President of Malta, acting on the advice of the Prime Minister, may by order establish sections of the Administrative Review Tribunal and may designate the categories of cases to be assigned to each section; and may by subsequent order amend, revoke or substitute such order.

Sections of the
Administrative
Review
Tribunal.

(2) The President of Malta, acting on the advice of the Prime Minister, shall assign a Chairperson or such Chairpersons to sit in the Administrative Review Tribunal or in a section or such number of sections of the Administrative Review Tribunal and may transfer a Chairperson from one section of the Administrative Review Tribunal to another.

(3) The provisions of the Code of Organization and Civil Procedure regarding the abstention and challenge of magistrates shall apply to the abstention and challenge of a Chairperson.

Cap. 12.

(4) When a Chairperson has been objected to or has abstained from sitting, or is otherwise unable to act, another Chairperson shall be surrogated in his or her stead by the President.

10. (1) In proceedings before it, the Administrative Review Tribunal shall be assisted by two assistants, appointed under this article, whom the Administrative Review Tribunal may consult in any case for its decision.

Panels of
assistants.

(2) Such consultation shall take place in open court or *in camera* and the Administrative Review Tribunal shall not be bound to abide by the opinion of the assistants.

(3) The two assistants shall be appointed by the President of Malta, acting on the advice of the Prime Minister from amongst persons who, in the Prime Minister's opinion, have previous experience and special qualifications in a particular field of expertise falling within the competence of the Administrative Review Tribunal.

(4) The President of Malta, acting on the advice of the Prime Minister, may appoint panels of assistants depending on the subject matter of the dispute and the Secretary shall select two assistants from each panel for each case.

(5) The President of Malta, acting on the advice of the Prime Minister may, from time to time, add to or vary such order to include, remove, fuse together or change existing panels as the case may be.

(6) The President of Malta, acting on the advice of the Prime Minister, may at any time, appoint more than two persons on each panel as assistants of the Administrative Review Tribunal, but only two such persons from each panel shall assist the said Tribunal in any one case.

(7) The office of an assistant of the Administrative Review Tribunal shall become vacant:

(a) at the expiration of four years from the date of appointment unless such appointment is renewed for a period or further periods of four years; or

(b) following removal from office in the same manner and on the same grounds as a magistrate may be removed from office; or

(c) following a written request addressed to the Prime Minister to that effect by such assistant.

(8) The assistants of the Administrative Review Tribunal may abstain or be challenged in the same manner and on the same grounds as, according to law, a magistrate may abstain or be challenged. Any question regarding any cause of abstention or challenge shall be decided by the Chairperson.

(9) In the exercise of his or her function, an assistant of the Administrative Review Tribunal shall not be subject to the direction or control of any other person or authority other than the Chairperson of the Administrative Review Tribunal.

(10) Upon appointment, an assistant of the Administrative Review Tribunal shall take an oath of office. The oath shall be taken

before the Chairperson.

(11) An assistant of the Administrative Review Tribunal shall receive such remuneration as the President of Malta, acting on the advice of the Prime Minister, may by order to be published in the Gazette from time to time prescribe. Such remuneration may not be altered to the disadvantage of an assistant during his or her period of office.

11. (1) The Administrative Review Tribunal shall hold sittings in Malta and in Gozo at such regular intervals as may be necessary to expedite its business. The day and time of each sitting shall be determined by the Chairperson.

Sittings of the
Administrative
Appeals
Tribunal.

(2) The Minister shall, by notice in the Gazette, determine the buildings where the Administrative Review Tribunal shall sit in Malta and in Gozo.

(3) Unless otherwise exempted by the Chairperson, assistants of the Administrative Review Tribunal shall attend for all sittings of the said Tribunal.

12. (1) The Minister may by regulations establish the Registry of the Administrative Review Tribunal and the functions thereof, and by the same regulations may also appoint such officers as may be necessary for the operation of the said Tribunal. All the records of the Administrative Review Tribunal shall be filed in the Registry referred to in this subarticle.

Registry of the
Administrative
Review
Tribunal.

(2) The records of the Administrative Review Tribunal shall be accessible to all persons, and copies thereof shall be given on payment of the prescribed fee to any person on request.

(3) The records of the Administrative Review Tribunal shall be deposited and kept in such archives as may be designated by the Minister by regulations made under this article.

13. (1) The Secretary to the Administrative Review Tribunal shall be responsible for the running of the Registry. The Secretary shall also perform any other duty which may be incumbent upon him or her under this Act or any rules made thereunder.

Duties of
Secretary.

(2) The duties of the Secretary shall be carried out in accordance with the provisions of the Code of Organization and Civil Procedure.

Cap. 12.

Appearance
before the
Administrative
Review
Tribunal.

14. (1) The parties may appear before the Administrative Review Tribunal in person or be represented through an advocate, a legal procurator or another person.

(2) The parties may be assisted by an advocate, a legal procurator or by another person.

Procedure
before the
Administrative
Review
Tribunal.
Cap. 12.

15. (1) The provisions of articles 21, 22 and 23 of the Code of Organization and Civil Procedure shall apply before the Administrative Review Tribunal.

(2) Proceedings before the Administrative Review Tribunal shall be commenced by the filing of an application. The applicant shall file an application in the Registry of the Administrative Review Tribunal. The said application shall contain:

(a) a clear and correct statement of the subject-matter and the cause of the claim;

(b) the claim or claims;

(c) a clear and detailed statement of the facts of the case of which the applicant may be aware;

(d) the name of witnesses the applicant intends to produce, including the subpoena of the other party, stating in respect of them the proof the applicant intends to establish by their evidence; and

(e) the remedy being requested, with costs against the public administration.

(3) The application shall be served on the public administration not later than five working days from its date of filing. The provisions of article 3 in so far as they concern the expeditiousness of proceedings shall be observed in so far as the reply is concerned.

(4) The public administration shall file the reply within twenty days from the date of service of the application, unless it intends to admit the claim.

(5) When the public administration intends to admit the claim, wholly and unconditionally, it shall file a note to that effect. Once the applicant declares, by means of a note filed within twenty days from service of the public administration's admission of claim, that he is satisfied with the remedy granted by the public administration, the Tribunal shall abstain from taking further cognizance of the case.

(6) If the applicant is not satisfied with the remedy granted by the respondent, whether in full or in part, or if the public administration intends to contest the claim wholly and unconditionally, the public administration shall file a reply containing:

(a) any such pleas as would be taken to be waived if not raised before the contestation of the suit;

(b) a clear and correct statement of the pleas on the merits of the claim or claims and referring to the provisions of the law in terms of which the decision was taken;

(c) a clear and detailed statement of facts of the case of which the public administration is aware, denying, admitting or explaining the circumstances of fact set out in the applicant's application;

(d) the name of the witnesses which the applicant intends to produce, including the subpoena of the other party, stating in respect of each of them the proof he/she intends to establish by their evidence;

(e) a request that the public administration be non-suited with costs against the applicant.

(7) Where the claim is contested, the Tribunal shall appoint the case for hearing.

(8) The Tribunal shall, subject to the provisions of this Act or any other applicable law regulating the Tribunal's procedure, regulate its own procedure.

16. (1) The Minister may make regulations to implement and to give better effect to the provisions of this Part of this Act and may, without prejudice to the generality of the foregoing, establish the date of entry into force of the provisions of this Part of this Act with regard to the public administration and administrative tribunals that the Minister may by regulations specify.

Minister to make regulations to implement provisions of this Part.

(2) The Minister may also make regulations for the better functioning of the Administrative Review Tribunal and may, without prejudice to the generality hereof, make regulations:

(a) setting out the procedure before the Administrative Review Tribunal;

(b) setting out the procedure in appeals from the

decisions of the Administrative Review Tribunal;

(c) establishing the forms that are to be used in proceedings before the Administrative Review Tribunal;

(d) establishing the forms that are to be used in proceedings in appeals from the Administrative Review Tribunal;

(e) establishing rates of costs in proceedings before the Administrative Review Tribunal;

(f) establishing the fees that may be due to the Registry of the Administrative Review Tribunal;

(g) establishing the fees that may be due to advocates, legal procurators and other persons representing or appearing before the Administrative Review Tribunal;

(h) setting out the duties of Secretary in relation to the Administrative Review Tribunal;

Cap. 12.

(i) establishing which provisions of the Code of Organization and Civil Procedure, if any, not mentioned in this Act, are to apply to the procedure before the Administrative Review Tribunal;

(j) prescribing anything that may or is to be prescribed in accordance with this Part of this Act.

Service of
judicial acts.
Cap. 12.

17. The service of judicial acts in terms of this Part of this Act shall be carried out in such manner as is provided for the service of judicial acts in the Code of Organization and Civil Procedure, unless the Minister shall, by regulations made under this article, otherwise provide.

Benefit of legal
aid.
Cap. 12.

18. The provisions of the Code of Organization and Civil Procedure relating to the benefit of legal aid shall apply to parties to proceedings before the Administrative Review Tribunal, being persons entitled to such benefit within the meaning of those provisions.

Administrative
expenses of the
Administrative
Review
Tribunal.

19. The expenses in connection with the administration of the Administrative Review Tribunal and the remuneration due to the Chairperson and the assistants of the panel, shall be paid out of the Consolidated Fund without the necessity of any further appropriation.

20. (1) The Administrative Review Tribunal shall have all such powers as are, by the Code of Organization and Civil Procedure, vested in the First Hall of the Civil Court.

Powers of the Administrative Review Tribunal.
Cap. 12

(2) The enforcement of the decisions of the Administrative Review Tribunal in the manner provided for in the Code of Organization and Civil Procedure, shall vest in the Administrative Review Tribunal itself.

Cap. 12.

(3) The Administrative Review Tribunal may, through its Chairperson, summon any person to appear before it and give evidence and produce documents, and the Chairperson shall have the power to administer the oath.

21. The Minister may make regulations to implement and to give better effect to the provisions of this Part of this Act and may, without prejudice to the generality of the foregoing make such amendments, alterations, deletions, repeals, corrections, changes and modifications to any law or regulation for the purpose of bringing such law or regulation in conformity with the provisions of this Part of this Act.

Minister to make regulations to implement provisions of this Part of this Act.

PART IV

Appeals from decisions of the Administrative Review Tribunal

22. (1) Any party to the proceedings before the Administrative Review Tribunal who feels aggrieved by a decision of the said Tribunal, may appeal to the Court of Appeal sitting either in its superior or in its inferior jurisdiction.

Right of appeal.

(2) The Court of Appeal competent to hear and determine an appeal from a decision of the Administrative Appeals Tribunal shall be that established in the Second Schedule:

Provided that the Minister may make regulations to implement and to give better effect to these provisions of this Part of this Act and may, without prejudice to the generality of the foregoing, make such amendments, alterations, deletions, repeals, corrections, changes and modifications to the Second Schedule and to any primary law or subsidiary law for the purpose of bringing such Schedule or primary or subsidiary law in conformity with the provisions of this Part of this Act and may from time to time add any other reference to legislation to the Second Schedule which is not mentioned in the said Second Schedule.

(3) Such appeal shall be brought before the Court of Appeal by means of an application filed in the Registry of that court within

twenty days from the day on which the decision of the court was delivered.

(4) The said application of appeal shall be accompanied together with the payment of an all inclusive Registry appeal fee as may be prescribed by the Minister responsible for justice in consultation with the Minister responsible for finance. Such fee shall cover all Registry fees, including those taxed by the Registrar, Civil Courts and Tribunals, when final judgement is read out in open court.

(5) When there are two parties, the appeal shall be lodged in duplicate by means of an application. Where there are more than two parties to an appeal before the Administrative Review Tribunal, the application of appeal shall be lodged in such number of copies as there are parties to that appeal.

Cap. 12.

(6) The application of appeal shall be filed in the competent Registry in terms of the Code of Organization and Civil Procedure.

(7) The Registrar, Civil Courts and Tribunals, shall, on receipt of the application of appeal, serve a copy of the said application of appeal on the other party or parties.

(8) The respondent or respondents shall file their reply to the appeal within twenty days of service of the appeal. Such replies shall be accompanied together with the payment of an all inclusive Registry fee as may be prescribed by the Minister responsible for justice in consultation with the Minister responsible for finance. Such fee shall cover all Registry fees, including those taxed by the Registrar, Civil Courts and Tribunals, when final judgement is read out in open court.

(9) When an appeal is lodged to the Court of Appeal as aforesaid, that appeal and the reply or replies thereto shall be referred by the Registrar, Civil Courts and Tribunals, to the Court of Appeal.

Powers of the
Court of
Appeal.

23. (1) The Court of Appeal shall have the power, in its judgement, to confirm, revoke or alter the decision appealed against and to give such directions as it may deem appropriate.

Cap. 12.

(2) The provisions regulating the Court of Appeal in the Code of Organization and Civil Procedure shall apply to the Court of Appeal when hearing appeals from decisions of the Administrative Appeals Tribunal.

(3) Subject to the foregoing provisions and of any applicable law, the Court of Appeal shall regulate its own procedure.

PART V

Miscellaneous Provisions

24. (1) On the entry into force of Parts III and IV of this Act, all pending proceedings before those persons, bodies or administrative tribunals which were competent prior to the coming into force of article 25 shall be assigned to the Administrative Review Tribunal for determination and shall be regulated by the provisions of the said Parts III and IV of this Act; and the Minister may establish different dates for the entry into force of Parts III and IV of this Act with regard to the different persons, bodies or administrative tribunals referred to in article 25.

Saving and
transitory
provision. Cap.
12.

(2) Nothing in subarticle (1) shall invalidate any procedure whether written or oral which may have been made before the coming into force of this Act and which was valid according to the law in force on the date when made.

(3) The Administrative Review Tribunal shall draw up and deliver such decrees which might be necessary to regulate those undecided proceedings which hitherto were pending before the persons, bodies and administrative tribunals mentioned in subarticle (1) prior to the date of entry into force of this article and which have on the date of the entry into force of this article been assigned to the Administrative Review Tribunal so that the latter may bring these proceedings in line with the provisions of Part III of this Act:

Provided that, notwithstanding the provisions of this article, proceedings pending before the persons, bodies and administrative tribunals mentioned in subarticle (1) which have been put off for judgment or for final oral or written submissions on the date of the entry into force of this article, shall continue to be heard and decided by those persons, bodies and administrative tribunals and not by the Administrative Review Tribunal.

(4) Without prejudice to the generality of subarticle (1), one or more of the Chairpersons ordinarily sitting in the Administrative Review Tribunal or in a section or sections thereof, shall take cognizance of all proceedings pending before the persons, bodies or administrative tribunals mentioned in that subarticle which are re-assigned to the Administrative Review Tribunal. The Secretary of the Administrative Review Tribunal shall ensure that all pending proceedings lodged from decisions of the public administration hitherto being heard by any person, body or administrative tribunal mentioned in subarticle (1) are referred to the section of the Administrative Review Tribunal which would be taking cognizance

of the said proceedings.

Cap. 12. (5) Appeals lodged to the Court of Appeal from any decision of any person, body or administrative tribunal prior to the entry into force of article 25 shall continue to be heard by the said Court until they are so determined, and the provisions of the Code of Organization and Civil Procedure shall continue to apply thereto.

Amendment of laws in the Third Schedule.

25. (1) This provision shall have effect subject to the provisions of articles 1(2) and (3) and 24.

(2) The Administrative Review Tribunal shall, on the entry into force of this article, henceforth have jurisdiction in lieu of the persons, bodies and administrative tribunals mentioned in the laws listed in the Third Schedule prior to the entry into force of this article.

(3) The laws specified in the First Column of the Third Schedule shall have effect subject to the amendments specified in the Second Column thereof and the provisions of article 1(2) and (3) shall apply thereto.

FIRST SCHEDULE

[Article 4]

List of Administrative Tribunals Respecting the Principle of Good Administrative Behaviour

Part A – Primary Legislation

| Chapter Number | Name of Law | Provision Number | Name of Administrative Tribunal |
|-----------------------|--------------------------------------------------------|-------------------------|-------------------------------------------------------------------------------------------------|
| 3 | Marriage Legacies Act | 3 | Commission |
| 45 | Lepers Ordinance | 2(8) | Board |
| 69 | Reletting of Urban Property (Regulation) Ordinance | 16 | Rent Regulation Board |
| 81 | Utilities & Services (Regulation of certain works) Act | 4 | Refers to the Communications Appeal Board established by the Malta Communications Authority Act |
| 85 | Agricultural Produce (Export) Ordinance | 18 | Board of Reference (set up under subsidiary legislation SL 85.01 regulation 27) |
| 88 | Land Acquisition Public purposes Ordinance | 23 | Land Arbitration Board |
| 94 | Department of Health (Constitution) Ordinance | 44 | General Services Board |
| 110 | Developed Land Valuations Ordinance | 9 | Board of Special Commissioners for Land Valuation |
| 117 | Supplies & Services Act | 3(1) (e) | Boards or Tribunals set up under subsidiary legislation to take cognisance of offences |
| 125 | Housing Act | 8(6) and 12(1) | Refers to Rent Regulation Board |
| 164 | Police Act | 48 | Police Board |
| 171 | Port Workers Ordinance | 10 | Ports Disputes Board |
| 179 | Enemy Properties Act | 4 | Board of Custodians |
| 199 | Agriculture Leases (Reletting) Act | 5 | Rural Leases Control Board |

| Chapter Number | Name of Law | Provision Number | Name of Administrative Tribunal |
|-----------------------|-------------------------------------------------|-------------------------|----------------------------------------------------------------------------------------------|
| 204 | Central Bank of Malta Act | 36A | Financial Services Tribunal |
| 210 | Disabled Persons Employment Act | 13 | Appeal to the 'authority' set up under subsidiary legislation. |
| 214 | Public Transport (Regulation of Employment) Act | 3 | Public Transport Labour Board established by article 30 of the Malta Transport Authority Act |
| 217 | Immigration Act | 25A | Immigration Appeals Board |
| 218 | Civil Aviation (Air Operators Certificate) Act | 9 | Aviations Safety Board |
| 254 | Post Office Act | 28 | Communications Appeals Board |
| 262 | Mental Health Act | 38 | Mental Health Review Tribunal |
| 288 | Building (Price Control) Act | 9 | Building Price Control Tribunal |
| 291 | Commissioners for Justice Act | 3 | Commissioners for Justice |
| 308 | Partition of Inheritances Act | 4 | Partition of Inheritances Tribunal |
| 318 | Social Security Act | 107 | Umpire |
| 325 | Business Promotion Act | 28 | Appeals Board |
| 327 | Education Act | 42 | Scholastic Tribunal |
| 330 | Malta Financial Services Authority Act | 21 | Financial Services Tribunal |
| 331 | Trusts and Trustees Act | 55 | Financial Services Tribunal |
| 332 | Malta Transport Authority Act | 30 | Public Transport Labour Board |
| 334 | Malta Freeports Act | 29(2) | Appeals Board constituted under article 28 of the Business Promotion Act |
| 337 | Import Duties Act | 9 | Customs Valuations Appeals Board |
| 343 | Employment & Training Services Act | 3 | National Employment Authority |
| 345 | Financial Markets Act | 42 | Financial Services Tribunal |

| Chapter Number | Name of Law | Provision Number | Name of Administrative Tribunal |
|-----------------------|--------------------------------------------------------|-------------------------|------------------------------------------------------------------|
| 356 | Development Planning Act | 15 | Planning Appeals Board |
| 364 | Duty on Documents & Transfers Act | 57 | Board of Special Commissioners for Duty on Documents & Transfers |
| 370 | Investment Services Act | 19 | Financial Services Tribunal |
| 371 | Banking Act | 10 | Financial Services Tribunal |
| 372 | Income Tax Management Act | 34 | Board of Special Commissioners for income tax purposes |
| 376 | Financial Institutions Act | 21 | Financial Services Tribunal |
| 378 | Consumer Affairs Act | 16 | Consumer Claims Tribunal |
| 379 | Competition Act | 4 | Commission for Fair Trading |
| 380 | Small Claims Tribunal Act | 3 | Small Claims Tribunal |
| 383 | Controlled Companies (Procedures for Liquidations) Act | 7 | Appeals Board |
| 395 | Customs and Excise Tax Act | 47 | Excise Tax Tribunal |
| 399 | Telecommunications Regulations Act | 16 | Communications Appeals Board |
| 403 | Insurance Business Act | 35 | Financial Services Tribunal |
| 406 | Value Added Tax Act | 43 | Value Added Tax Appeals Board |
| 409 | Malta Travel & Tourism Services Act | 13 | Tourism Appeals Board |
| 420 | Refugees Act | 5 | Refugees Appeals Board |
| 423 | Malta Resources Authority Act | 32 | Resources Appeals Board |
| 424 | Occupational Health & Safety Authority Act | 21 | Occupational Health and Safety Appeals Board |
| 435 | Environment Protection Act | 16 | Appeal to the Planning Appeals Board est. under Cap. 356 |
| 436 | Wine Act | 4 | Appeals Board |
| 440 | Data Protection Act | 48 | Data Protection Appeals Tribunal |

| Chapter Number | Name of Law | Provision Number | Name of Administrative Tribunal |
|-----------------------|-------------------------------------------|-------------------------|-------------------------------------------------------------------------------|
| 441 | Trading Licences Act | 8 | Licensing Appeals Board |
| 442 | Cooperatives Board | 3 | Cooperatives Board |
| 447 | Producer Organisations Act | 18 | Producer Organisations Appeals Board |
| 450 | Special Funds (Regulation) Act | 54 | Financial Services Tribunal |
| 451 | Mutual Recognition of Qualifications Act | 7 | Mutual Recognition of Qualifications Appeals Board |
| 452 | Employment & Industrial Relations Act | 73 | Industrial Tribunal |
| 455 | The Sports Act | 47 | Sports Appeals Board |
| 458 | Medicines Act | 21 | Appeal to the Medicines Review Board from findings of the Medicines Authority |
| 473 | Eco Contributions Act | 26 | Eco Contributions Appeals Board |
| 476 | Prevention of Financial Markets Abuse Act | 23 | Financial Services Tribunal |
| 484 | Securitisation Act | 19(14) | Financial Services Tribunal |
| 487 | Insurance Intermediaries Act | 2 | Financial Services Tribunal |

Part B – Subsidiary Legislation

| Subsidiary Legislation/Legal Notice Number | Name of Subsidiary Law | Provision Number | Name of Administrative Tribunal |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| GN 430 of 28 September 1937 | Cinema and Stage Regulations | 42 | Board of Film and Stage Censors |
| SL 33.04 | Civil Explosives Regulations | Second Schedule, paragraph 5 of 1. Module B | This regulation states that provision must be made for an appeal |
| SL 85.01 | Potato Export Regulations | 27 | Board of Reference |
| SL 128.02 | Licences Procedures Regulations | 6 | Police Licences Appeals Tribunal |
| SL 174.02 | Public Service (Procurement) Regulations | 15 | Public Contracts Appeals Board |
| SL 174.04 | Public Contracts Regulations | 33 | Public Contracts Appeals Board |
| SL 254.12 | Postal Services Appeals Board (Rules of Procedures) Regulations | --- | Postal Services Appeals Board |
| SL.260.03 | Prison Regulations | 79 | Appeals Tribunal |
| SL 291.04 | Petitions (Local Tribunals) Regulations | 3 | Petitions Board |
| SL 327.85 | Assessment Test Regulations | 6 | University Disciplinary Board |
| SL 332.09 | Erection of Billboards on the Road Regulations | 9(7) | Ad hoc Appeals Board until the Appeals Board is constituted |
| SL 458.23 | Licensing of Private Medical Clinics Regulations | 5(2) | Tribunal |
| SL 458.25 | Licensing of Private Medical Diagnostic Laboratories Regulations | 5(2) | Tribunal appointed under regulation 5(2) of the Licensing of Private Medical Clinics Regulations (SL 458.23) |

SECOND SCHEDULE**Competence of the Court of Appeal****[Article 22 (2)]**

| Title of Law | Reference Number of the Law | Competence of the Court of Appeal |
|-----------------------------------------------------------|----------------------------------------|----------------------------------------------|
| Spirits Ordinance | Cap 41 | Inferior Competence |
| Lepers Ordinance | Cap. 45 | Inferior Competence |
| Agricultural Produce (Export) Ordinance | Cap. 85 | Inferior Competence |
| Supplies and Services Act | Cap. 117 | Inferior Competence |
| Enemy Property Act | Cap. 179 | Inferior Competence |
| Wine Act | Cap. 436 | Inferior Competence |
| Animal Welfare Act | Cap. 439 | Inferior Competence |
| Co-operatives Societies Act | Cap. 442 | Inferior Competence |
| Civil Explosives Regulations | SL 33.04 | Inferior Competence |
| Importation of Dogs and Cats Regulations | SL 36.42 | Inferior Competence |
| Motor Vehicles (Carriage of Goods By Road) Regulations | SL 65.19 | Inferior Competence |
| National Malta Library Regulations | SL 92.03 | Inferior Competence |
| Malta Public Regulations | SL 92.06 | Inferior Competence |
| Control of the Sale of Egg Regulations | SL 117.17 | Inferior Competence |
| Control of the Kerosene Regulations | SL 117.18 | Inferior Competence |
| Airport (Groundhandling Services Regulations | SL 232.15 | Inferior Competence |

THIRD SCHEDULE**[Article 25 (3)]****Amendment of Laws**

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| Enactment | Extent of Amendment |
| Spirits Ordinance, Cap. 41. | <p>Article 6 of the Spirits Ordinance, Cap. 41, shall be substituted by the following:</p> <p>“Refusal to issue licence.</p> <p>6. (1) The Comptroller may refuse to grant the said licence to any person applying for it. But in case of refusal the Comptroller shall deliver to such person a statement in writing of the grounds of his refusal.</p> <p>(2) Any person aggrieved by such refusal may, within fourteen days after receiving the said statement, appeal therefrom to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.”</p> |
| Lepers Ordinance (Cap. 45) | <p>Article 2(8) of the Lepers Ordinance, Cap. 45, shall be substituted by the following:</p> <p>“(8) For the purposes of the preceding provisions of this section the decision whether a person is a leper shall rest with the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provisions of this Act shall apply to such an appeal.”</p> |

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| Enactment | Extent of Amendment |
| <p>Agricultural Produce (Export) Ordinance, Cap. 85.</p> | <p>Article 18 of the Agricultural Produce (Export) Ordinance, Cap. 85, shall be substituted by the following:</p> <p>“Appeal from decision of inspector.</p> <p>18. (1) If an inspector refuses to pass for export any consignment of produce, he shall forthwith give notice in writing to the exporter stating the reason for his refusal: the exporter may thereupon, in writing, require the inspector to refer the matter immediately to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal, for decision as soon as possible as to whether the produce should be passed for export.</p> <p>(2) The exporter may be present at any examination of his produce by an inspector.”</p> |
| <p>Supplies and Services Act, Cap. 117.</p> | <p>Article 3(e) of the Supplies and Services Act, Cap. 117, shall be substituted by the following: “(e) for empowering the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 for the purpose of taking cognizance of offences under all or any specified regulations made under this Act, for prescribing the procedure to be followed by the said Tribunal, for establishing the jurisdiction thereof; and for providing, where necessary, for applying the provisions of the Administrative Justice Act 2006 to appeals from the decisions of such Tribunal;”</p> |

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| Enactment | Extent of Amendment |
| Enemy Property Act, Cap. 179. | <p>Subarticles (3) and (4) of article 4 of the Enemy Property Act, Cap. 179, shall be substituted by the following:</p> <p>“(3) The decision of the Board shall be served on the claimant by a judicial act, and may be appealed by application before the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.</p> <p>(4) Where the Board or the Administrative Review Tribunal or the Court of Appeal, as the case may be, decide in favour of the claimant the Custodian shall be entitled to deliver the property to the claimant after deducting therefrom the fees and expenses incurred by the Custodian in the administration of the property and its handing over.”</p> |
| Wine Act, Cap. 436. | <p>Article 4 of the Wine Act, Cap. 436, shall be substituted by the following:</p> <p>“Appeal to Appeals Board.</p> <p>4. Where the issue or renewal of a licence has been refused, the Director shall inform the applicant forthwith of such refusal and the applicant may appeal therefrom to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.”</p> |

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| Enactment | Extent of Amendment |
| Animal Welfare Act, Cap. 439. | <p data-bbox="863 445 1369 501">Article 49 of the Animal Welfare Act, Cap. 439, shall be substituted by the following:</p> <p data-bbox="863 535 1238 560">“Revision of Director’s decisions.</p> <p data-bbox="863 593 1369 936">49. (1) Where the Director refuses the issuing of a permit or of a licence required by or under this Act, or modifies such permit or licence or cancels the same, the person applying for the permit or licence or the person holding the permit or the licence, as the case may be, shall have the right, by not later than five working days, to appeal against the Director’s decision wherein that person shall state the reasons why the decision of the Director should be cancelled or modified.</p> <p data-bbox="863 969 1369 1120">(2) Such appeal shall lie to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.</p> <p data-bbox="863 1153 1369 1529">(3) The Administrative Review Tribunal shall, as soon as it receives the appeal in accordance with subarticle (1), send the said appeal to the Director so that, within two days, the Director may reply in writing thereto, wherein he shall indicate the reasons why the appeal should be quashed; however the Director may, where it appears to him that the appeal is justified, change his decision in accordance with the appeal and inform the Tribunal, within the period given to him for his reply.</p> <p data-bbox="863 1563 1369 1832">(4) When the Tribunal receives the Director’s reply, or the time given for the reply shall have elapsed without the receipt, the Tribunal shall hear the appeal and in doing so it shall be composed of the Chairperson of the Tribunal and those members of the Council appointed under article 4(1)(c), (d) and (e) and one of the members appointed in terms of article 4(1)(f).</p> |

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| Enactment | Extent of Amendment |
| Co-operative Societies Act, Cap. 442. | <p>(5) The Tribunal shall, within five days of the receipt of the appeal, study the case and hear any person whom it shall deem appropriate, including both parties.</p> <p>(6) After the Tribunal decides the appeal it shall give an order in writing to the Director according to its decision; a copy of the Tribunal's decision shall also be sent to the appellant."</p> |
| Civil Explosives Regulations, SL 33.04. | <p>Article 17(v) of the Co-operative Societies Act, Cap., 442, shall be substituted by the following: "(v) such regulations may also prescribe any right of appeal from decisions of the Board to impose an administrative sanction to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal."</p> <p>The words "Provision must be made for an appeals procedure" in paragraph 5 of the Second Schedule of the Civil Explosives Regulations, SL 33.04, shall be substituted by the words "An appeal shall lie from the decision of the notified body to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal."</p> |
| Importation of Dogs and Cats Regulations, SL 36.42. | <p>Regulation 9(5) of the Importation of Dogs and Cats Regulations, SL 36.42, shall be substituted by the following:</p> <p>"(5) The Director reserves the right to increase the period of quarantine referred to in sub-regulations (1) and (2) of this regulation for any animal:</p> <p>Provided that in such cases the importer may appeal from such decision to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal."</p> |

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| Enactment | Extent of Amendment |
| <p>Motor Vehicles (Carriage Of Goods By Road) Regulations, SL 65.19.</p> | <p>The Motor Vehicles (Carriage Of Goods By Road) Regulations, SL 65.19, shall be amended as follows:-</p> <p>(a) regulation 12(d) thereof substituted by the following:</p> <p>“(d) In the event of serious infringements of these regulations, the Authority may suspend the authorisation. Such suspension shall be imposed having regard to the seriousness of the infringement and shall be subject to appeal the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.”; and</p> <p>(b) regulation 37 thereof shall be substituted by the following:</p> <p>“Appeals.</p> <p>37. Any decision by the Authority in accordance with regulation 36 shall be subject to appeal before the Administrative Review Tribunal established in terms of article 32 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.”</p> |
| <p>National Malta Library Regulations, SL 92.03.</p> | <p>Regulation 6 of the National Malta Library Regulations, shall be substituted by the following:</p> <p>“Refusal to issue books by the Librarian.</p> <p>6. The Librarian may refuse to issue such books or manuscripts which he does not consider adapted to the age or the intelligence of the persons applying for them provided that the applicant may appeal against such refusal to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.”</p> |

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| Enactment | Extent of Amendment |
| Malta Public Library Regulations, SL 92.06. | Regulation 39 of the Malta Public Library Regulations SL 92.06, shall be substituted by the following: “Appeal. 39. Any person who feels aggrieved by a decision of the Librarian made or taken under these Regulations, other than a decision under regulation 34, may appeal therefrom to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.” |
| Control of the Sale of Egg Regulations, SL 117.17. | Regulation 4(3) of the Control of the Sale of Egg Regulations, SL 117.17, shall be substituted by the following: “(3) Any person who feels himself aggrieved by any decision of the Director under this regulation may appeal therefrom to the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.” |
| Control of the Kerosene Regulations, SL 117.18. | Regulation 5(3) of the Control of the Kerosene Regulations, SL 117.18, shall be substituted by the following: “(3) Any person who feels himself aggrieved by any decision of the Director under this regulation may appeal therefrom within fifteen days from the day on which the decision is communicated to him in writing to the Administrative Review Tribunal established in terms of article 32 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal.” |

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| Enactment | Extent of Amendment |
| <p>Airport (Groundhandling Services) Regulations, SL 232.15.</p> | <p>The Airport (Groundhandling Services) Regulations, SL 232.15, shall be amended as follows:</p> <p>(a) The definition of the expression “Board” in Regulation 2 shall be deleted and the following expression shall be added before the definition of the expression “airport”:</p> <p>“Administrative Review Tribunal” means the Administrative Review Tribunal established in terms of article 29 of the Administrative Justice Act, 2006 and the provision of this Act shall apply to such an appeal;”</p> <p>(b) regulation 16 thereof shall be substituted by the following:</p> <p>“Appeals.</p> <p>16. (1) An appeal shall lie to the Administrative Review Tribunal against any decision or authorisation given under regulations 7, 8, 9, 10 and 13.</p> <p>(2) The right to appeal shall be competent to any person aggrieved by the decision or authorisation.”.</p> <p>(c) regulation 17 thereof shall be substituted by the following:</p> <p>“Grounds of appeal.</p> <p>17. (1) An appeal to the Administrative Review Tribunal may be filed on any of the following grounds:</p> <p>(a) that a material error as to the facts has been made;</p> <p>(b) that there was a material procedural error;</p> <p>(c) that an error of law has been made;</p> |

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(d) that there was some material illegality, including unreasonableness or lack of proportionality.

(2) The Administrative Review Tribunal shall give reasons for its decision and shall cause such decisions to be made public omitting, if it deems it appropriate for reasons of commercial or security confidentiality, the names of the persons involved and any other information.

(3) In determining an appeal under this regulation the Administrative Review Tribunal may -

(a) dismiss the appeal; or

(b) annul the decision or authorisation, and where the said Tribunal annuls the decision or authorisation it may refer the matter to the managing body of the airport or the Director, as the case may be, with a direction to reconsider it and reach a decision or authorisation consistent with the findings of the Tribunal.

(4) The effect of a decision or authorisation to which an appeal relates shall not, except where the Tribunal or the Court of Appeal, as the case may be, so orders, be suspended in consequence of the bringing of the appeal.”.

(d) regulation 18 thereof shall be substituted by the following:

“Powers and procedure of the Administrative Review Tribunal

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| Enactment | Extent of Amendment |
| | <p>18. (1) The Administrative Review Tribunal shall be competent to hear and decide any appeal made to it in accordance with the provisions of these regulations and, subject to regulation 19, the decisions of the Tribunal shall be final and binding.</p> <p>(2) For the exercise of its functions, the Tribunal may summon any person to appear before it and give evidence and produce documents; and the Chairperson shall have the power to administer the oath.”</p> <p>(e) regulation 19 thereof shall be substituted by the following:</p> <p>“Appeal to the Court of Appeal.</p> <p>19. (1) Any party to an appeal to the Tribunal who feels aggrieved by a decision of the Board may, on a question of law, appeal to the Court of Appeal in terms of the Administrative Justice Act, 2006.”</p> |

Passed by the House of Representatives at Sitting No. 514 of the 17th April, 2007.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives