VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,505, 27 ta' Novembru, 2015
Taqsima C

Nru. 132

27. 11. 2015

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Evarist Bartolo, M.P., Ministru għall-Edukazzjoni u x-Xogħol, f'isem il-Ministru għall-Ġustizzja, Kultura u Gvern Lokali, u moqri għall-Ewwel darba fis-Seduta tat-2 ta' Novembru, 2015.

ATT sabiex jemenda jew iħassar diversi liġijiet.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Evarist Bartolo, M.P., Minister for Education and Employment, on behalf of the Minister for Justice, Culture and Local Government, and read the First time at the Sitting of the 2nd November, 2015.

AN ACT to amend or repeal various laws.

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex jemenda jew iħassar diversi liġijiet.

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2015 dwar Emendi u Tħassir ta' Liġijiet, u d-dispożizzjonijiet ta' dan l-Att għandu jinqaraw u jinftiehmu ħaġa waħda mad-diversi liġijiet li huma emendati jew imħassra b'dan l-Att. Titolu fil-qosor.

Taqsima I - Emendi għall-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili

2. Din it-Taqsima temenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili u għandha tinqara u tinftiehem ħaġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "il-Kodiċi". Emendi għall-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili.. Kap. 12.

3. L-artikolu 157 tal-Kodiċi għandu jiġi sostitwit b'dan li ġej: Sostituzzjoni tal-artikolu 157 tal-Kodi1i.

"157. Tkun ir-responsabilità tal-attur li jieħu ħsieb li jiġi notifikat lill-konvenut ir-rikors ġuramentat, kull affidavit tal-attur u d-dokumenti annessi mar-rikors, u dawn għandhom jiġu notifikati permezz tar-Reġistratur.".

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Emenda tal-artikolu 319 tal-Kodiċi.

4. Minnufih wara s-subartikolu (1) tal-artikolu 319 tal-Kodiċi, għandhom jiżdiedu s-subartikoli ġodda li ġejjin:

"(1A) L-irkant għandu jibda' fil-ħin stabbilit mill-Qorti u jibqa' għaddej sakemm tiġi aġġudikata l-ogħla offerta pubblika.

(1B) Fl-istess ħin, jista' jsir irkant ta' iżjed minn ħaġa waħda, kull ħaġa għaliha, waħda wara l-oħra.".

Emenda tat-Tariffa A tal-Iskeda A li tinsab mal-Kodiċi.

5. Minnufih wara l-paragrafu 8 tat-Tariffa A tal-Iskeda A li tinsab mal-Kodiċi, għandu jiżdied il-paragrafu ġdid li ġej:

"8A. Għal kull avviż tal-Qrati li jrid jiġi ppubblikat fil-Gazzetta, ikun x'jkun it-tul tiegħu, ir-Reġistratur tal-Qrati għandu jiġbor dritt ta' erba' euro u sitta u sittin ċenteżmu (€4.66).".

Emenda tat-Tariffa D tal-Iskeda A li tinsab mal-Kodiċi.

6. Fis-subparagrafu (4) tal-paragrafu 5 tat-Tariffa D tal-Iskeda A li tinsab mal-Kodiċi, minflok il-kliem "Iżda wkoll meta l-irkant isir minn irkantatur liċenzjat, id-dritt stabbilit fl-Att dwar l-Irkantaturi għandu, b'żieda, jitħallas lill-irkantatur.", għandu jidħol dan li ġej:uted the following:

"Iżda wkoll kull irkantatur liċenzjat jew sensal għandu, fuq bejgħ magħmul b'irkant fil-Qorti, jitħallas id-drittijiet li ġejjin:

(a) fil-każ ta' irkant ta' immobbli, ta' jeddijiet imgħaqdin ma' immobbli, ta' bastimenti jew ta' azjendi kummerċjali	żero punt tnejn fil-mija tal-prezz tal-oġġett mibjugħ, mingħand ir-rikorrent li jkun talab li jsir il-bejgħ bl-irkant biss; u
(b) fil-każ ta' irkant ta' mobbli	żero punt wieħed fil-mija tal-prezz tal-oġġett mibjugħ, mingħand ir-rikorrent li jkun talab li jsir il-bejgħ bl-irkant biss:

Iżda wkoll il-partijiet jistgħu jiftiehmu, bil-miktub, li l-irkantatur pubbliku jew is-sensal, kif ikun il-każ, jitħallas drittijiet differenti, li ma jkunux inqas minn dawk previsti fil-paragrafi (a) u (b), u f'dawk il-proporzjonijiet li jistgħu hekk jiftiehmu bil-miktub.".

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Taqsima II - Tħassir tal-Ordinanza dwar l-Iskrizzjoni u Tiġdid ta' Privileġġi u Ipoteki Antiki

7. L-Ordinanza dwar l-Iskrizzjoni u Tiġdid ta' Privileġġi u Ipoteki Antiki hi b'dan imħassra, mingħajr ħsara għal dak kollu li sar jew li naqas milli jsir taħtha.

Tħassir tal-Ordinanza dwar l-Iskrizzjoni u Tiġdid ta' Privileġġi u Ipoteki Antiki. Kap. 27.

Taqsima III - Revoka ta' diversa leġislazzjoni sussidjarja

8. Minkejja id-dispożizzjonijiet ta' kull liġi oħra, il-leġislazzjoni sussidjarja elenkata fl-artikolu 9 għandha tiġi revokata permezz ta' dan l-Att mingħajr il-bżonn ta' formalitajiet ulterjuri oħra u mingħajr ħsara għal dak kollu li sar jew li naqas milli isir taħthom.

Revoka ta' leġislazzjoni sussidjarja.

9. F'konformità mad-dispożizzjonijiet tal-artikolu 8, il-leġislazzjoni sussidjarja li ġejja hi b'dan revokata:

Revoka.

- l-Ordni dwar Imħatri fil-Malta Racing Club - L.S. 9.03;
- ir-Regolamenti dwar id-Drittijiet (Avviżi tal-Qorti) - L.S. 12.07;
- ir-Regolamenti dwar Xiri ta' Formuli Stabbiliti - L.S. 12.14;
- ir-Regolamenti dwar in-Notifika ta' Rikors Ġuramentat u Dokumenti Oħra Mehmużin Magħha - L.S. 12.18;
- ir-Regolamenti dwar Drittijiet li jitħallsu lil Irkantaturi Pubbliċi jew Sensala f'Bejgħ b'Irkant fil-Qorti - L.S. 12.25;
- ir-Regolamenti dwar Żmien li għandu jdum għaddej Bejgħ b'Irkant fil-Qorti - L.S. 12.26;
- ir-Regolamenti dwar l-Importazzjoni ta' Klieb u Qtates - L.S. 36.42;
- ir-Regolamenti dwar Skema ta' l-Ivvjaġġar għal Annimali Domestiċi - L.S. 36.43;
- Regolamenti dwar il-Ħinijiet ta' Uffiċċju tar-Reġistru Pubbliku - L.S. 56.01;
- ir-Regolamenti dwar Nutara Pubbliċi li jinħatru Kummissjunarji b'setgħa li jagħtu Ġurament - L.S. 79.01;
- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' €69,881,201.96 6.1% *Stock* tal-Gvern ta' Malta 2015 (l-

Ewwel Ħruġ) - L.S. 161.58;

- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' €24,458,420.68 6.6% *Stock* tal-Gvern ta' Malta 2014 - L.S. 161.60;

- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' €40,764,034.47 5.9% *Stock* tal-Gvern ta' Malta 2009 (It-Tielet Ħruġ) - L.S. 161.61;

- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' €47,053,342.65 5.9% *Stock* tal-Gvern ta' Malta 2015 (It-Tieni Ħruġ) - L.S. 161.63;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €4,003,727 *Stock* tal-Gvern bis-7%, 2014 (IV) - L.S. 161.69;

- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' ammont li ma jeċċedix €81,528,068.95 5.4% *Stock* tal-Gvern ta' Malta 2010 (Ir-Raba' Ħruġ) - L.S. 161.101;

- id-Direttiva mill-Ministru tal-Finanzi għall-Ħruġ ta' ammont li ma jeċċedix €69,881,201.96 5.1% *Stock* tal-Gvern ta' Malta 2014 (It-Tielet Ħruġ) - L.S. 161.103;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €46,587,467.97 5.7% *Stock* tal-Gvern ta' Malta 2012 (It-Tielet Ħruġ) *Fungibility Issue*;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €58,234,334.96 5.7% *Stock* tal-Gvern ta' Malta 2012 (It-Tielet Ħruġ) *Fungibility Issue* - L.S. 161.109;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €58,234,334.96 5.7% *Stock* tal-Gvern ta' Malta 2012 (It-Tielet Ħruġ) *Fungibility Issue* - L.S. 161.111;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €23,293,733.99 5.1% *Stock* tal-Gvern ta' Malta 2014 (It-Tielet Ħruġ) *Fungibility Issue* - L.S. 161.112;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €23,293,733.99 5.7% *Stock* tal-Gvern ta' Malta 2012 (It-Tielet Ħruġ) *Fungibility Issue* - L.S.

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161.113;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €23,293,733.99 5.1% *Stock* tal-Gvern ta' Malta 2014 (It-Tielet Ħruġ) *Fungibility Issue* - L.S. 161. 114;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' €34,940,600.98 5.7% *Stock* tal-Gvern ta' Malta 2012 (It-Tielet Ħruġ) *Fungibility Issue* - L.S. 161.115;

- il-Proġett dwar Koki (Apprendisti) - Proġett Nru. 14 - L.S. 343.12;

- il-Proġett dwar Wejters (Apprendisti) - Proġett Nru. 15 - L.S. 343.13;

- il-Proġett dwar l-Inġinerija Mekkanika u Snajja' li jagħmlu magħha - Proġett Nru. 16 - L.S. 343.14;

- il-Proġett dwar *Fitters* ta' l-Elettriku - Proġett Nru. 18 - L.S. 343.16;

- il-Proġett dwar is-Sengħa ta' l-Istampa - Proġett Nru. 17 - L.S. 343.17;

- il-Proġett dwar il-Parrukkiera tan-Nisa - Proġett Nru. 19 - L.S. 343.18;

- Regolamenti dwar Zalzett, Laħam Immellaħ u Laħam ieħor Ippreparat - L.S. 449.11;

- ir-Regolamenti dwar Għajnuna lil *Guest Houses*, *Hostels*, Lukandi, Rziezet, *Snack Bars* u Ristoranti (Miżuri ta' Effiċjenza fl-Enerġija) - L.S. 463.07;

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' ammont ta' €39,599,347.78 5.1% *Stock* tal-Gvern ta' Malta 2014 (It-Tielet Ħruġ);

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' ammont ta' €30,281,854.18 5.4% *Stock* tal-Gvern ta' Malta 2010 (Ir-Raba' Ħruġ) - L.S. 469.05; u

- id-Direttiva mill-Prim Ministru u Ministru tal-Finanzi għall-Ħruġ ta' ammont ta' €44,258,094.57 5.9% *Stock* tal-Gvern ta' Malta 2009 (It-Tielet Ħruġ) - L.S. 469.06.

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Għanijiet u Raġunijiet

L-għanijiet ta’ dan l-Abbozz ta’ Liġi huma sabiex tiġi konsolidata ċerta leġislazzjoni kif ukoll jiġu mħassra ċertu liġijiet li għalaq iż-żmien tagħhom, jew li jkun spiċċa l-iskop tagħhom jew li kellhom l-effett tagħhom.

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A BILL
entitled

AN ACT to amend or repeal various laws.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

1. The short title of this Act is the Various Laws (Amendment and Repeal) Act, 2015, and the provisions of this Act shall be read and construed as one with the various laws which are amended or repealed thereby.

Short title.

Part I - Amendments to the Code of Organization and Civil Procedure

2. This Part amends the Code of Organization and Civil Procedure and it shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter in this Part referred to as "the Code".

Amendment of the Code of Organization and Civil Procedure. Cap. 12.

3. Article 157 of the Code shall be substituted by the following:

Substitution of article 157 of the Code.

"157. It shall be the responsibility of the plaintiff to cause a copy of the sworn application, any affidavit of the plaintiff and of the documents attached with the application to be served on the defendant, and such service shall be effected through the Registrar.".

4. Immediately after sub-article (1) of article 319 of the Code, there shall be added the following new sub-articles:

Amendment of article 319 of the Code.

"(1A) The auction shall commence at the time established by the Court and shall continue until the highest public bid is adjudicated.

(1B) The sale of different items to be sold by auction may be held during the same time, each one separately and in consecutive order.".

Amendment of Tariff A of Schedule A to the Code.

5. Immediately after paragraph 8 of Tariff A of Schedule A to the Code, there shall be added the following new paragraph:

"8A. There shall be charged by the Registrar of Courts, in respect of the publication of a court notice in the Gazette, irrespective of the length of such notice, a fee of four euro and sixty-six cents (€4.66).".

Amendment of Tariff D of Schedule A to the Code.

6. In sub-paragraph (4) of paragraph 5 of Tariff D of Schedule A to the Code, for the words "Provided further that when a licensed auctioneer performs the auction, the fee established in the Auctioneers Act shall, in addition be due to the auctioneer.", there shall be substituted the following:

"Provided further that when a licensed auctioneer or broker performs the auction, such licensed auctioneer or broker shall be paid the following fees:

(a) in the case of an auction of immovable property, of rights annexed to such immovable property, of ships and of commercial going concerns	zero point two per cent of the price of the item sold, solely from the applicant on whose demand the judicial sale is made; and
(b) in the case of an auction of movable items ...	zero point one per cent of the price of the item sold, solely from the applicant on whose demand the judicial sale is made:

Provided further that the parties may, in writing, agree that the licensed auctioneer or broker, as the case may be, be paid different fees, not being less than those provided for in paragraphs (a) and (b), and in such

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proportions as they may so agree in writing.".

Part II - Repeal of the Old Privileges and Hypothecs (Registration and Renewal) Ordinance

7. The Old Privileges and Hypothecs (Registration and Renewal) Ordinance is hereby repealed, without prejudice to anything done or omitted to be done thereunder.

Repeal of the Old Privileges and Hypothecs (Registration and Renewal) Ordinance Cap. 27.

Part III - Revocation of various subsidiary legislation

8. Notwithstanding the provisions of any other law, the subsidiary legislation listed in article 9 shall be revoked by virtue of this Act without the need of any further formalities and without prejudice to anything done or omitted to be done thereunder.

Revocation of subsidiary legislation.

9. In accordance with the provisions of article 8, the following subsidiary legislation is hereby revoked:

Revocation.

- the Betting at Malta Racing Club Order - S.L. 9.03;
- the Fees (Court Notices) Regulations - S.L. 12.07;
- the Purchase of Prescribed Forms Regulations - S.L. 12.14;
- the Service (Sworn Applications and Other Documents attached thereto) Regulations - S.L. 12.18;
- the Fees of Licensed Auctioneers or Brokers in Judicial Sales by Auction Regulations - S.L. 12.25;
- the Duration of Judicial Sales by Auction Regulations - S.L. 12.26;
- the Importation of Dogs and Cats Regulations - S.L. 36.42;
- the Pet Travel Scheme Regulations - S.L. 36.43;
- the Office Hours of the Public Registry Regulations - S.L. 56.01;
- the Commissioners for Oaths (Notaries Public) Regulations - S.L. 79.01;
- the Directive by the Minister of Finance for the Issue of €69,881,201.96 6.1% Malta Government Stock 2015 (First Issue) - S.L. 161.58;
- the Directive by the Minister of Finance for the Issue of

€24,458,420.68 6.6% Malta Government Stock 2014 - S.L. 161.60;

- the Directive by the Minister of Finance for the Issue of €40,764,034.47 5.9% Malta Government Stock 2009 (Third Issue) - S.L. 161.61;
- the Directive by the Minister of Finance for the Issue of €47,053,342.65 5.9% Malta Government Stock 2015 (Second Issue) - S.L. 161.63;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €4,003,726.90 7% Malta Government Stock 2014 (IV) - S.L. 161.69;
- the Directive by the Minister of Finance for the Issue of an amount not exceeding €81,528,068.95 5.4% Malta Government Stock 2010 (Fourth Issue) - S.L. 161.101;
- the Directive by the Minister of Finance for the Issue of an amount not exceeding €69,881,201.96 5.1% Malta Government Stock 2014 (Third Issue) - S.L. 161.103;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €46,587,467.97 5.7% Malta Government Stock 2012 (Third Issue) Fungibility Issue - S.L. 161.107;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €58,234,334.96 5.7% Malta Government Stock 2012 (Third Issue) Fungibility Issue - S.L. 161.109;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €58,234,334.96 5.7% Malta Government Stock 2012 (Third Issue) Fungibility Issue - S.L. 161.111;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €23,293,733.99 5.1% Malta Government Stock 2014 (Third Issue) Fungibility Issue - S.L. 161.112;
- the Directive by the Prime Minister and Minister of Finance for the Issue of €23,293,733.99 5.7% Malta Government Stock 2012 (Third Issue) Fungibility Issue - S.L. 161.113;

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- the Directive by the Prime Minister and Minister of Finance for the Issue of €23,293,733.99 5.1% Malta Government Stock 2014 (Third Issue) Fungibility Issue - S.L. 161. 114;

- the Directive by the Prime Minister and Minister of Finance for the Issue of €34,940,600.98 5.7% Malta Government Stock 2012 (Third Issue) Fungibility Issue - S.L. 161.115;

- the Cooks (Apprentices) Scheme - Scheme No. 14 - S.L. 343.12;

- the Waiters (Apprentices) Scheme - Scheme No. 15 - S.L. 343.13;

- the Mechanical Engineering and Allied Trades Scheme - Scheme No. 16 - S.L. 343.14;

- the Electrical Fitter Scheme - Scheme No. 18 - S.L. 343.16;

- the Printing Industry Scheme - Scheme No. 17 - S.L. 343.17;

- the Ladies' Hairdressing Scheme - Scheme No. 19 - S.L. 343.18;

- Sausages, Salted Meat, and other Prepared Meat Regulations - S.L. 449.11;

- the Assistance to Guest Houses, Hostels, Hotels, Farmhouses, Snack Bars and Restaurants (Energy Efficiency Measures) Regulations - S.L. 463.07;

- the Directive by the Prime Minister and Minister of Finance for the Issue of €39,599,347.78 5.1% Malta Government Stock 2014 (First Issue) - S.L. 469.04;

- the Directive by the Prime Minister and Minister of Finance for the Issue of €30,281,854.18 5.4% Malta Government Stock 2010 (Fourth Issue) - S.L. 469.05; and

- the Directive by the Prime Minister and Minister of Finance for the Issue of €44,258,094.57 5.9% Malta Government Stock 2009 (Third Issue) - S.L. 469.06.

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Objects and Reasons

The objects of this Bill are to consolidate certain legislation and also to repeal certain laws which have expired, or have become spent or have had their effect.

Prezz/*Price*
€0.72

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