

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,450, 10 ta' Lulju, 2015*

*Taqsimha C*

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## **Nru. 112**

10. 07. 2015

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

#### **HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Carmelo Abela, M.P., Ministru għall-Intern u s-Sigurtà Nazzjonali, u moqri għall-Ewwel darba fis-Seduta tas-6 ta' Lulju, 2015.

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A BILL introduced by the Honourable Carmelo Abela, M.P., Minister for Home Affairs and National Security, and read the First time at the Sitting of the 6th July, 2015.

**ATT biex jemenda l-Att dwar il-Ħabs, Kap. 260.**

**AN ACT to amend the Prisons Act, Cap 260.**

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



## ABBOZZ TA' LIĠI msejjah

*ATT biex jemenda l-Att dwar il-Ħabs, Kap. 260*

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

**1.** (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2015 li jemenda l-Att dwar il-Ħabs u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Ħabs, hawn aktar il-quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor  
u dhul fis-sehh.  
Kap.260

(2) Dan l-Att għandu jiġi fis-sehh f'dik id-data li l-Ministru responsabbli għall-Ħabs jista' b'avviż fil-Gazzetta jistabbilixxi, u dati differenti jistgħu jiġu hekk stabbiliti għal finijiet differenti u dispozizzjonijiet differenti ta' dan l-Att.

**2.** Il-paragrafu (e) tas-subartikolu (1) tal-artikolu 6 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Jemenda l-  
artikolu 6 tal-  
Att prinċipali.

"(e) il-mod li bih u l-kondizzjonijiet li taħthom xi parti mis-sentenza tista' tiġi mnaqqsa meta wieħed jaqla' dak it-tnaqqis b'xogħol, b'imġieba tajba u jsegwi l-pjan ta' kura skont l-Att dwar il-Ġustizzja Riparatriċi;"

**3.** L-artikolu 8 tal-Att prinċipali għandu jiġi emendat kif ġej:

Jemenda l-  
artikolu 8 tal-  
Att prinċipali.

(a) is-subartikolu (1) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(1) Għandu jkun hemm Bord ta' Moniteraġġ tal-Faċilità Korrettiva ta' Kordin, magħmul minn dawk il-membri li jiġu mahtura kull sentejn mill-Prim Ministru

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b'konsultazzjoni mal-Ministru responsabbli għall-Habs.";

(b) is-subartikolu (2) tiegħu għandu jiġi mħassar;

(c) is-subartikoli (3), (4) u (5) tiegħu għandhom jiġu enumerati mill-ġdid bħala (2), (3) u (4) rispettivament;

(d) fis-subartikolu (2) tiegħu kif enumerat mill-ġdid il-kliem "matul is-sena" għandhom jiġu mħassra; u l-kelma "President" għandha tiġi sostitwita bil-kliem "Prim Ministru";

(e) fis-subartikolu (4) tiegħu kif enumerat mill-ġdid il-kelma "gustizzja" għandha tiġi sostitwita bil-kelma "habs"; u l-kliem "Bord tal-Vizitaturi" għandhom jiġu sostitwiti bil-kliem "Bord ta' Moniteragg tal-Facilità Korrettiva ta' Kordin";

(f) minnufih wara s-subartikolu (4) tiegħu kif enumerat mill-ġdid għandu jiżdied is-subartikolu ġdid li ġej:

"(5) Id-Direttur tal-Habs għandu jiżgura li l-prigunieri kollha jiġu infurmati bil-Bord ta' Moniteragg tal-Facilità Korrettiva ta' Kordin u bil-funzjonijiet tiegħu u għandu jagħmel disponibbli l-mekkanizmu meħtieġ sabiex il-prigunieri jkunu jistgħu jissottomettu t-talbiet u l-ilmenti tagħhom lill-Bord."

Jemenda l-  
artikolu 15 tal-  
Att prinċipali.

4. L-artikolu 15 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subparagrafu (i) tiegħu l-kliem "jekk ikun għalaq hamsin sena" għandhom jiġu mħassra; u

(b) fis-subparagrafu (v) tiegħu l-kliem "dik il-marda x'aktarx tkun waħda permanenti." għandhom jiġu sostitwiti bil-kliem "dik il-marda x'aktarx tkun waħda permanenti."; u minnufih wara għandhom jiżdiedu dawn il-provisos godda li ġejjin:

"Izda jekk uffiċjal tas-servizzi korrettivi, mhux minhabba xi nuqqas tiegħu, jiġi mwegġa b'mod serju waqt il-qadi ta' dmirijietu u minhabba dak il-korrimment ma jkunx possibbli għalih li jaqdi d-dmirijiet tax-xogħol tiegħu, u jkun gie iċċertifikat kif meħtieġ mill-Bord dwar il-Korrimmenti magħmul minn professjonisti mediċi u professjonisti oħrajn maħtura mill-Ministru responsabbli għall-Habs, it-tali uffiċjal jista' jiġi intitolat għall-ħlas pensjonabbli daqsliekku għamel il-25 sena servizz:

Iżda wkoll jekk uffiċjal tas-servizzi korrettivi, mhux minhabba xi nuqqas tiegħu, jmut b'konsegwenza diretta tal-qadi tad-dmirijiet tax-xogħol tiegħu, id-dipendenti tiegħu, sakemm ma jkunx prekluz mill-liġi, jkunu intitolati għall-ħlas pensjonabbli skont ir-regolament 16 tar-Regolamenti dwar Pensjonijiet għal min jaħdem fil-Habs."

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### **Ghanijiet u Raġunijiet**

L-għanijiet ta' dan l-Abbozz huma sabiex jiġi stabbilit il-Bord ta' Moniteraġġ tal-Facilità Korrettiva ta' Kordin.

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**A BILL  
entitled**

*AN ACT to amend the Prisons Act, Cap 260.*

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

Short title and  
commencement.  
Cap. 260

**1.** (1) The short title of this Act is the Prisons Act (Amendment) Act, 2015, and this Act shall be read and construed as one with the Prisons Act, hereinafter referred to as "the principal Act".

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

Amends article  
6 of the  
principal Act.

**2.** Paragraph (e) of sub-article (1) of article 6 of the principal Act shall be substituted by the following:

"(e) the manner in which and conditions under which a remission of a portion of the sentence may be earned by industry, good conduct and adherence to the Care Plan in terms of the Restorative Justice Act;"

Amends article  
8 of the  
principal Act.

**3.** Article 8 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be substituted by the following:

"(1) There shall be a Corradino Correctional Facility Monitoring Board, composed of such members as shall be appointed every two years by the Prime Minister in consultation with the Minister responsible for the Prisons.";

(b) sub-article (2) thereof shall be deleted;

(c) sub-articles (3), (4) and (5) thereof shall be renumbered as sub-articles (2), (3) and (4) respectively;

(d) in sub-article (2) as renumbered the words "during the year" shall be deleted; and the words "the President" shall be substituted by the words "the Prime Minister";

(e) in sub-article (4) thereof as renumbered the word "justice" shall be substituted by the words "the Prisons"; and the words "Board of Visitors" shall be substituted by the words "Corradino Correctional Facility Monitoring Board";

(f) immediately after sub-article (4) thereof, as renumbered, there shall be added the following new sub-article:

"(5) The Director of Prisons shall ensure that all prisoners are made aware of the Corradino Correctional Facility Monitoring Board and its functions thereof and to make available the necessary mechanism in order that the prisoners can make their requests or complaints to the Board."

4. Article 15 of the principal Act shall be amended as follows:

Amends article  
15 of the  
principal Act.

(a) in sub-paragraph (i) thereof the words "after he attains the age of fifty" shall be deleted; and

(b) in sub-paragraph (v) thereof the words "that such infirmity is likely to be permanent." shall be substituted by the words "that such infirmity is likely to be permanent."; and immediately after there shall be added the following new provisos:

"Provided that if a correctional services officer has, without his own default, been seriously injured during the course of his duties and due to such injury he is incapable of discharging the duties of his office, and has been duly certified by an Injuries Board made up of medical and other professionals appointed by the Minister responsible for Prisons, such officer may be entitled to pensionable emoluments as if he had completed the 25 years' service:

Provided further that, if a correctional services officer, without his own default, dies as a direct

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consequence of him having carried out the duties of his office, his dependants, unless otherwise precluded at law, will be entitled to the payment of such pensionable emoluments in accordance with regulation 16 of the Prisons Pensions Regulations.".

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### **Objects and Reasons**

The objects of this Bill are to establish the Corradino Correctional Facility Monitoring Board.

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