

MALTA

ATT Nru XVII tal-2016

ATT maħruġ b'ligi mill-Parlament ta' Malta.

ATT biex jipprovdi għat-twaqqif tal-Kunsill dwar il-Lingwa Maltija tas-Sinjali, u għal hwejjeġ ancillari jew konsegwenzjali għal dan.

ACT No. XVII of 2016

AN ACT enacted by the Parliament of Malta.

AN ACT to provide for the setting up of the Sign Language Council of Malta, and for matters ancillary or consequential thereto.

Nagħti l-kunsens tiegħi.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

24 ta' Marzu, 2016

ATT Nru XVII tal-2016

ATT biex jipprovdi għat-twaqqif tal-Kunsill dwar il-Lingwa Maltija tas-Sinjali, u għal hwejjeġ ancillari jew konsegwenzjali għal dan.

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

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2016 dwar ir-Rikonoxximent tal-Lingwa Maltija tas-Sinjali. Titolu fil-qosor u bażi.

(2) Dan l-Att hu bbażat fuq il-prinċipji tal-konsolidament ta' drittijiet tal-bniedem, opportunitajiet indaqs u drittijiet lingwistiċi.

2. F'dan l-Att sakemm ir-rabta tal-kliem ma tehtiegħ Tifsir. xort'oħra:

"komunità ta' persuni neqsin mis-smiġh" tfisser -

(a) grupp lingwistiku u kulturali distint ta' persuni li għandhom dizabilità fis-smiġh u li jużaw il-Lingwa Maltija tas-Sinjali bhala l-ewwel lingwa jew il-lingwa favorita; u

(b) persuni li għandhom dizabilità fis-smiġh u li jidentifikaw ruħhom mal-grupp ta' persuni msemmi fil-paragrafu (a);

"Kumitat" tfisser il-Kumitat dwar l-Affarijiet Soċjali tal-Kamra tad-Deputati jew kwalunkwe kumitat ieħor li jissostitwixxi dak il-

kumitat;

"Kunsill" tfisser il-Kunsill għal-Lingwa Maltija tas-Sinjali stabbilit taħt l-artikolu 7;

"Lingwa Maltija tas-Sinjali" tfisser il-lingwa viziva jew tal-ġesti li hija l-ewwel lingwa jew il-lingwa favorita f'Malta tal-grupp lingwistiku u kulturali distint tal-komunità ta' persuni neqsin mis-smiġh;

"Ministru" tfisser il-Ministru responsabbli għad-drittijiet tal-persuni b'diżabilità.

Dikjarazzjoni, għan u prinċipju gwida.

3. (1) Ir-Repubblika ta' Malta tirrikonoxxi l-Lingwa Maltija tas-Sinjali bħala espressjoni tal-kultura u ċertifikazzjoni għal opportunitajiet indaqs u l-inklużjoni. L-għan ta' dan l-Att huwa sabiex jippromwovi u jzomm haġ l-użu tal-Lingwa Maltija tas-Sinjali billi jiddikjara l-Lingwa Maltija tas-Sinjali bħala l-lingwa uffiċjali ta' Malta u jippermetti li jsiru regolamenti li jwaqqfu *standards* ta' kompetenza għat-tifsir tal-Lingwa Maltija tas-Sinjali.

(2) Il-prinċipju gwida ta' dan l-Att huwa li l-komunità ta' persuni neqsin mis-smiġh għandha tiġi kkonsultata fuq materji relatati mal-Lingwa Maltija tas-Sinjali inkluża l-promozzjoni tal-użu u l-iżvilupp tal-Lingwa Maltija tas-Sinjali.

Użu tal-Lingwa Maltija tas-Sinjali.

4. Il-Lingwa Maltija tas-Sinjali hija dikjarata bħala lingwa uffiċjali ta' Malta u l-Gvern ta' Malta għandu jippromwovi permezz tal-mezzi kollha possibbli l-użu l-aktar wiesa' tal-Lingwa Maltija tas-Sinjali fl-informazzjoni u s-servizzi kollha governattivi, fl-educazzjoni, fix-xandir, fil-*media*, fil-qrati u fil-*hajja* politika, amministrattiva, ekonomika, soċjali u kulturali.

Limitazzjonijiet.

Kap. 413.

5. L-obbligi taħt dan l-Att huma soġġetti għal dawk il-limiti kif iċ-ċirkustanzi jistgħu jagħmlu raġonevoli u neċessarji skont it-termini tal-Att dwar Opportunitajiet Indaqs għal Persuni b'Diżabilità, jekk ikunu ttieħdu jew saru l-miżuri u l-pjanijiet kollha raġonevoli għall-konformità ma' dan l-Att.

Użu ta' lingwa oħra.

6. Ebda haġa f'dan l-Att ma għandha taffettwa d-dritt ta' xi komunità lingwistika oħra f'Malta jew id-dritt ta' persuna li tuża l-lingwa ta' dik il-komunità jew ta' persuna, li mhijiex il-Lingwa Maltija tas-Sinjali.

Twaqqif tal-Kunsill għal-Lingwa Maltija tas-Sinjali.

7. Għandu jkun stabbilit Kunsill li jkun magħruf bħala l-Kunsill għal-Lingwa Maltija tas-Sinjali, hawn iżjed 'il quddiem imsejjaħ "il-Kunsill".

8. L-għanijiet tal-Kunsill huma li:

Għanijiet tal-Kunsill.

(a) jagħti pariri lill-Ministru fil-materji kollha li għandhom x'jaqsmu mal-lingwa tas-sinjali;

(b) jappoġġja r-riċerka relatata mal-lingwa tas-sinjali;

(ċ) jappoġġja l-iżvilupp tal-lingwa tas-sinjali u jhegġeg u jsaħħaħ ir-rikonoxximent u l-espressjoni tal-Lingwa Maltija tas-Sinjali;

(d) jippromwovi l-iżvilupp dinamiku ta' dawn il-karatteristiċi lingwistiċi kif identifikati mill-komunità Maltija ta' persuni neqsin mis-smiġh;

(e) f'konsultazzjoni mal-komunità ta' persuni neqsin mis-smiġh, jadotta politika lingwistika xierqa appoġġjata minn pjan strateġiku, u jiżgura li dawn huma mhaddma u osservati fis-setturi kollha tal-ħajja Maltija;

(f) jevalwa u jikkoordina x-xogħol magħmul minn assoċjazzjonijiet u individwi, fis-settur tal-Lingwa Maltija tas-Sinjali u jippromwovi atmosfera ta' kooperazzjoni permezz ta' pjan konsenswali;

(g) ifittex li jikseb riżorsi finanzjarji lokali jew barra minn Malta sabiex ikun jista' jsaħħaħ l-attivitajiet tiegħu, speċjalment dawk ir-riżorsi li huma diġà aċċessibbli għal organizzazzjonijiet lokali u internazzjonali għal finijiet ta' riċerka;

(h) jikkoopera ma' persuni, korpi u organizzazzjonijiet fis-settur tad-diżabilità sabiex iżid u jkabbar ir-rikonoxximent u l-apprezzament tal-Lingwa Maltija tas-Sinjali u l-attivitajiet kulturali għall-avvanz tal-Lingwa Maltija tas-Sinjali;

(i) jippreskrivi u jistabilixxi regolamenti dwar l-*standards* ta' kompetenza li persuna li ser taġixxi bħala interpretu tal-Lingwa Maltija tas-Sinjali għandu jkollha u jzomm reġistru ta' Interpreti tal-Lingwa tas-Sinjali rikonoxxuti;

(j) iwettaq dawk l-attivitajiet l-oħra kif jistgħu jiġu lill-assenjati mill-Ministru.

9. (1) Il-Kunsill għandu jkun kompost minn mhux aktar minn ħames membri, li jiġu maħtura mill-Ministru, u wieħed minnhom għandu jkun nominat b'konsultazzjoni mal-Kummissjoni Nazzjonali Persuni b'Diżabilità bħala *Chairperson*.

Kompożizzjoni tal-Kunsill.

(2) Il-membri għandhom jinhatru minn fost daww il-persuni li għandhom l-għarfien f'materji relatati mal-lingwa tas-sinjali, servizzi anċillari, proċeduri tas-servizz pubbliku, l-edukazzjoni jew oqsma oħra relatati mas-sinjali; għall-inqas tnejn mill-membri tal-Kunsill għandhom ikunu persuni ġejjin mill-komunità ta' persuni neqsin mis-smiġh u membru ieħor għandu jiġi nominat wara konsultazzjoni mal-Ministru responsabbli għall-edukazzjoni.

(3) Il-membri tal-Kunsill għandhom jinhatru għal perjodu ta' tliet snin, iżda jkunu eliġibbli għal hatra mill-ġdid fl-iskadenza tat-terminu tal-kariga tagħhom. Kull membru jista', qabel l-iskadenza tat-terminu tal-kariga tiegħu, jirriżenja permezz ta' ittra mibgħuta lill-Ministru.

(4) Persuna m'għandhiex tikkwalifika biex ikollha kariga bħala membru tal-Kunsill jekk hi, jew kienet, Ministru, Segretarju Parlamentari, membru tal-Kamra tad-Deputati, membru ta' awtorità tal-gvern lokali, jew tkun uffiċjal pubbliku, hliet uffiċjal pubbliku li huwa kwalifikat sabiex jinhatar bħala *Chairperson* tal-Kunsill taht is-subartikolu (2).

(5) Mingħajr hsara għad-dispożizzjonijiet ta' dan l-artikolu, il-kariga ta' membru tal-Kunsill għandha ssir vakanti -

(a) mal-iskadenza ta' tliet snin mid-data tal-hatra tiegħu; jew

(b) jekk ikun hemm ċirkustanzi li, li kieku ma kienx membru tal-Kunsill, kienu jwasslu għall-iskwalifika milli jinhatar bħala membru.

(6) Membru tal-Kunsill jista' jitneħħa mill-kariga mill-Ministru, iżda jista' jitneħħa biss minhabba f'inkapaċità li jaqdi l-funzjonijiet tal-kariga tiegħu (kemm jekk minhabba f'mard mentali jew korporali jew għal xi raġuni oħra) jew għal imġiba hażina.

(7) Jekk il-kariga ta' membru tal-Kunsill tkun vakanti jew jekk membru għal xi raġuni ma jistax jaqdi l-funzjonijiet tal-kariga tiegħu, il-Ministru għandu jahtar persuna li hija kwalifikata sabiex tinhatar membru bħala membru temporanju tal-Kunsill, u kull persuna hekk mahtura għandha, mingħajr hsara għad-dispożizzjonijiet tas-subartikoli (5) u (6), tieqaf milli tkun membru meta persuna tinhatar sabiex timla dik il-vakanza jew, skont il-każ, meta l-membru li ma setax jaqdi l-funzjonijiet tal-kariga tiegħu jerga' jibda jaqdi dawn il-funzjonijiet.

(8) Il-Ministru għandu jassigura li l-Kunsill ikollu r-rizorsi

meħtieġa biex ikun jista' jiffunzjona b'mod effettiv.

10. (1) Il-Kunsill għandu, fi żmien sentejn mid-data tal-bidu fis-seħh ta' dan l-Att, u darba kull sentejn wara, ihejji rapport dwar - Rapport.

(a) it-tħaddim ta' dan l-Att mill-bidu tiegħu u kull sentejn wara l-ewwel rapport; u

(b) jekk huma neċessarji jew mixtieqa emendi għall-finijiet u l-kontenut ta' dan l-Att.

(2) Il-Kunsill għandu jiżgura li persuni jew organizzazzjonijiet li jirrappreżentaw l-interessi tal-membri tal-komunità ta' persuni neqsin mis-smiġħ huma kkonsultati fuq il-materji li jkunu ser jiġu kkunsidrati fir-rapport.

(3) Il-Ministru għandu, mill-aktar fis u sa mhux aktar tard minn tmien ġimgħat wara li jkun irċieva kopja ta' kull rapport bħal dan, jew jekk fi kwalunkwe żmien matul dak il-perjodu li l-Kamra tad-Deputati ma tkunx f'sessjoni, fi żmien tmien ġimgħat mill-bidu tas-sessjoni li jkun imiss, iqiegħed kopja ta' kull rapport bħal dan fuq il-Mejda tal-Kamra tad-Deputati. Ir-rapport għandu wara jiġi diskuss mill-Kumitat.

11. Ir-rapport jista' jiġi inkluz fi kwalunkwe rapport magħmul fir-rigward tal-Att dwar Opportunitajiet Indaqs għal Persuni b'Diżabilità u fuq il-progress li jkun qed isir dwar l-implimentazzjoni tal-Politika Maltija Nazzjonali għal Persuni b'Diżabilità u l-Istrateġija applikabbli kif ukoll fir-rigward ta' kwalunkwe proċedura ta' rappurtagġ meħtieġa f'konformità mal-obbligi li joħorġu mill-Konvenzjoni tal-Ġnus Magħquda dwar id-Drittijiet tal-Persuni b'Diżabilità.

Inkluzjoni tar-rapport f'rapporti oħra. Kap. 413.

VERŻJONI ELETTRONIKA

A 682

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 370 tas-16 ta' Marzu, 2016.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

24th March, 2016

ACT No. XVII of 2016

AN ACT to provide for the setting up of the Maltese Sign Language Council, and for matters ancillary or consequential thereto.

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 Maltese Sign Language Recognition Act, 2016. Short title and basis.

(2) This Act is based on the principles of the consolidation of human rights, equal opportunities and linguistic rights.

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

"Committee" means the Social Affairs Committee of the House of Representatives or any other committee substituting the same;

"Council" means the Maltese Sign Language Council established under article 7;

"Deaf community" means -

(a) the distinct linguistic and cultural group of people who have a hearing impairment and who use Maltese Sign Language as their first or preferred language; and

(b) people who have a hearing impairment and who

identify with the group of people referred to in paragraph (a);

"Maltese Sign Language" means the visual and gestural language that is the first or preferred language in Malta of the distinct linguistic and cultural Deaf community;

"Minister" means the Minister responsible for the rights of persons with a disability.

Declaration, scope and guiding principle.

3. (1) The Republic of Malta recognises Maltese sign language as an expression of culture and endorsement for equal opportunities and inclusion. The purpose of this Act is to promote and maintain the use of Maltese Sign Language by declaring Maltese Sign Language to be an official language of Malta and empowering the making of regulations setting competency standards for the interpretation of Maltese Sign Language.

(2) The guiding principle of this Act is that the Deaf community should be consulted on matters relating to Maltese Sign Language including the promotion of the use and development of Maltese Sign Language.

Use of Maltese Sign Language.

4. Maltese Sign Language is declared to be an official language of Malta and the Government of Malta shall promote through all possible means the widest use of Maltese Sign Language in all government information and services, education, broadcasting, media, at the law courts, and in political, administrative, economic, social and cultural life.

Limitations. Cap. 413.

5. The obligations under this Act are subject to such limits as circumstances make reasonable and necessary in terms of the Equal Opportunities (Persons with Disability) Act, if all reasonable measures and plans for compliance with this Act have been taken or made.

Use of other language.

6. Nothing contained in this Act shall affect the right of any other linguistic community in Malta or the right of any person to use the language of that community or person which is not Maltese Sign Language.

Establishment of the Maltese Sign Language Council.

7. There shall be established a Council to be known as the Maltese Sign Language Council, hereinafter referred to as "the Council".

Purposes of the Council.

8. The purposes of the Council are:

(a) to advise the Minister in all matters related to sign language;

- (b) to support research related to sign language;
- (c) to support the development of sign language and motivate and enhance the recognition and expression of Maltese Sign Language;
- (d) to promote the dynamic development of such linguistic characteristics as identified by the Maltese Deaf community;
- (e) in consultation with the Deaf community, adopt a suitable linguistic policy backed by a strategic plan, and ensure that the same are put into practice and observed in all sectors of Maltese life;
- (f) to evaluate and co-ordinate the work done by associations and individuals, in Maltese Sign Language sector and to foster an atmosphere of co-operation through a consensual plan;
- (g) to seek to obtain financial resources locally and overseas in order to be able to strengthen its activities, especially such resources as are already accessible to local and international organisations for research purposes;
- (h) to co-operate with persons, bodies and organisations in the disability sector in order to increase and augment the recognition and appreciation of Maltese Sign Language and cultural activities for the further advancement of Maltese Sign Language;
- (i) to prescribe and establish regulations about the standards of competency that a person who is to act as an interpreter of Maltese Sign Language must attain and keep a register of recognised Maltese Sign Language Interpreters;
- (j) to undertake such other activities as may be assigned to it by the Minister.

9. (1) The Council shall be composed of not more than five members, who shall be appointed by the Minister, one of whom shall be appointed after consultation with the National Commission for Persons with Disability as Chairperson.

Composition of
the Council.

(2) The members shall be appointed from amongst persons who are knowledgeable in matters relating to sign language, ancillary services, public service procedures, education or in other areas related to signing; at least two of the members of the Council shall be persons

belonging to the Deaf community and another member shall be appointed in consultation with the Minister responsible for education.

(3) The members of the Council shall be appointed for a term of three years, but shall be eligible for re-appointment on the expiration of their term of office. Any member may, before the expiration of his term of office, resign by letter addressed to the Minister.

(4) A person shall not be qualified to hold office as a member of the Council if he is, or was, a Minister, Parliamentary Secretary, a member of the House of Representatives, a member of a local government authority, or if he is a public officer other than a public officer who is qualified to be appointed Chairperson of the Council under sub-article (2).

(5) Subject to the provisions of this article, the office of a member of the Council shall become vacant -

(a) at the expiration of three years from the date of his appointment; or

(b) if any circumstances arise that, if he were not a member of the Council, would cause him to be disqualified for appointment as such.

(6) A member of the Council may be removed from office by the Minister, but such member may be removed only for inability to discharge the functions of his office (whether arising from infirmity of mind or of body or any other cause) or for misbehaviour.

(7) If the office of a member of the Council is vacant or if a member is for any reason unable to perform the functions of his office, the Minister shall appoint a person who is qualified to be appointed to be a member to be a temporary member of the Council, and any person so appointed shall, subject to the provisions of sub-articles (5) and (6), cease to be such a member when a person has been appointed to fill the vacancy or, as the case may be, when the member who was unable to perform the functions of his office resumes those functions.

(8) The Minister shall ensure that the Council is provided with the necessary resources in order to function in an effective manner.

Report.

10. (1) The Council shall, within two years after the date on which this Act comes into force, and once every two years thereafter, prepare a report on -

(a) the operation of this Act since its commencement, and every two years after the first report; and

(b) whether any amendments to the scope and contents of this Act are necessary or desirable.

(2) The Council shall ensure that persons or organisations that are representative of the interests of the members of the Deaf community are consulted on the matters to be considered in the report.

(3) The Minister shall, at the earliest opportunity and not later than eight weeks after he has received a copy of such report, or if at any time during that period the House of Representatives is not in session, within eight weeks from the beginning of the next following session, cause a copy of such report to be laid on the Table of the House of Representatives. The report shall then be discussed by the Committee.

11. The report may be included in any report made in relation to the Equal Opportunities (Persons with Disability) Act and on the progress being made in implementing the Malta National Disability Policy and applicable Strategy and also in relation to any reporting procedure required pursuant to the obligations emanating from the UN Convention on the Rights of Persons with Disability.

Inclusion of
report in other
reports.
Cap. 413.

Passed by the House of Representatives at Sitting No. 370 of the 16th March, 2016.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

