



IT-TLETTAX-IL LEGIŻLATURA

P.L. 1752

Dokument imqiegħed fuq il-Mejda tal-Kamra tad-Deputati fis-Seduta Numru 119 tat-28 ta' Mejju 2018 mill-Ministru għall-Energija u l-Immaniġġar tal-Ilma, f'isem il-Ministru għall-Intern u s-Sigurtà Nazzjonali.

Raymond Scicluna
Skrivan tal-Kamra

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 19,996, 25 ta' Mejju, 2018

Taqsima B

A.L. 166 tal-2018

ATT DWAR L-IMMIGRAZZJONI (KAP. 217)

Regolamenti tal-2018 li jemendaw ir-Regolamenti dwar ir-Rijunifikazzjoni tal-Familji

BIS-SAHHA tas-setghat mogħtija bl-artikolu 36 tal-Att dwar l-Immigrazzjoni, il-Ministru għall-Intern u s-Sigurtà Nazzjonali għamel dan ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti huwa r-regolamenti tal-2018 li jemendaw ir-Regolamenti dwar ir-Rijunifikazzjoni tal-Familji, u dawn ir-regolamenti għandhom jinqraw u jiftiehmu haġa waħda mar-regolamenti dwar ir-Rijunifikazzjoni tal-Familja hawn aktar 'il quddiem imsejja "ir-regolamenti prinċipali".
Titolu
L.S 217.06
2. Is-subregolament (3) tar-regolament 4 tar-regolamenti prinċipali għandu jiġi mħassar.
Jemenda r-regolament 4 tar-regolamenti prinċipali.
3. Is-subregolament (2) tar-regolament 5 tar-regolamenti prinċipali għandu jiġi mħassar u s-subregolament (1) tar-regolament 5 tar-regolamenti prinċipali għandu jiġi enumerat bħala r-regolament 5.
Jemenda r-regolament 5 tar-regolamenti prinċipali.
4. Fir-regolament 6 tar-regolamenti prinċipali l-kliem "kif ukoll kopji ċertifikati ta' dokumenti tal-ivvjaġġar tal-membri tal-familja." għandhom jiġu sostitwiti bil-kliem ", kopji ta' ċertifikati ta' dokumenti tal-ivvjaġġar tal-membri tal-familja u dokumentazzjoni dwar il-prospetti raġonevoli ta' residenza permanenti tiegħu."
Jemenda r-regolament 6 tar-regolamenti prinċipali.
5. Fir-regolament 13 tar-regolamenti prinċipali l-kliem "għal perjodu ta' sentejn." għandhom jiġu sostitwiti bil-kliem "għal perjodu li ma għandux ikun ta' iżjed minn sentejn." u l-proviso tar-regolament 13 għandu jiġi mħassar.
Jemenda r-regolament 13 tar-regolamenti prinċipali.
6. Ir-regolament 25 tar-regolamenti prinċipali għandu jiġi sostitwit bir-regolament ġdid li ġej:
Jissostitwixxi r-regolament 25 tar-regolamenti prinċipali.
"25. Applikazzjoni għal dħul u residenza għall-membri tal-familja ta' rifuġjat li r-relazzjoni familjari tkun bdiet qabel id-data tad-dħul tagħhom f'Malta, jew fejn dik l-applikazzjoni tkun ġiet ipprezentata fi kwalunkwe data wara li jiġi mogħti l-istatus ta' rifuġjat, jew li r-relazzjoni familjari tkun ġiet stabbilita wara d-dħul tiegħu f'Malta għandha tiġi sottomessa skont it-Taqsima IV ta' dawn ir-regolamenti:

Iżda r-rekwiżit tad-dokumentazzjoni dwar il-prospetti ta' residenza permanenti tiegħu m'għandux japplika:

Iżda ukoll, meta rifuġjat ma jistax jipprovdi xhieda dokumentarja uffiċjali tar-relazzjoni familjari, id-Direttur għandu jqis evidenza oħra u waqt l-eżami tal-applikazzjoni, id-Direttur għandu jikkonsulta mal-Kummissarju għar-Rifuġjati. Deċiżjoni li tirrifjuta applikazzjoni ma tistax tkun ibbażata biss fuq il-fatt li l-evidenza dokumentarja hija nieqsa."

Jemenda r-regolament 27 tar-regolamenti prinċipali.

7. Fis-subregolament (2) tar-regolament 27 tar-regolamenti prinċipali l-kliem "tar-regolamenti 9 u 13" għandhom jiġu sostitwiti bil-kliem "tar-regolament 13".

L.N. 166 of 2018

**IMMIGRATION ACT
(CAP. 217)**

Family Reunification (Amendment) Regulations, 2018

IN EXERCISE of the powers conferred by article 36 of the Immigration Act, the Minister responsible for Home Affairs and National Security has made the following regulations:-

1. The title of these regulations is the Family Reunification (Amendment) Regulations 2018 and these regulations shall be read and construed as one with the Family Reunification Regulations hereinafter referred to as "the principal regulations". Citation
S.L 217.06
2. Sub-regulation (3) of regulation 4 of the principal regulations shall be deleted. Amends
regulation 4 of
the principal
regulations.
3. Sub-regulation (2) of regulation 5 of the principal regulations shall be deleted and sub-regulation (1) of regulation 5 shall be renumbered as regulation 5. Amends
regulation 5 of
the principal
regulations.
4. In regulation 6 of the principal regulations, the words "as well as by certified copies of travel documents of the family members" shall be substituted by the words ", by certified copies of travel documents of the family members and documentation regarding his reasonable prospects of permanent residence". Amends
regulation 6 of
the principal
regulations.
5. In regulation 13 of the principal regulations, the words "period of two years:", shall be substituted by the words, "period not exceeding two years." and the proviso to regulation 13 of the principal regulations shall be deleted. Amends
regulation 13 of
the principal
regulations.
6. Regulation 25 of the principal regulations shall be substituted by the following new regulation: Substitutes
regulation 25 of
the principal
regulations.

"25. An application for entry and residence for family members of a refugee whose family relationship pre-dated their entry into Malta, or where such application was submitted at any date following the granting of his refugee status, or whose family relationship was established subsequent to his entry into Malta shall be submitted in accordance with Part IV of these regulations:

Provided that the requirement of documentation

regarding his prospects of permanent residence shall not apply in his case:

Provided further that where a refugee cannot provide official documentary evidence of the family relationship, the Director shall take into account other evidence and during the examination of the application, the Director shall consult with the Refugee Commissioner. A decision rejecting an application may not be based solely on the fact that documentary evidence is lacking."

Amends
regulation 27 of
the principal
regulations.

7. In sub-regulation (2) of regulation 27 of the principal regulations, the words "regulations 9 and 13" shall be substituted by the words "regulation 13".
