CHAPTER 324

MINISTERS (DELEGATION OF FUNCTIONS) ACT

To enable Ministers to delegate functions of their office to Parliamentary Secretaries.

(20th May, 1988)*

Enacted by ACT XVI of 1988.

Short title.

1. This Act may be cited as the Ministers (Delegation of Functions) Act.

Interpretation.

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

"functions" includes powers and duties;

"law" means an Act of Parliament or other Act passed by the Legislature of Malta or an Ordinance;

"Minister" means the holder of an office under article 80 of the Constitution.

Delegation of functions.

3. (1) A Minister may delegate to a Parliamentary Secretary assisting him in the performance of his duties, any functions which in virtue of his office are conferred on him by or under any law.

(2) A delegation of functions under this article shall be without prejudice to the exercise of those functions by the Minister.

(3) The power so delegated to make orders, rules or regulations shall, unless the contrary intention appears, be construed as including a power to revoke, amend or vary orders, rules or regulations.

Notice of delegated functions.

4. Every delegation of functions and any addition to, or amendment, variation, substitution or rescission of such delegation shall be made in writing under the hand of the Minister, and notice thereof shall be published in the Gazette.

Legal proceedings.

5. A Parliamentary Secretary may sue or be sued in respect of any functions delegated to him under this Act, and may continue any legal proceedings commenced in respect of those functions before the date when the delegation is made.

**See* Government Notice No. 370 of the 20th May, 1988.