

L.N. 156 of 1995

**PERSONS WITH DISABILITY (EMPLOYMENT) ACT
(CAP. 210)**

**Persons with Disability (Registration and Appeal) Regulations,
1995**

IN exercise of the powers conferred by sections 7, 8, 13 and 20 of the Persons with Disability (Employment) Act, the Minister of Education and Human Resources has made the following regulations:-

1. These regulations may be cited as the Persons with Disability Citation.
(Registration and Appeal) Regulations, 1995.
2. (1) In these regulations, "the Act" means the Persons with Interpretation.
Disability (Employment) Act.

(2) Words and phrases used in these regulations shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Act.
3. (1) Any person who desires to have his name entered in Application
the register shall make an application to the Corporation in the form for registration.
set out in the First Schedule to these regulations.

(2) Any registered person whose period of registration is about to expire may, not earlier than two months and not later than fifteen days before the expiration of that period, make an application to the Corporation for the retention of his name in the register in the form set out in the Second Schedule to these regulations:

Provided that, if a final decision by the Corporation or by the Authority, as the case may be, on such an application is not arrived at prior to the date of expiration of the period of registration, the name of the applicant shall, pending such final decision, be retained in the register.

(3) Any person applying to have his name entered in the register shall attach to his application -

(a) his birth certificate, and

(b) a medical certificate in support of his application.

Condition for
entry or
retention of
name in
register.

4. No application for the entry or retention of a person's name in the register shall be entertained unless the applicant has a reasonable prospect of obtaining and keeping some form of employment or of working on his own account.

Disqualifications
from entry or
retention of
name in
register.

5. No person's name shall be entered or retained in the register, as the case may be, if -

- (a) he has attained the age of sixty-three years;
- (b) he is serving a sentence of imprisonment or detention;
- (c) he is a whole-time patient at any hospital or institution in circumstances which make it impossible for him, within a reasonable time, to undertake employment or work on his own account or to attend a vocational training or industrial rehabilitation course, if such a course is considered necessary in his case;
- (d) he is a person of habitual bad character;
- (e) he has at any time, after being requested to attend a vocational training or industrial rehabilitation course, refused, failed or neglected, without reasonable cause, to attend or complete such course;
- (f) he has, without reasonable cause, refused to accept, or failed to keep, suitable employment; or
- (g) he is not, at the time, ordinarily resident in Malta.

Form of
certificate of
registration.

6. (1) When a person's name is entered in the register in accordance with the provisions of the Act, there shall be issued to such person, free of any charge, a certificate in the form set out in the Third Schedule to these regulations.

(2) Any such certificate shall be signed by the Corporation.

Issue of
duplicate
certificate.

7. (1) Where a person proves to the satisfaction of the Corporation that the certificate of registration issued to him in accordance with the provisions of regulation 6 of these regulations has been stolen or lost or is defaced or has been accidentally destroyed, the Corporation shall issue to such person, free of any charge, a duplicate certificate, clearly marked as such, and signed by the Corporation.

(2) The Corporation may, prior to the issue of any duplicate certificate, require the person requesting such issue to prove his identity and to sign a declaration containing such particulars referring to the theft, loss, defacement or destruction, as the case may be, as the Corporation may determine.

(3) If any person to whom a duplicate certificate has been issued in substitution of the one which had been stolen or lost subsequently regains possession of the original certificate, he shall, within twenty-four hours, surrender to the Corporation the duplicate certificate.

8. Where the name of any person is, for any reason contemplated in the Act or in these regulations, removed from the register, the relative certificate of registration issued to him in accordance with these regulations shall become null and void and the holder thereof shall, within twenty-four hours of a notification made to him in this sense by the Corporation, surrender to the Corporation that certificate. Cessation of registration.

9. Where, in pursuance of the provision of subsection (1) of section 13 of the Act, the Corporation notifies any decision to the person to whom it relates, he shall attach to such decision a copy of subsection (2) of the said section and of regulation 10 of these regulations. Notification of decision by the Corporation.

10. (1) Where any person desires to appeal against any decision taken under or in pursuance of the provisions of the Act, he may, within thirty days of the receipt of the notification referred to in regulation 9 of these regulations, make an application to the Authority. Mode and time of appeal.

(2) Where an application is made to the Authority under paragraph (1) of this regulation, such application shall contain -

- (a) the name and address of the applicant; and
- (b) in clear language the reason or reasons in support of his appeal.

(3) For the purposes of this regulation, any notification made by means of a letter through the post and directed to the address shown on the relative application made under paragraph (1) of regulation 3 of these regulations shall be deemed, unless the contrary is proved, to have been received by the person concerned not later than the second day after the date of posting of the letter.

Preservations
of registers
and records.

11. (1) Any register kept by any person in accordance with the provision of subsection (1) of section 20 of the Act shall be preserved by such person for a period not shorter than five years from the date of the last entry therein.

(2) Any record kept by any person in accordance with the provision of subsection (2) of section 20 of the Act shall be preserved by such person for a period not shorter than five years from the date to which the records relate.

Revokes
L.N. 12
of 1969.

12. The Disabled Persons (Registration and Appeal) Regulations, 1969, are hereby revoked.

FIRST SCHEDULE

Regulation 3 (1)

Application for entry of name in Register of Persons with Disability

1. Name in full
(Write in BLOCK letters)
2. Address
3. Nationality 4. Age
5. Has there been a previous application? If yes, state when
6. Are you NOW employed or working on your own account?
(a) If so, state occupation and name and address of employer
(b) If not, state (i) previous occupation
(ii) period from to
7. Occupation desired by you

I hereto attach my birth certificate and medical certificate. I further declare that the above information is true and correct, and I apply for my name to be entered in the Register of Persons with Disability.

.....
Date

Signature or mark

I.D. Number

Witness to mark only

Address of witness

I.D. Number

SECOND SCHEDULE

Regulation 3 (2)

Application for retention of name in Register of Persons with Disability

- 1. Name in full
(Write in BLOCK letters)
- 2. Address
- 3. Number of Certificate of Registration
- 4. Date of Expiry of Certificate of Registration
- 5. Present occupation
- 6. Name and address of employer
.....

I apply for my name to be retained in the Register of Persons with Disability.

..... Date	 Signature or mark
	 I.D. number

Witness to mark only

Address of witness

I.D. number

THIRD SCHEDULE

Regulation 6

Certificate of Registration

Registration No.....

1. Holder's name

2. Holder's address

The name of the above-named person is entered in the Register of Persons with Disability in terms and for the purposes of the Persons with Disability (Employment) Act, Cap. 210.

The registration expires on

Signature of Employment and
Training Corporation

Date

Holder's signature or mark

I.D. number

Witness to mark only

Address of witness

I.D. number