

SUBSIDIARY LEGISLATION 117.11**REQUISITION OF BAKERIES REGULATIONS**

21st February, 1957

GOVERNMENT NOTICE 134 of 1957, as amended by Government Notice 298 of 1958; Legal Notices 15 of 1964, 19 of 1965, 23 of 1977 and 409 of 2007.

1. The title of these regulations is Requisition of Bakeries Regulations. Title.

2. In these regulations -

"bakery" means any premises containing ovens suitable for the production of bread and includes any plant, machinery, tools, implements, accessories, spare parts which are ancillary to the bakery;

Interpretation.
Amended by:
G.N. 298 of 1958;
L.N. 15 of 1964;
L.N. 19 of 1965.

"Minister" means the Minister from time to time responsible for the Department of Trade;

"requisition" means take possession of any bakery or require the bakery to be placed at the disposal of the Minister;

"requisitionnee" means the person or person from whose possession a bakery is requisitioned by the Minister.

3. The Minister may, by order under his hand, requisition any bakery or such part or parts thereof as may be used in the production of bread, and may give such directions as appear to him to be necessary or expedient in order that the requisition may be put into effect and complied with.

Requisition.
Amended by:
G.N. 298 of 1958;
L.N. 19 of 1965.

4. The Minister shall have power to enter the bakery aforesaid by any officers of the Department of Trade, or by any other person authorised by him with a view to securing compliance with these Regulations.

Inspection.
G.N. 298 of 1958;
L.N. 15 of 1964;
L.N. 19 of 1965.

5. (1) Any person who contravenes or fails to comply with any requisition order made by the Minister under regulation 3 or who performs any act or omits to perform any act knowing or having reasonable cause to believe that such act or omission is likely to frustrate, hinder or obstruct the execution of any such requisition order shall, on conviction, be liable to a fine (*multa*) of not less than two hundred and thirty-two euros and ninety-four cents (232.94) but not exceeding one thousand and one hundred and sixty-four euros and sixty-nine cents (1,164.69) or to imprisonment for a period from fifteen days to two months or to both such fine and imprisonment.

Offences and penalties.
G.N. 298 of 1958;
L.N. 19 of 1965;
L.N. 23 of 1977;
L.N. 409 of 2007.

(2) The Court, besides awarding punishment, shall order the offender to comply with these Regulations, within a time, sufficient for the purpose, to be fixed by the Court; and, if the offender fails to comply with any such order within the time so fixed, he shall be liable to a fine (*ammenda*) of from one euro and sixteen cents (1.16) to twenty-three euros and twenty-nine cents (23.29) for

every day the default continues after the expiration of the said time.

Requisitioned
bakery.
Amended by:
G.N. 298 of 1958;
L.N. 19 of 1965.

6. The Minister may use or authorise the use of any bakery requisitioned by him under these Regulations in such manner and subject to such conditions as he considers expedient having regard to the public interest.

Board.
Amended by:
G.N. 298 of 1958;
L.N. 19 of 1965.

7. (1) In default of agreement between the Minister and the requisitionee the compensation payable to the latter shall be such as is deemed fair and reasonable in all the circumstances of the case by a Board to be composed as follows -

- (a) a Magistrate, to be appointed by the Minister, to be Chairman;
- (b) a person to be appointed by the Minister as his representative; and
- (c) a person to be appointed by the requisitionee as his representative.

(2) If the requisitionee does not appoint his representative within the period of seven days from the day on which he is asked in writing to do so by the Minister, the Minister shall appoint a third member to represent the requisitionee.

Cap. 12.

(3) The Board shall regulate its own procedure subject to the rules of natural justice and shall have the same powers as are by the Code of Organization and Civil Procedure conferred on the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) to call witnesses and hear evidence on oath; summons to witnesses shall be signed by the Chairman.

Order by the
Minister.
Amended by:
G.N. 298 of 1958;
L.N. 19 of 1965.

8. When any person has been given the use of a bakery requisitioned under these Regulations, whether or not such person pays compensation in respect of such use, the Minister, if in his absolute discretion he is satisfied that such person should not continue in such use, may order him to quit such bakery and to surrender the same within such time as the Minister may determine notwithstanding any other provisions of law to the contrary.