I assent.

(L.S.)

GUIDO DE MARCO
President

25th April, 2000

ACT No. XII of 2000

AN ACT to amend various laws in connection with the transfer of services from the Air Traffic Control Corps and the Airport Company of the Armed Forces of Malta to the Malta International Airport p.l.c.

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:-

Short title and commencement.

1. This Act may be cited as the Amendment of Various Laws (Airport Services) Act, 2000, and shall be deemed to have come into force on 1st May 1998.

Amendment of the Malta Armed Forces Act, Cap. 220.

2. Subsection (4) of section 4 of the Malta Armed Forces Act shall be amended, read and construed as follows:

(a) in paragraph (b) thereof for the words "had not been made.", there shall be substituted the words "had not been made; and ";

(b) immediately after paragraph (b) thereof there shall be added the following new paragraphs:

"(c) for the purposes of any regulation made under this section in connection with pensions and gratuities payable to members of the force, where the service of any member of the Air Traffic Control Corps or of the Airport Company is terminated with the approval of the Commander to take up full time employment with Malta International Airport p.l.c.,

the employment of such member of the Force with the said Malta International Airport p.l.c. shall be deemed to be service in the force, and such member shall be entitled to a pension or gratuity, as the case may be, under such regulations upon the termination of his service with the said Malta International Airport p.l.c. as if such service were service with the force:

Provided that, where such termination of such service with Malta International Airport p.l.c. is due to the winding up of the said company, whether voluntary or otherwise, such termination shall be considered as if it were due to abolition of office:

Provided further that the provisions of this paragraph shall not apply unless an Order is made by the Prime Minister indicating that Malta International Airport p.l.c. shall have bound itself with the Government to contribute towards the Government the difference between the cost of the pension or gratuity payable at the time of retirement from Malta International Airport p.l.c. and the cost of the pension or gratuity, as the case may be, computed at the time of the termination of service with the Government for the aforesaid reason of full time employment with Malta International Airport p.l.c.

(d) For the purposes of paragraph (c) hereof the pensionable emoluments of such persons of the force on retirement shall be deemed to be the pensionable emoluments payable to a member of the force in a grade and at an incremental level corresponding to the post and incremental level at which such person retires from Malta International Airport p.l.c.

(e) For the purposes of paragraph (d) hereof posts and salary grades with Malta International Airport p.l.c. shall be classified in the most nearly corresponding grades and incremental levels in the Armed Forces of Malta by reference to job description, skills, responsibilities and other analogous factors.

(f) The classification referred to in paragraph (e) hereof shall be carried out by a board composed of a chairman appointed by the Ministry responsible for finance and two other members, one appointed by the Ministry responsible centrally for personnel policies in the public services and one appointed by Malta International Airport p.l.c. The

classification shall be subject to the final approval of the Minister responsible for finance.

(g) Such classification shall take place within three months of any adjustment of salaries of members of the force and, or, of employees of Malta International Airport p.l.c.

(h) No post shall be classified in a grade higher than that of Grade 3 in the service of the Government or such other grade that the Minister responsible for finance may from time to time by notice in the Gazette determine.

(i) Without prejudice to section 113 of the Constitution, no person may, following a classification as aforesaid, be entitled to rights under the said regulations less favourable than those to which he would have been entitled prior to such classification.".

Amendment of the Industrial Relations Act. Cap. 266.

3. Section 18 of the Industrial Relations Act shall be amended, read and construed as follows:

For subsection (6) thereof there shall be substituted the following:

"(6) Subsection (4) of this section shall not apply to:

(a) persons employed at the Air Traffic Control Centre at the Malta International Airport and in the Airport Fire Fighting Section of the said airport; and

(b) such number of public officers holding or otherwise employed in any of the offices in the public service listed in the Schedule to this Act as indicated in the said Schedule to be required to be manned at all times for the continued provision by the Government of essential services to the community.".

Passed by the House of Representatives at Sitting No. 282 of the 11th April, 2000.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives