L.N. 32 of 2000

LOCAL COUNCILS ACT, 1993
(ACT NO. XV OF 1993)

Local Councils (Delegation of Enforcement) Order, 2000

IN exercise of the powers conferred by subsection (1) of section 33 and subsection (6) of section 36 and by Section 72 of the Local Councils Act, 1993, hereinafter referred to as "the Act", the Minister for Justice and Local Government has made the following order:–

Citation.

1. This Order may be cited as the Local Councils (Delegation of Enforcement) Order, 2000.

Delegated functions.

2. (1) In terms of paragraph (n) of subsection (1) of section 33 of the Act, the enforcement of:–

(a) Bye-Laws made, or which may from time to time be made, by each Local Council under the provisions of subsection (1) of section 34 of the Act;

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(b) contraventions for such of the offences listed in the Schedule to the Commissioners for Justice Act which are shown under the First Schedule to this Order, shall be a function which is hereby being delegated to each Local Council in relation to contraventions committed in its locality.

(2) The aforementioned delegation shall take effect in relation to each Local Council as from the date shown against that Local Council in the Second Schedule to this Order:

Provided that when it is indicated that such effective date is to be established, such date shall be established by Order of the Minister.

Responsibility for arterial and distributor roads, etc.

3. In terms of subsection (2) of section 33 of the Act, the responsibility for arterial and distributor roads and the items shown in the Third Schedule to this Order is being delegated to Local Councils, solely for the purposes of enforcement as provided in paragraph (1) of article 2 of this Order.

Applicability of section 36 of the Act.

4. (1) Subject to the provisions of paragraph (2) of this article, subsections (2), (3), (4) and (5) of section 36 of the Act shall, in addition to Bye-Laws, apply to such of the offences listed in the Schedule to the

Commissioners for Justice Act which are shown under the First Schedule to this Order.

(2) For the purposes of subsection (3) of section 36 of the Act, Commissioners for Justice shall, with effect from the 17th day of April, 2000, sit in the Local Tribunals so designated in terms of subsection (11) of section 4 of the Commissioners for Justice Act.

FIRST SCHEDULE

(Article 2 (1) (b))

Offences listed in the Schedule to the Commissioners for Justice Act, the enforcement of which is being delegated to Local Councils.

Motor Vehicles Regulations, 1994 (L.N. 128 of 1994)

Regulations 18, 21, 24, 25, 28 to 32, 34, 35, 37, 44, 47, 59, 61, 65, 67 to 73, 75 to 80, 82 to 90, 94 to 103, 105, 107, 108, 110(3), 114, 116, 117, 123, 125, 126, 128, 139(1) (2) (3), 178 and 195.

Code of Police Laws (Cap. 10)

Section 38 (1) (a), (b), (d), (j), (k), 51 and 52.

Traffic Signs and Carriageway Markings Regulations, 1969 (L.N. 94 of 1969)

Regulation 2

Litter Act (Cap. 206)

Sections 3, 4 and 5

Education Act (Cap. 327)

Section 4 (1) (b)

Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap. 104)

Section 8 (1)

Motor Vehicle (Wearing of Seat Belts) Regulations, 1995 (L.N. 129 of 1995)

SECOND SCHEDULE

(Article 2 (2))

Local Council	Effective date of delegation
Pembroke, Sliema, Swieqi, San Ġiljan and San Ġwann	25th February, 2000
Għargħur, Mellieħa, Mġarr, Mosta, Naxxar and San Pawl il-Baħar	6th March, 2000
Gżira, Ħamrun, Msida, Pietà and Ta' Xbiex	To be established
Attard, Balzan, Birkirkara, Dingli, Iklin, Lija, Mdina, Rabat (Malta) and Santa Venera	6th March, 2000
Mtarfa	To be established
Għaxaq, Gudja, Marsaxlokk, Paola, Santa Luċija, Tarxien and Żejtun	To be established
Floriana, Marsa and Valletta	20th March, 2000
Qormi, Siġġiewi and Żebbuġ (Malta)	27th March, 2000
Birżebbuġa, Kirkop, Luqa, Mqabba, Qrendi, Safi and Żurrieq	3rd April, 2000
Rabat (Gozo), Fontana, Għajnsielem, Għarb, Għasri, Kerċem, Munxar, Nadur, Qala, San Lawrenz, Sannat, Xagħra, Xewkija and Żebbuġ (Gozo)	10th April, 2000
Birgu, Bormla, Fgura, Isla, Kalkara, Marsaskala, Xgħajra and Żabbar	To be established

THIRD SCHEDULE

(Article 3)

Items included under the responsibility of Local Councils solely for the purposes of enforcement.

Industrial Areas:

Attard Industrial Estate	Limits of Attard	
Bulebel Industrial Estate	Limits of Żejtun	
Hal Far Industrial Estate	Limits of Birżebbuġa	
Kordin Industrial Estate	Limits of Paola	
Luqa Industrial Estate	Limits of Luqa	
Marsa Industrial Estate	Limits of Marsa	
Ricasoli Industrial Estate	Limits of Kalkara	
San Ġwann Industrial Estate	Limits of San Ġwann	
Xewkija Industrial Estate	Limits of Xewkija	
Gozo Crafts Village	Limits of Għarb	
Ta' Qali Crafts Village	Limits of Attard	
Airport	Limits of Luqa	Limited to public access outdoor areas which are not security areas or zones.
Bus Terminus	Valletta	
Bus Terminus	Rabat, Gozo	
Ports listed in the First Schedule to the Malta Maritime Authority Act.		Limited to the land area which forms part of a port.

Social and Health Centres:

University of Malta	Msida	Limited to public access parking areas within the precincts as may be agreed with the University.
St Luke's Hospital	Pietà	Limited to public access outdoor areas during the official visiting hours.
Magħtab Dumping Site	Limits of Naxxar	
Wied Fulija Dumping Site	Limits of Żurrieq	
Qortin Dumping Site	Xagħra	
Government Ministry Buildings (ex-Beltissebħ)	Floriana	Limited to public access outdoor areas.
Marsa Sports Complex	Limits of Marsa	
Water Sports Complex, Marsalforn	Żebbuġ, Gozo	
Ta' Qali National Football Stadium	Limits of Attard	Limited to public access outdoor parking areas surrounding the Stadium and forming part of the Complex.

Cemetries:

Addolorata Cemetery	Limits of Paola	Limited to public access parking areas surrounding the Cemetery forming part of the Cemetery.

Parks and Heritage Sites:

(Forts and fortifications to include moats, glacis and those components of the forts or fortifications which though not obvious are part of them)

Buskett	Limits of Siġġiewi	
Ta' Qali	Limits of Attard	
Simar	San Pawl il-Baħar	
Manoel Island		
Birgu Fortifications		
Bormla Fortifications		
Ċittadella Fortifications	Rabat, Gozo	
Floriana Fortifications		
Mdina Fortifications		
Senglea Fortifications		
Valletta Fortifications		
Cottonera Lines		
Victoria Lines		
City Gate	Valletta	
Portes des Bombes	Floriana	
Wignacourt Aqueduct and Fountain		
All archaeological sites registered with the Museums Department.		Limited to any parking areas surounding such sites forming part of the sites.

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Gardens and Monuments:

Independence Arena	Floriana	
The Mall	Floriana	
Lower Barrakka Gardens	Valletta	
Upper Barrakka Gardens	Valletta	
Argotti Botanical Gardens	Floriana	
Rundle Gardens	Rabat, Gozo	
San Anton Palace Gardens	Attard	Limited to public access areas.
Verdala Palace Gardens	Siġġiewi	Limited to public access areas.

Roads:

All arterial and distributor roads determined by the Structure Plan.