

L.N. 237 of 2006

**COMMISSIONERS FOR JUSTICE ACT
(CAP. 291)**

Local Enforcement System Committee Regulations, 2006

IN EXERCISE of the powers conferred by article 13(g) of the Commissioners for Justice Act, the Deputy Prime Minister and Minister for Justice and Home Affairs has made the following regulations:

Citation and
coming into
force.

1. The title of these regulations is the Local Enforcement System Committee Regulations, 2006.

Interpretation.

2. In these regulations, unless the context otherwise requires:

Cap. 291.

"the Act" means the Commissioners for Justice Act;

Cap. 389.

"agency" means any agency licensed under article 14 of the Private Guards and Local Wardens Act;

"Commissioner for Justice" means a commissioner appointed under article 4 of the Act;

"Committee" means the Committee established by regulation 3;

"Joint Committee" means each one of the committees established for the administration of the local enforcement system on a regional basis;

S.L. 363.06

"Local Councils Association" means the Association established under the Local Councils (Association) Regulations;

"Minister" means the Minister responsible for local councils;

"tribunal" means any tribunal chaired by a Commissioner for Justice;

Cap. 389.

"warden" means a warden licensed under article 3 of the Private Guards and Local Wardens Act.

Local
Enforcement
System
Committee.

3. (1) There shall be a Local Enforcement System Committee, hereinafter referred to as "the Committee", which shall be composed of a Chairman, to be chosen and appointed by the Minister, and the following other members:

(a) the President of the Local Councils Association, *ex officio*;

- (b) the Director of Local Councils, *ex officio*;
- (c) a representative of the Malta Transport Authority;
- (d) two members appointed by the Minister form amongst members of the Joint Committees;
- (e) a representative of the Police Force; and
- (f) two members of the public in general, of good moral character and who are well respected within the community, chosen by the Minister.

(2) The Committee shall have the power to regulate its own proceedings, and may operate notwithstanding any vacancy; so however that the quorum for each of its sittings shall be five.

(3) The Minister shall appoint a Secretary to the Committee.

4. The functions of the Committee shall be:

Functions of the Committee.

(a) to draw up and implement a general policy regarding the local enforcement of any law, regulation or bye-law, the enforcement of which has been delegated to local councils; such policy may include parameters for the operation of any local enforcement;

(b) to review the workings of local enforcement in all localities, and to give such orders which it may deem appropriate to any Joint Committee, local council, operator or contractor appointed by the Committee or by the council for the carrying out of local enforcement, in all matters that are related to local enforcement;

(c) to ensure that wherever local enforcement is in place, the minimum requirements of service are followed as envisaged in the Act, in the Private Guards and Local Wardens Act, in the Local Councils Act, and in the Local Councils (Delegation of Enforcement) Order;

Cap. 291.
Cap. 389.
Cap. 363.
S.L. 363.41

(d) to review the workings of the operation of local tribunals, and the procedures before such tribunals, and without prejudice to the rights and powers of the Commissioners for Justice, to give orders and, or directives in this field to any person who is involved in these proceedings, except to the said Commissioners for Justice;

(e) to set up a Disciplinary Board which shall have the power to remove from service local wardens and private guards, and any other operator;

(f) give its consent to, following an evaluation of all the circumstances, local councils regarding the places where, the times of operation and the purposes for which speed cameras and, or other traffic cameras may be installed; and

(g) take such initiatives and measures as are required to improve co-ordination between all parties involved in the local enforcement of laws, regulations and bye-laws.

Express
condition in
licences.

5. By virtue of these regulations, it shall be an express condition of every licence, permit or authorisation that every contractor, operator, agency, official, local warden or any other person involved in the system of local enforcement shall obey and accept any order or directive, relating to local enforcement, from the Committee.

Expenses
connected with
local
enforcement.

6. The Committee shall have the right to order that expenses connected with its operation, as well as any other expenses connected with the workings of local enforcement, shall be a charge on the income derived from the said system of local enforcement.

Transitory
provision.

7. The system which is currently in force shall, for a one-month period from the coming into force of these regulations, remain in force except for speed cameras which will not continue to operate after this period unless they will have been consented to by the Committee in accordance with the provisions of regulation 4(e).
