L.N. 197 of 2008

TRAFFIC REGULATION ORDINANCE (CAP. 65)

MALTA TRANSPORT AUTHORITY ACT (CAP. 332)

Clamping and Removal of Motor Vehicles and Encumbering Objects (Amendment) Regulations, 2009

IN exercise of the powers conferred by article 54 of the Traffic Regulation Ordinance, and by article 32 of the Malta Transport Authority Act, the Minister for Infrastructure, Transport and Communications has, after consultation with the Malta Transport Authority, made the following regulations:-

Title.

1. The title of these regulations is the Clamping and Removal of Motor Vehicles and Encumbering Objects (Amendment) Regulations, 2009 and they shall be read and construed as one with the Clamping and Removal of Motor Vehicles and other Encumbering Objects Regulations, 1997, hereinafter referred to as "the principal regulations".

L.N. 94 of 1997.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be amended as follows:

(a) immediately before the definition "Commissioner", there shall be inserted the following new definition:

" "Authority" means the Malta Transport Authority as established by the Malta Transport Authority Act;"; and

(b) the definition "Director" shall be deleted.

Amends regulation 3 of the principal regulations.

3. In sub-regulation (3) of regulation 3 of the principal regulations for the words "The Commissioner may also take possession of" there shall be substituted the words "The Commissioner or the Authority may also clamp, take possession of".

Amends regulation 6 of the principal regulations.

4. In regulation 6 of the principal regulations immediately after the words "The Commissioner or the Council" there shall be added the words "or, where applicable, the Authority".

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5. In regulation 7 of the principal regulations, immediately after the words "or the Council", wherever they appear, there shall be inserted the words "or the Authority", and immediately after the words "encumbering object", wherever they appear, there shall be inserted the words "or motor vehicle". Amends regulation 7 of the principal regulations.

6. Regulation 8 of the principal regulations shall be amended as follows: Amends regulation 8 of the principal regulations.

(a) in sub-regulation(1) immediately after the word "Commissioner", wherever it appears, there shall be inserted the words "or the Authority", immediately after the words "encumbering object", wherever they appear, there shall be inserted the words "or motor vehicle", and immediately after the words "such object" there shall be inserted the words "or motor vehicle";

(b) in sub-regulation (2) immediately after the words "The Commissioner" there shall be inserted the words "or the Authority", immediately after the words "encumbering object", there shall be inserted the words "or motor vehicle" and for the word "him" there shall be substituted the word "them"; and

(c) in sub-regulation (4) immediately after the words "The Commissioner" there shall be inserted the words "or the Authority", for the words "in his discretion" there shall be substituted the words "in their discretion", and immediately after the words "encumbering objects", there shall be inserted the words "or motor vehicles".

7. Regulation 8B of the principal regulations shall be amended as follows: Amends regulation 8B of the principal regulations.

(a) for the marginal note thereto, there shall be substituted the words "Notification to be given to the Authority"; and

(b) for the words "the Director" there shall be substituted the words "the Authority".

8. Regulation 9 of the principal regulations shall be amended as follows: Amends regulation 9 of the principal regulations.

(a) immediately after the words "There shall be payable to the Commissioner or the Council" there shall be added the words "or, where applicable, to the Authority";

(b) for the words "€69.88" there shall be substituted the words "€70";

(c) for the words "€104.82" there shall be substituted the words " €105";

(d) for the words "€6.99" there shall be substituted the words "€7";

(e) for the words "€1,164.69" there shall be substituted the words "€1,165"; and

(f) in the proviso thereto immediately after the words "the Commissioner" there shall be inserted the words "or the Authority".

Amends regulation 10 of the principal regulations.

9. In regulation 10 of the principal regulations, immediately after the words "by the Commissioner," there shall be inserted the words "or the Authority,".