

I assent.

(L.S.)

Ugo MIFSUD BONNICI
President

29th May, 1997

ACT No. X of 1997

AN ACT to amend the Malta Freeports Act, Cap. 334.

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.

Cap. 334.

Amendment of
section 2 of the
principal Act.

1. This Act may be cited as the Malta Freeports (Amendment) Act, 1997, and shall be read and construed as one with the Malta Freeports Act, hereinafter referred to as “the principal Act”.

2. Subsection (1) of section 2 of the principal Act shall be amended as follows:

(a) for the marginal note to the definition of “customs duty” for the words “Cap. 265.” there shall be substituted the words “Cap. 337.”;

(b) for the definition of “excise laws” there shall be substituted the following:—

“ “excise laws” means:

Act XXII of 1993. the Beer (Excise Duty) Act, 1993; and

Act XVI of 1995. the Excise Duty Act, 1995;”;

(c) in the definition of “income tax” for the words “Income Tax Act;” there shall be substituted the words “Income Tax Act and the Income Tax Management Act, 1994;” and the words “Act XVIII of 1994.” shall be added as a marginal note thereto; and

(d) immediately after the definition of “income tax” there shall be added the following new definition:

Cap. 123.
Act XVIII
of 1994.

“ “Income Tax Acts” means a collective reference to the Income Tax Act and the Income Tax Management Act, 1994;”.

3. In subsection (5) of section 5 of the principal Act, for the words “by the Commercial Partnerships Ordinance,” there shall be substituted the words “by the Companies Act, 1995,” and for the marginal note “Cap. 168.” there shall be substituted the words “Act XXV of 1995.”.

Amendment of section 5 of the principal Act.

4. Immediately after the proviso to paragraph (c) of subsection (1) of section 6 of the principal Act there shall be added the following proviso:—

Amendment of section 6 of the principal Act.

“Provided further that a temporary emphyteusis for not more than fifty years shall not be considered to be a title similar to sale;”.

5. In subsection (6) of section 16 of the principal Act, for the marginal note “Cap. 265.” therein, there shall be substituted the words “Cap. 337.”.

Amendment of section 16 of the principal Act.

6. In subsection (2) of section 18 of the principal Act, for the words “Income Tax Act,” wherever these occur, there shall be substituted the words “Income Tax Acts,” and the marginal notes “Cap. 123.” shall be deleted.

Amendment of section 18 of the principal Act.

7. In section 20 of the principal Act for the words “Duty on Documents Act,” there shall be substituted the words “Duty on Documents and Transfers Act, 1993,” and for “Cap. 294.” in the marginal note therein, there shall be substituted the words “Act XVII of 1993.”.

Amendment of section 20 of the principal Act.

8. In subsection (2) of section 25, for the words from “Commercial Partnerships Ordinance” to “shall apply.” there shall be substituted the words “Companies Act, 1995, and for the purposes of this subsection the provisions of sections 179 and 181 of the said Act shall apply.”, and for “Cap. 168” in the marginal note therein, there shall be substituted the words “Act XXV of 1995.”.

Amendment of section 25 of the principal Act.

Cap. 123.
Act XVIII
of 1994.

“ “Income Tax Acts” means a collective reference to the Income Tax Act and the Income Tax Management Act, 1994;”.

3. In subsection (5) of section 5 of the principal Act, for the words “by the Commercial Partnerships Ordinance,” there shall be substituted the words “by the Companies Act, 1995,” and for the marginal note “Cap. 168.” there shall be substituted the words “Act XXV of 1995.”

Amendment of section 5 of the principal Act.

4. Immediately after the proviso to paragraph (c) of subsection (1) of section 6 of the principal Act there shall be added the following proviso:—

Amendment of section 6 of the principal Act.

“Provided further that a temporary emphyteusis for not more than fifty years shall not be considered to be a title similar to sale;”.

5. In subsection (6) of section 16 of the principal Act, for the marginal note “Cap. 265.” therein, there shall be substituted the words “Cap. 337.”.

Amendment of section 16 of the principal Act.

6. In subsection (2) of section 18 of the principal Act, for the words “Income Tax Act,” wherever these occur, there shall be substituted the words “Income Tax Acts,” and the marginal notes “Cap. 123.” shall be deleted.

Amendment of section 18 of the principal Act.

7. In section 20 of the principal Act for the words “Duty on Documents Act,” there shall be substituted the words “Duty on Documents and Transfers Act, 1993,” and for “Cap. 294.” in the marginal note therein, there shall be substituted the words “Act XVII of 1993.”.

Amendment of section 20 of the principal Act.

8. In subsection (2) of section 25, for the words from “Commercial Partnerships Ordinance” to “shall apply.” there shall be substituted the words “Companies Act, 1995, and for the purposes of this subsection the provisions of sections 179 and 181 of the said Act shall apply.”, and for “Cap. 168” in the marginal note therein, there shall be substituted the words “Act XXV of 1995.”.

Amendment of section 25 of the principal Act.

Passed by the House of Representatives at Sitting No. 72 of
Tuesday, 27th May, 1997.

Myriam Spiteri Debono
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.