

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

17th October, 1995

ACT No. XXVI of 1995

*AN ACT to amend the Disabled Persons (Employment) Act,
Cap. 210.*

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:—

1. (1) This Act may be cited as the Disabled Persons (Employment) (Amendment) Act, 1995 and shall be read and construed as one with the Disabled Persons (Employment) Act, which shall henceforth and for the purposes of this Act and for all effects and purposes of this and any other law be known as the Persons with Disability (Employment) Act, hereinafter referred to as “the principal Act”. Short title and commencement.
Cap. 210.

(2) This Act shall come into force on such date as the Minister responsible for labour may by notice in the Gazette appoint, and different dates may be so appointed for different purposes of this Act.

2. For the words “disabled person” and “disabled persons” wherever these occur in the title and in several sections of the principal Act there shall be substituted the words “person with disability” and “persons with disability” respectively. Amendment of title and several sections of the principal Act.

Amendment
of section 1
of the
principal Act.

3. In section 1 of the principal Act, for the words "Disabled Persons (Employment) Act" there shall be substituted the words "Persons with Disability (Employment) Act".

Amendment
of section 2
of the
principal Act.

4. Section 2 of the principal Act shall be amended as follows:

(a) the expressions "the Board", "the Committee", "Department" and "Director" shall be deleted;

(b) immediately after the expression "association of persons" there shall be added the following:

" "the Authority" means the National Employment Authority established by section 3 of the Employment and Training Services Act;";

(c) immediately after the expression "compulsory school age" there shall be added the following:

"the Corporation" means the Employment and Training Corporation established by section 5 of the Employment and Training Service Act;"; and

(d) for the expression "placement medical officer" there shall be substituted the following:

" "placement medical officer" means any suitably qualified medical officer authorised in writing by the Minister;".

Amendment
of section 3
of the
principal Act.

5. In subsection (1) of section 3 of the principal Act, immediately after the words "by any government department" there shall be added the words "or the Corporation".

Amendment
of section 5
of the
principal Act.

6. For subsection (1) of section 5 of the principal Act, there shall be substituted the following:

"(1) The Corporation shall set up and maintain a Register of Persons with Disability."

Amendment
of section 8
of the
principal Act.

7. In subsection (2) of section 8 of the principal Act, immediately after the words "of the Minister" there shall be added the words "on the advice of the Authority".

8. In section 9 of the principal Act, for the word "Director" wherever it occurs there shall be substituted the word "Corporation".

Amendment
of section 9
of the
principal Act.

9. In subsection (2) of section 10 of the principal Act, for the word "Director" wherever it occurs there shall be substituted the word "Corporation".

Amendment
of section 10
of the
principal Act.

10. In section 12 of the principal Act, for the words "Director" and "Board" there shall respectively be substituted the words "Corporation" and "Authority".

Amendment
of section 12
of the
principal Act.

11. Section 13 of the principal Act shall be amended as follows:—

Amendment
of section 13
of the
principal Act.

(a) in subsection (1) thereof, for the word "Director" there shall be substituted the word "Corporation";

(b) in subsection (2) thereof, for the word "Board" wherever it occurs there shall be substituted the word "Authority";

(c) in subsection (3) thereof, for the words "Board" and "Director" wherever these occur there shall be substituted the words "Authority" and "Corporation";

(d) in subsection (4) thereof, for the word "Board" there shall be substituted the word "Authority"; and

(e) in the marginal note thereof, for the word "Director" there shall be substituted the word "Corporation".

12. In section 14 of the principal Act, for the word "Director" there shall be substituted the word Corporation".

Amendment
of section 14
of the
principal Act.

13. Section 15 of the principal Act shall be amended as follows:—

Amendment
of section 15
of the
principal Act.

(a) in subsection (6) thereof, for the words "Board" and "Director" wherever these occur there shall be substituted the words "Authority" and "Corporation"; and

(b) in subsection (7) thereof, for the word "Board" there shall be substituted the word "Authority".

14. In subsections (2) and (6) of section 16 of the principal Act, for the word "Committee" wherever it occurs there shall be substituted the word "Corporation".

Amendment
of section 16
of the
principal Act.

Amendment
of section 17
of the
principal Act.

15. In section 17 of the principal Act, for the words “blind person or a deaf person without speech” there shall be substituted the words “severely disabled person as certified by a placement medical officer”, and the marginal note to section 17 of the principal Act shall be deleted and substituted with “Severely disabled persons.”.

Amendment
of section 18
of the
principal Act.

16. In subsection (3) of section 18 of the principal Act, for the word “Committee” there shall be substituted the word “Corporation”.

Amendment
of section 19
of the
principal Act.

17. In subsection (1) of section 19 of the principal Act, for the word “Committee” there shall be substituted the word “Corporation”.

Amendment
of section 20
of the
principal Act.

18. In subsection (3) of section 20 of the principal Act, for the word “Director” there shall be substituted the word “Corporation”.

Amendment
of section 21
of the
principal Act.

19. In subsection (1) of section 21 of the principal Act, immediately after the words “any government department or” there shall be added the words “the Corporation or”.

Substitution
of section 22
of the
principal Act.

20. For section 22 of the principal Act there shall be substituted the following:

“Preference
among
registered
persons.

22. In submitting to any person to whom section 15 of this Act applies the names of registered persons for employment, the Corporation shall give preference to persons with severe disability as certified by a placement medical officer:

Provided that nothing in this section shall be deemed to imply that the employer, in taking into his employment a person with disability for the purpose of complying with the provisions of this Act, shall be bound to engage a person submitted to him by the Corporation under this section.”.

Deletion
of section 23
of the
principal Act.

21. Section 23 of the principal Act shall be deleted.

Amendment
of section 24
of the
principal Act.

22. In section 24 of the principal Act, for the word “Committee” wherever it occurs and in the marginal note thereof there shall be substituted the word “Corporation”.

Substitution
of section 25
of the
principal Act.

23. For section 25 of the principal Act there shall be substituted the following:

"Disable-
ment
Resettle-
ment
Officer.

25. (1) There shall be an official of the Department of Labour to be styled Disablement Resettlement Officer.

(2) It shall be the duty of such officer to monitor generally the conditions of employment and the work environment in which persons with disability are gainfully employed. In carrying out such duties the Disablement Resettlement Officer shall be expected to –

(a) investigate any complaints he may receive regarding the conditions of employment under which any person with disability is employed, taking into account the physical or mental disability of the person with disability, and

(b) report to the Director of Labour and the Chief Executive of the Corporation the results of his investigations.

(3) In carrying out his investigations the Disablement Resettlement Officer shall have access to the registration records of persons with disability and he may seek the advice of placement medical officers or any other medical officer as may be appropriate.

(4) A copy of the report of the Disablement Resettlement Officer shall be sent to the National Employment Authority and to the person who has submitted the complaint."

Passed by the House of Representatives at Sitting No. 456 of the 9th October, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.

