

I assent.

(L.S.)

PAUL XUEREB
Acting President

20th May, 1988

ACT No. XVI of 1988

AN ACT to enable Ministers to delegate functions of their office to Parliamentary Secretaries.

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. This Act may be cited as the Ministers (Delegation of Functions) Act, 1988. Short title.

2. In this Act, unless the context otherwise requires — Interpretation.

“functions” includes powers and duties;

“law” means an Act of Parliament or other Act passed by the Legislature of Malta or an Ordinance;

“Minister” means the holder of an office under section 80 of the Constitution.

3. (1) A Minister may delegate to a Parliamentary Secretary assisting him in the performance of his duties, any functions which in virtue of his office are conferred on him by or under any law. Delegation of functions.

(2) A delegation of functions under this section shall be without prejudice to the exercise of those functions by the Minister.

(3) The power so delegated to make orders, rules or regulations shall, unless the contrary intention appears, be construed as including a power to revoke, amend or vary orders, rules or regulations.

Notice of
delegated
functions.

4. Every delegation of functions and any addition to, or amendment, variation, substitution or rescission of, such delegation shall be made in writing under the hand of the Minister, and notice thereof shall be published in the Gazette.

Legal
proceedings.

5. A Parliamentary Secretary may sue or be sued in respect of any functions delegated to him under this Act, and may continue any legal proceedings commenced in respect of those functions before the date when the delegation is made.

Passed by the House of Representatives at Sitting No. 102 of the 16th May, 1988.

JIMMY FARRUGIA
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives.