

I assent.

(L.S.)

AGATHA BARBARA  
President

9th July, 1982

## ACT No. IX of 1982

*AN ACT to amend or repeal certain laws.*

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 Laws (Amendment and Repeal) Act, 1982. Short title.
2. The enactments shown in the First Column of the First Schedule to this Act shall have effect subject to the amendments shown in the Second Column thereof. Amendment of laws.
3. The enactments shown in the Second Schedule to this Act shall be repealed. Repeal of laws.

### FIRST SCHEDULE

#### Section 2

| First Column<br><i>Enactment</i> | Second Column<br><i>Extent of Amendment</i>                                                                                                                                                                         |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Criminal Code (Cap. 12)          | Subsection (2) of section 77 shall be repealed.                                                                                                                                                                     |
|                                  | Subsection (2) of section 154 shall be repealed.                                                                                                                                                                    |
|                                  | For section 186 there shall be substituted the following:                                                                                                                                                           |
|                                  | “186. Any person guilty of any of the crimes referred to in sections 174 to 185, inclusively, shall be exempted from punishment if, before the completion of such crime and previously to any proceedings, he shall |

First Column  
*Enactment*

Second Column  
*Extent of Amendment*

have given the first information thereof and revealed the offenders to the competent authorities.”.

In the Maltese text of section 271, for the words “jeqred jew jiddistruggi” there shall be substituted the words “jissoprimi jew jeqred”.

Paragraph (c) of section 356 shall be repealed.

In subsection (4) of section 418, for the words “in section 452” there shall be substituted the words “in section 450”.

In subsection (1) of section 449, for the words “Before the filing of the indictment”, there shall be substituted the words “After the filing of the indictment”.

In the English text of subsection (3) of section 450, for the words “from the date of service of the notice filed by the accused”, there shall be substituted the words “from the date of service of the note filed by the accused”.

In subsection (2) of section 458, for the words “against himself, his wife, or any person related to him by consanguinity or affinity”, there shall be substituted the words “against himself, his spouse, or any person related to him by consanguinity or affinity”.

In subsection (4) of section 466, for the words “if no pleas have been raised as provided in section 450 or otherwise, after the determination of such pleas”, there shall be substituted the words “if no pleas have been raised as provided in section 450, or after the determination of such pleas”.

Code of Police Laws  
(Cap. 13)

In subsection (1) of section 91, the words from “Provided that” to “shall remain unimpaired” shall be deleted.

For subsection (5) of section 280 there shall be substituted the following:

“(5) The Minister responsible for ports may make, and when made amend or substitute, a tariff of fares for passage boats.”.

Commercial Code  
(Cap. 17)

In paragraph (a) of subsection (2) of section 75, for the words “to the extract from the deed of partnership published in the Government Gazette in accordance with sections 134, 152 and 160 of this Code;” there shall be substituted the words “to the statement published in the Government Gazette in terms of subsection (1) of section 191 of the Commercial Partnerships Ordinance, 1962, showing the date of registration of the partnership and the date on which the relative certificate of registration was issued;”.

Civil Code (Cap. 23)

Sections 49 and 61 shall be repealed.

Burials Ordinance  
(Cap. 24)

Sections 3 to 25, 27 and 29, subsection (1) of section 30 and section 37 shall be repealed.

First Column  
*Enactment*

Second Column  
*Extent of Amendment*

For subsection (1) of section 26 there shall be substituted the following:

“(1) It shall be lawful for any person to apply, in writing, to the Superintendent of Public Health for the grant of a site, of the extent of two and one-half metres in length and one metre and five centimetres in width, in such part of any cemetery belonging to the Government as, according to a plan made by the Superintendent of Public Health, is appointed for the construction of private graves, for the purpose of constructing thereon, at his expense, a grave, upon payment in respect of such site of the sum of twenty-five pounds.”.

For section 28 there shall be substituted the following:

“Grant  
of  
areas.

28. The Superintendent of Public Health may, upon an application to this effect, and upon the payment of such fee as may be fixed by the said Superintendent, grant, together with a site, an area, not exceeding twenty-six metres in surface, contiguous to the said site, for the construction of additional graves or for the erection of a chapel.”.

In subsection (2) of section 30, for the words “Any other grave in other parts of the cemetery” there shall be substituted the words “Any grave in any part of a cemetery”.

In subsection (1) of section 35, for the words “to the plan mentioned in section 4” there shall be substituted the words “to the plan mentioned in section 26”.

In subsection (1) of section 39 —

(a) the words “within the limits of the places indicated in section 3” shall be deleted, and

(b) for the words “for burial beyond the limits of such place” there shall be substituted the words “for burial in a place authorised according to law”.

Forms A, B and D shall be deleted.

Petroleum  
(Importation, Storage  
and Sale) Ordinance  
(Cap. 39)

For section 2 there shall be substituted the following:

“2. In this Ordinance, “petroleum” means all natural hydrocarbons whether in liquid or gaseous form, including crude oil and natural gas, and whether in a crude or natural state or in a processed or refined form.”.

Section 4 shall be amended as follows:

(a) in subsection (1) thereof, for the words “in the manner set forth in Schedule A hereto, at such place and at such time as he may appoint” there shall be substituted the words “in the manner approved by the Minister responsible for ports, at such place and at such time as the said Comptroller may appoint.”, and

(b) subsection (2) thereof shall be deleted.

Schedule A shall be repealed.

Industrial Property  
(Protection) Ordinance  
(Cap. 48)

For subsection (1) of section 122 there shall be substituted the following:

"(1) The importation of goods which, if sold, would, under this Ordinance, be liable to forfeiture, and also of all goods manufactured out of Malta, bearing any Maltese name or trade mark or bearing any other name or trade mark, and not showing a definite indication of the country in which such goods were produced, is prohibited."

Medical and Kindred  
Professions Ordinance  
(Cap. 51)

In paragraph (d) of subsection (1) of section 17, for the words "commencing on the date on which the candidate and a registered apothecary have notified the said Board of the commencement of such training" there shall be substituted the words "commencing on the date on which the said Board shall receive a notification signed by the candidate and a registered apothecary regarding the commencement of such training".

Conditions of  
Employment  
(Regulation) Act, 1952  
(Act No. XI of 1952)

Subsection (3A) of section 30 shall be deleted.

Commercial Partner-  
ships Ordinance, 1962  
(Ordinance No. X of  
1962)

The definition of "Malta" in section 195 shall be deleted.

## SECOND SCHEDULE

### Section 3

Treaty of Peace (Italy) (Application) Ordinance, 1948 (Ordinance No. II of 1948).

Treaty of Peace (Roumania) (Application) Ordinance, 1948 (Ordinance No. III of 1948).

Treaty of Peace (Hungary) (Application) Ordinance, 1948 (Ordinance No. IV of 1948).

Treaty of Peace (Bulgaria) (Application) Ordinance, 1948 (Ordinance No. V of 1948).

Treaty of Peace (Finland) (Application) Ordinance, 1948 (Ordinance No. VI of 1948).

Architects (Validation of Work) Act, 1949 (Act No. XIV of 1949).

Customs Duties (Appropriation) Act, 1950 (Act No. XIV of 1950).

Temporary Borrowing Act, 1951 (Act No. VII of 1951).

Pensions (Special Provisions) Act, 1953 (Act No. V of 1953).

Japanese Treaty of Peace (Application) Ordinance, 1953 (Ordinance No. II of 1953).

Police Appointments (Validation) Act, 1955 (Act No. XVI of 1955).

Public Officers' Guarantee Fund (Repeal) Emergency Ordinance, 1959 (Emergency Ordinance No. XVI of 1959).

Police Force (Special Provisions) Ordinance, 1962 (Ordinance No. II of 1962).

Emergency Ordinances (Change of Designation) Act, 1965 (Act No. XXIX of 1965).

Visiting Forces Act, 1966 (Act No. XVIII of 1966).

Electricity (Validation of Payments) Act, 1967 (Act No. VIII of 1967).

Gozo Local Government (Repeal) Act, 1973 (Act No. XLIII of 1973).

Broadcasting Services (Emergency Provision) Act, 1975 (Act No. IX of 1975).

Development Plan Act, 1976 (Act No. XXXIV of 1976).

Development Plan (Supplement) Act, 1978 (Act No. XXV of 1978).

---

Passed by the House of Representatives at Sitting No. 36 of the 6th July, 1982.

DANIEL MICALIEF  
*Speaker*

C. MIFSUD  
*Clerk to the House of Representatives*