I assent.

(L.S.)

ANTON BUTTIGIEG
President

22nd February, 1980

ACT No. IX of 1980

AN ACT to provide for the preparation, printing and publication of revised editions of the laws of Malta, and for matters connected therewith or ancillary thereto.

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.

1. This Act may be cited as the Statute Law Revision Act, 1980.

Interpretation.

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

"the Commission" means the Law Commission appointed under section 3 of this Act;

"the Minister" means the Minister responsible for justice;

"revised edition" means an edition of the Laws of Malta prepared under this Act;

"statute law" includes any instrument having the force of law.

The Law Commission.

3. (1) For the purpose of preparing, from time to time at intervals of not less than ten years, a revised edition of the statute laws of Malta, and for the purpose of preparing a Maltese text of all statute laws enacted or published without a Maltese text, the Minister may appoint a Commissioner, or a body of Commissioners consisting of such number of Commissioners as may for the time being be in office, to be known in either case as the Law Commission:

Provided that where Parliament has provided that a law may be enacted or made in either the Maltese or the English language only, and is so enacted or made, the Commission may prepare the revised text of that law in that language only.

(2) When there is in office a body of Commissioners, the Minister shall appoint one of them to be the Chairman of the Commission.

(3) A person appointed to be a Commissioner may be appointed for such term and subject to such conditions as may be determined by the Minister; but a Commissioner may, at any time, resign his office and may also, for a good cause, be removed from office; and a person who ceases to be a Commissioner shall be eligible for re-appointment.

(4) A person who holds judicial office may be appointed as a Commissioner notwithstanding the provisions of section 17 of the Code of Organisation and Civil Procedure but shall not, unless otherwise provided by the terms of his appointment, be required to perform his duties as a Judge or Magistrate while he remains a member of the Commission. Cap. 15

(5) There shall be paid to the Commissioners such remuneration, if any, as the Minister may, with the approval of the Minister responsible for finance, determine; and different remuneration may be paid to the Commissioners according to circumstances.

(6) It shall also be the function of the Commission to perform such other duties as may, after consultation with it, be assigned to it by the Minister.

Powers of Commission.

4. (1) In carrying out its functions under this Act, the Commission shall have power —

(a) to omit —

(i) all statute laws or parts of statute laws which have been expressly repealed, or which have expired, or have become spent or have had their effect;

(ii) all repealing provisions contained in any statute law;

(iii) all preambles to statute laws where such omission can, in the opinion of the Commission, be conveniently made;

(iv) all introductory words of enactment in any section, regulation or paragraph of a statute law which consists of more than one section, regulation or paragraph;

(v) all enactments prescribing the date on which a statute law is to come into force, where such omission can, in the opinion of the Commission, be conveniently made;

(vi) all amending provisions contained in a statute law where the amendments effected thereby and which are still in force have been embodied by the Commission in the statute law to which they relate;

(b) to consolidate into one statute law any two or more statute laws in *pari materia*, making such verbal alterations in the consolidated law as may thereby become necessary;

(c) to alter the order of sections or other sub-divisions of a statute law and, wherever necessary, to re-number those sections or other sub-divisions;

(d) to alter the form or arrangement of any section or other sub-division of a statue law, either by combining it in

whole or in part with another section or sub-division, or other sections or sub-divisions, or by dividing it into two or more parts or sub-divisions.

(e) to divide any statute law, whether consolidated or not, into parts or other divisions;

(f) to add a short title to any statute law which may, in the opinion of the Commission, require it and, if necessary, to alter the short title of any statute law;

(g) to supply or alter marginal notes;

(h) to shorten and simplify the phraseology of any statute law;

(i) to correct grammatical, typographical and other mistakes in the existing copies of the statute laws, and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any provision;

(j) to do all other things relating to form and method which may improve the revised edition.

(2) Where any statute law is to have effect or is to be read or construed, or to be read and construed, as provided in another statute law, the Commission may treat such a provision in the same manner as an amendment of the former by the latter enactment.

(3) The powers conferred by this section shall not be construed as empowering the Commission to make any alteration or amendment in the matter or substance of any statute law; but the Commission shall have power to make any alteration or amendment which might be necessary to make the revised edition more faithful to the original text.

Power to omit certain laws.

5. It shall not be necessary for the Commission to include in a revised edition any statute law omitted under the authority of the Malta Statute Law Revision Ordinance, 1936; nor shall it be necessary for the Commission to include in a revised edition any law which, though in force in Malta immediately before 21st September, 1964, was so in force by virtue of or under any Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland; but any such omission shall not affect the validity or operation of any law so omitted.

Printing of revised edition.

6. (1) A revised edition shall be prepared in such order, form and manner, and shall contain such tables, indices and other information as the Commission may deem necessary or expedient.

(2) A revised edition shall be printed under such arrangements as the Commission may, with the approval of the Minister responsible for finance, approve.

Construction of references to enactments.

7. Where in any enactment or in any document of whatever kind, reference is made to any enactment affected by or under the operation of this Act, or to any provision of such enactment, such reference shall, where necessary and practicable, extend and apply to the corresponding enactment, or provision thereof, in the revised edition then in force.

8. (1) A revised edition shall come into force on such day as the Minister may by notice in the Gazette appoint. **Bringing into force and validity of revised edition.**

(2) From the date of the coming into force of a revised edition, that edition shall be without any question whatever in all courts of justice and for all purposes whatsoever, the sole and only proper and authentic text of the statute laws included in it as in force on such date as the Minister shall by notice in the Gazette specify, but subject to any amendments thereto or any repeal thereof made after such date.

(3) If there is any conflict between the Maltese and the English texts of any revised edition, the Maltese text shall prevail.

9. One copy of each volume of a revised edition shall be signed by the Chairman of the Commission or, if there is only one Commissioner, by that Commissioner, and shall be sealed with the public Seal of Malta. Such copies shall then be transmitted to the Registrar of the Superior Courts to be enrolled on record in his office. **Copies to be signed, sealed and deposited.**

10. This Act shall be printed at the commencement of a revised edition. **Place of this Act in the revised edition.**

Passed by the House of Representatives at Sitting No. 360 of the 20th February, 1980.

C. AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives

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