I assent.

(L.S.)

J. J. CREMONA
Acting President

18th July, 1980

ACT No. XXII of 1980

AN ACT further to amend the Conduct Certificates Ordinance, Cap. 118.

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 Conduct Certificates (Amendment) Act, 1980, and shall be read and construed as one with the Conduct Certificates Ordinance, hereinafter referred to as "the principal law".

Amendment of section 2 of the principal law.

2. In section 2 of the principal law, for the words "Form A, B or C" there shall be substituted the words "Form A or B".

Substitution of section 4 of the principal law.

3. For section 4 of the principal law there shall be substituted the following:

"Particulars of certificates.

4. (1) Every conduct certificate issued by the Commissioner of Police shall state the name, surname, date of birth, identity card number, and any other particulars tending to identify the person mentioned in the certificate, and shall contain either —

(a) a declaration made in accordance with Form A in the First Schedule to this Ordinance, to the effect that the person mentioned in the certificate is of good conduct; or

(b) a declaration made in accordance with Form B in the First Schedule to this Ordinance, containing an indication of the convictions against the person mentioned in the certificate by any Court of law and recordable in terms of this Ordinance.

(2) Any person, though convicted of an offence which, however, is not recordable under the provisions of this Ordinance, shall be entitled to be given a certificate of good conduct in accordance with Form A in the First Schedule to this Ordinance.".

Substitution of section 5 of the principal law.

4. For section 5 of the principal law there shall be substituted the following:

"5. No conviction or order against any person shall be entered in a conduct certificate issued under this Ordinance if —

(a) it refers to any contravention; or

(b) the person convicted of a crime was at the time of its commission still not eighteen years of age; or

(c) the pardon of the President of Malta has been granted in respect of that conviction; or

(d) if it is made under the provisions of the Probation of Offenders Act, 1957.".

Act No. XII of 1957

Amendment of section 6 of the principal law.

5. In section 6 of the principal law immediately after the words "to be reckoned from the date of the expiration of the punishment" there shall be inserted the words "or from the date of the payment of the fine (*multa*)".

Substitution of the First Schedule to the principal law.

6. For the First Schedule to the principal law there shall be substituted the following:

"FIRST SCHEDULE

(Sections 2 and 4)

FORM A

Malta Police

Certificate of Conduct

No .....

I declare that, in terms of the Conduct Certificates Ordinance, Cap. 118 ..... (name and surname) .....
(Identity Card No .....) son of .....
born on the ..... at .....
and residing at .....
is a person of good conduct.

Police H.Q.

Malta, ... 19.....

Fee paid £1
(Date and initials)

.....
Commissioner of Police

FORM B

Malta Police

Certificate of Conduct

No .....

I declare that the conviction/convictions specified on the back of this certificate and recordable in terms of the Conduct Certificates Ordinance, Cap. 118 appears/appear in the Registers of the Criminal Record Office against ..... (name and surname) ..... (Identity Card No .....) son of ..... born on the ..... at ..... and residing at .....

Police H.Q.

Malta, ... 19.....

Fee paid £1
(Date and initials)

.....
Commissioner of Police ".

7. For the Second Schedule to the principal law there shall be substituted the following:

Substitution of the Second Schedule to the principal law.

"SECOND SCHEDULE

(Sections 4 and 6)

Sentence	Period of time required for the non-registration of a conviction
(a) sentence for a period exceeding ten years	10 years
(b) sentence for a period exceeding five but not ten years	5 years
(c) sentence for a period exceeding one year but not five years	3 years
(d) sentence for a period not exceeding one year	1 year
(e) sentence of a fine *(multa)* ...	6 months from date of payment of the fine.".

8. For the Third Schedule to the principal law there shall be substituted the following:

Amendment of the Third Schedule to the principal law.

"THIRD SCHEDULE

(Section 7)

1. Crimes against the safety of the Government contemplated in Title I of Part II of Book First of the Criminal Code (Chapter 12).

2. The crimes contemplated in Sub-title III of the Title III of Part II of Book First of the Criminal Code (Chapter 12).

3. Crimes affecting public trust contemplated in Title V of Part II of Book First of the Criminal Code (Chapter 12), with the exception of the crimes contemplated in Sub-title II.".

Passed by the House of Representatives at Sitting No. 416 of the 16th July, 1980.

C. AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives

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