I assent.

(L.S.)

ANTON BUTTIGIEG
President

25th July, 1980

ACT No. XXVII of 1980

AN ACT further to amend the Traffic Regulation Ordinance, Cap. 105.

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 Traffic Regulation (Amendment) Act, 1980, and shall be read and construed as one with the Traffic Regulation Ordinance, hereinafter referred to as "the principal law". Short title.

2. Section 17 of the principal law shall be amended as follows: Amendment of section 17 of the principal law.

(a) for subsection (5) thereof there shall be substituted the following:

"(5) Notwithstanding the provisions of section 17A of this Ordinance:

(a) where the owner of a motor omnibus fails, for any reason whatsoever, other than that referred to in paragraph (b) of this subsection, to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service or, having caused his motor omnibus to report for such duty, fails to cause such motor omnibus to continue to perform such service for the whole of that day, he shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of twenty pounds for a first offence, to a fine (*multa*) of fifty pounds for a second or subsequent offence and, in the case of a third offence during a period of twelve months from the first offence, to the cancellation of the licence of his motor omnibus:

Provided that the owner of the said motor omnibus shall not be guilty of an offence under this paragraph if —

(i) in the event of failure to report for duty, he provides an alternative motor omnibus of the same type, class or category to report for duty at the appointed time, or if, though he fails to provide such an alternative motor omnibus, the total number of buses on duty on that day is not less than the number for the time being determined and published by the Commissioner of Police to be sufficient in order that the service will not be disrupted; or

(ii) in the event of failure to continue to perform the service as aforesaid, he provides an alternative motor omnibus of the same type, class or category, to continue that service within one hour from the failure and for the whole of the remainder of that day.

(b) where the owner of a motor omnibus fails to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, or, having caused his motor omnibus to report for such duty, it fails to continue to perform such service for the whole of that day, in either case as a result of a concerted action taken by seven or more owners —

(i) if the action taken is in furtherance of a dispute relating to any matter concerning the public transport, and the intention to take such action is notified to the Commissioner of Police by the association representing the majority of owners of motor omnibuses not less than forty-eight (48) hours before it is in fact taken, the failure shall not constitute an offence under this section;

(ii) if the action is not in furtherance of such a dispute as aforesaid or is taken without notice as aforesaid, or before the expiration of forty-eight (48) hours from its communication to the Commissioner of Police, the owner shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than fifty pounds and to the cancellation of the licence of his motor omnibus.".

(c) immediately after subsection (5) thereof there shall be added the following new subsection:

"(6) Where an association representing the majority of owners of motor omnibuses so requests, the Director of Labour shall refer to the Public Transport Labour Control Officer any failure by the owner of a motor omnibus to cause his motor omnibus to report for duty on any day in which the bus is required by law to perform a service, and the said officer shall investigate the circumstances of the said failure and report his findings to the Director of Labour and to the association making the request for any action that may be appropriate in terms of the statute of such association.".

3. The Schedule to the principal law shall be amended by the addition of the following item at the end thereof: Amendment of Schedule to the principal law.

"Failure to perform trip by motor omnibus ... ... £5 ".

Passed by the House of Representatives at Sitting No. 419 of the 23rd July, 1980.

C. AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives

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