

I assent.

(L.S.)

**MARIE-LOUISE
COLEIRO PRECA
President**

8th May, 2018

ACT No. XIV of 2018

*AN ACT to amend the Private Guards and Local Wardens Act,
Cap. 389.*

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. The short title of this Act is the Private Guards and Local Wardens (Amendment) Act, 2018, and this Act shall be read and construed as one with the Private Guards and Local Wardens Act, hereinafter referred to as "the principal Act".
Short title.
Cap. 389.
2. In the short title of the principal Act for the words "and Local Wardens" there shall be substituted the words "and Community Officers".
Amendment to the short title of the principal Act.
3. Article 2 of the principal Act shall be amended as follows:
Amendment of article 2 of the principal Act.
 - (a) the definitions "local warden", "local warden services", "plain clothes local warden" and "warden agency" shall be deleted;
 - (b) immediately after the definition "Commissioner" there shall be inserted the following new definitions:

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" "community officer" means an individual whose services are rendered in the provision of community officers' services;

"community officers agency" means an individual or a body of persons whether corporate or unincorporate, who provide community officers' services;

"community officers' services" means such services as may be required by local councils in the discharge of their duties and responsibilities for the control, regulation and enforcement of bye-laws, including the provision of services for the control and regulation of access and movement by pedestrians or vehicles, generally or on particular occasions and the provision of similar services whether by uniformed or plain clothes community officers"; and

(c) immediately after the definition "Minister" there shall be inserted the following new definition:

" "plain clothes community officer" means a community officer without uniform whose services are rendered in the provision of specific duties or parts of legislation, which are listed in the Schedule.".

Amendment of the title of Part III of the principal Act.

4. In the title of Part III of the principal Act, for the words "Local Wardens" there shall be substituted the words "Community Officers".

Substitution of article 14 of the principal Act.

5. Article 14 of the principal Act shall be substituted by the following:

"Community officers' agencies and community officers to be licensed.

14. No person shall act as a community officers' agency or as a community officer or offer his services as such unless such person is licensed in accordance with the provisions of this Act.".

Substitution of article 15 of the principal Act.

6. Article 15 of the principal Act shall be substituted by the following:

"Use of community officers' services.

15. No person shall employ, engage or permit the use of community officers' services unless such services are provided by a community officers' agency or by a community officer, as the case may be, licensed in accordance with the provisions of this Act.".

7. Article 16 of the principal Act shall be substituted by the following: Substitution of article 16 of the principal Act.

"Employment of community officers.

16. No community officers' agency shall provide any person for duties in, or connected with, community officers' services unless such person is licensed as a community officer in accordance with the provisions of this Act."

8. Article 17 of the principal Act shall be amended as follows: Amendment of article 17 of the principal Act.

(a) in the marginal note thereof, for the words "warden agencies and local wardens" there shall be substituted the words "community officers' agencies and community officers";

(b) in sub-article (1) thereof, for the words "warden agency or for a local warden" there shall be substituted the words "community officers' agency or for a community officer";

(c) in sub-article (2) thereof, for the words "warden agency or for a local warden" there shall be substituted the words "community officers' agency or for a community officer";

(d) in sub-article (3) thereof, for the words "local wardens" there shall be substituted the words "community officers";

(e) in paragraph (a) of sub-article (5) thereof, for the words "of local wardens" there shall be substituted the words "of community officers";

(f) in paragraph (b) of sub-article (5) thereof, for the words "by a local warden against treatment which the local warden" there shall be substituted the words "by a community officer against treatment which the community officer".

9. Article 18 of the principal Act shall be amended as follows: Amendment of article 18 of the principal Act.

(a) in the marginal note thereof, for the words "local wardens" there shall be substituted the words "community officers";

(b) in sub-article (1) thereof, for the words "local warden" there shall be substituted the words "community officer";

(c) in sub-article (2) thereof, for the words "local warden" there shall be substituted the words "community officers";

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(d) in sub-article (3) thereof, for the words "local warden" there shall be substituted the words "community officer".

Amendment of
article 19 of the
principal Act.

10. Article 19 of the principal Act shall be amended as follows:

(a) in the marginal note thereof, for the words "local wardens" there shall be substituted the words "community officers";

(b) in sub-article (1) thereof, for the words "local warden" there shall be substituted the words "community officer".

Amendment of
article 19A of the
principal Act.

11. Article 19A of the principal Act shall be amended as follows:

(a) in the marginal note thereof, for the words "Plain clothes local wardens." there shall be substituted the words "Plain clothes community officers."; and

(b) for the words "plain clothes local warden" there shall be substituted the words "plain clothes community officer".

Amendment of
article 20 of the
principal Act.

12. In article 20 of the principal Act, for the words "to a local warden." there shall be substituted the words "to a community officer".

Amendment of
article 22 of the
principal Act.

13. In sub-article (1) of article 22 of the principal Act, for the words "licensed as a local warden," there shall be substituted the words "licensed as a community officer,".

Amendment of
article 23 of the
principal Act.

14. In article 23 of the principal Act, for the words "or as a local warden" there shall be substituted the words "or as a community officer".

Amendment of
article 24 of the
principal Act.

15. The proviso to article 24 of the principal Act shall be substituted by the following:

"Provided that in the case of regulations made in relation to community officers, community officers' services or community officers' agencies, such regulations shall be made with the concurrence of the Minister responsible for local government.".

Amendment of
article 25 of the
principal Act.

16. Article 25 of the principal Act shall be amended as follows:

(a) in paragraph (a) thereof, for the words "warden agency" there shall be substituted the words "community officers' agency";

(b) in paragraph (b) thereof, for the words "or as a local warden" there shall be substituted the words "or as a community officer"; and

(c) in paragraph (c) thereof, for the words "or of warden services" there shall be substituted the words "or of community officers' services".

17. In the title of the Schedule to the principal Act, for the words "by Plain Clothes Local Wardens" there shall be substituted the words "by Plain Clothes Community Officers".

Amendment of the Schedule to the principal Act.

18. Any reference in any other law to "Local Warden", "Local Wardens", "warden agency", "warden agencies", "local warden services" and the "Private Guards and Local Wardens Act" shall be read and construed, after the coming into force of this Act, as a reference to "Community Officer", "Community Officers", "community officers agency", "community officers agencies", "community officers' services" and the "Private Guards and Community Officers Act" respectively.

General amendment to the Laws of Malta.

Passed by the House of Representatives at Sitting No. 107 of the 2nd May, 2018.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

