

I assent.

(L.S.)

ANTON BUTTIGIEG
President

20th October, 1981

ACT No. XLIX of 1981

AN ACT to amend the Statute Law Revision Act, 1980 and to amend or repeal other 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:—

Short title and
commencement.

1. (1) This Act may be cited as the Statute Law Revision (Amendment) Act, 1981.

(2) Sections 2 and 3 of this Act shall be read and construed as one with the Statute Law Revision Act, 1980, hereinafter referred to as “the principal Act”.

(3) The amendments to the Code of Police Laws, contained in the Second Schedule to this Act, shall come into force on such date as the Minister responsible for Justice may fix by notice in the Gazette.

Amendment of
section 4 of the
principal Act.

2. Section 4 of the principal Act shall be amended as follows:

(a) paragraph (j) of subsection (1) thereof shall be re-lettered as paragraph (i);

(b) immediately after paragraph (i) of subsection (1) thereof there shall be inserted the following two new paragraphs:

“(i) to convert any weight or measure into a metric weight or measure corresponding thereto as nearly as practicable, and for that purpose the Commission shall have power to round off any decimal as it may deem appropriate;

(k) to make any addition, omission or alteration which is consequential to any amendment to any statute law or provision thereof;” and

(c) at the end of subsection (3) thereof there shall be added the following words:

“or to remove any conflict between the Maltese and the English text of any law, and for these purposes the Commission shall have power to alter or amend either of those texts or both, including the prevailing text”.

3. Immediately after subsection (3) of section 8 of the principal Act there shall be added the following new subsection:

Amendment of section 8 of the principal Act.

“(4) Notwithstanding anything contained in the foregoing provisions of this section, the Minister may, in any notice given thereunder, appoint or specify different dates for different parts of any revised edition, and in any such case the said provisions shall apply accordingly.”.

4. Where any enactment contains a reference to hard labour, or to hard labour or imprisonment, or to imprisonment with hard labour, such reference shall be read and construed as if it were a reference to imprisonment.

Construction of references to hard labour, etc.

5. The enactments shown in the First Schedule to this Act are hereby repealed.

Repeal of certain laws.

6. The enactments shown in the First Column of the Second Schedule to this Act shall have effect subject to the amendments shown in the Second Column thereof.

Amendment of certain laws.

FIRST SCHEDULE

(Section 5)

Courts and Judges (Designation) Law (Cap. 1)

Maltese Weights and Measures (English Equivalents) Ordinance (Cap. 21)

Modd Measure Ordinance (Cap. 25)

Succession and Donation Duties (Emergency Provisions) Ordinance, 1943 (Ordinance No. XV of 1943)

Pensions (Special Provisions) Ordinance, 1946 (Ordinance No. XVIII of 1946)

War Damage and Reconstruction Account (Establishment) Ordinance, 1947 (Ordinance No. XVIII of 1947)

Town and Country Planning Act, 1969 (Act No. XXXV of 1969)

SECOND SCHEDULE

(Section 6)

<i>First Column</i> <i>Enactment Amended</i>	<i>Second Column</i> <i>Extent of Amendment</i>
Auctioneers Law (Cap. 6)	<p>In section 2, the words “without the intervention of the Vendue Master” shall be deleted.</p> <p>Immediately after section 5 there shall be added the following new section:</p> <p>“Amend- ment etc., of Tariff. 6. The Minister may, by order, amend, repeal or substitute the Tariff to this law.”</p>
Criminal Code (Cap. 12)	<p>Section 9 shall be repealed.</p> <p>Paragraph (i) of section 19 shall be repealed.</p> <p>Subsection (2) of section 22 shall be repealed.</p>
Code of Police Laws (Cap. 13)	<p>In subsection (2) of section 48, for the words “by a Government District Medical Officer” there shall be substituted the words “by a medical officer in the service of the Government.”</p> <p>In section 64A, for the words from “other than the basic fare” to “of the First Schedule to this Code” there shall be substituted the words “other than in accordance with the tariff contained in regulations made under section 81 of this Code.”</p> <p>For subsection (2) of section 81 there shall be substituted the following:</p> <p>“(2) It shall be lawful for the Minister responsible for the Police to prescribe by regulations a tariff of fares in respect of vehicles.”</p> <p>For section 172 there shall be substituted the following:</p> <p>“Entry by Police. 172. It shall be lawful for any police officer, not below the rank of sub-inspector, to enter at any time any premises licensed for sale by retail of wine, beer or spirituous liquor, for the purpose of preventing or detecting any infringement of the provisions of this Code or of any regulations made thereunder.”</p> <p>For the proviso to subsection (1) of section 230 there shall be substituted the following:</p> <p>“Provided that the provisions of this subsection shall not be of prejudice to the provisions of any regulations made under this Code or any other law and which may from time to time be in force.”</p>

<i>First Column</i> <i>Enactment Amended</i>	<i>Second Column</i> <i>Extent of Amendment</i>
Code of Organization and Civil Procedure (Cap. 15)	<p>The First Schedule to this Code shall be repealed.</p> <p>Subsection (3) of section 171 shall be repealed.</p> <p>For the proviso to section 571 there shall be substituted the following:</p> <p>“Provided that it shall be lawful for the Court, in urgent cases, to order any witness to appear from day to day, or from hour to hour, or even only within such interval of time as may be necessary for him to appear.”</p> <p>In subsection (4) of section 849, the word “sterling” in the English text shall be deleted.</p>
Commercial Code (Cap. 17)	<p>In the proviso to section 53, for the words “by the provisions of sections 1717 to 1721 inclusive of the said Code, so far as applicable” there shall be substituted the words “by the provisions of the Conditions of Employment (Regulation) Act, 1952, as far as applicable”.</p>
Civil Code (Cap. 23)	<p>In section 1422 and in subsection (2) of section 2073, for the words “the Monte di Pietà” wherever they occur there shall be substituted in each case the words “Il-Monti”.</p>
Medical and Kindred Professions Ordinance (Cap. 51)	<p>For section 14 there shall be substituted the following:</p> <p>“14. The provisions of section 6, with the exception of paragraphs (c), (d) and (e), shall also apply, where applicable, to veterinary surgeons.”</p> <p>In paragraph (a) of subsection (1) of section 16, paragraph (a) of subsection (1) of section 17, paragraph (a) of section 44, paragraph (a) of subsection (1) of section 59, paragraph (a) of section 67, paragraph (a) of section 73B and paragraph (a) of section 73E, for the words “British subjects” wherever they occur there shall be substituted, in each case, the words “citizen of Malta”.</p> <p>In sections 47 and 48, for the words “101° Farenheit” wherever they occur there shall be substituted in each case the words “38.3° Celsius.”</p>
Infant-Schools Ordinance (Cap. 53)	<p>Paragraph (c) of section 99 shall be repealed.</p> <p>Subsection (2) of section 4 shall be repealed.</p>
Explosives Ordinance (Cap. 56)	<p>Subsection (3) of section 22 shall be repealed.</p>

<i>First Column</i> <i>Enactment Amended</i>	<i>Second Column</i> <i>Extent of Amendment</i>
	Subsection (2) of section 38 shall be repealed.
Prevention of Disease Ordinance (Cap. 59)	In section 2, the definition of "Malta" shall be deleted.
	In section 31, for the words "Food, Drugs and Drinking-water Ordinance (Chapter 54)" there shall be substituted the words "Food, Drugs and Drinking Water Act, 1972."
Spirits Ordinance (Cap. 64)	In the proviso to subsection (2) of section 88, for the words "into hard labour at the rate of one day for every fifty cents" there shall be substituted the words "into imprisonment at the rate of one day for every five pounds."
Architects Ordinance (Cap. 72)	In subsection (1) of section 6, for the words "to the death penalty or to hard labour for any term, or imprisonment" there shall be substituted the words "to imprisonment".
Goldsmiths and Silversmiths Ordinance (Cap. 74)	In subsection (3) of section 13, for the words "of the Monte di Pietà" there shall be substituted the words "of Il-Monti".
Wireless Telegraphy Ordinance (Cap. 78)	In section 2, the definition of "Malta" shall be deleted.
Aesthetic Buildings Ordinance (Cap. 135)	Subsection (2) of section 7 and subsections (5) and (6) of section 14 shall be repealed.
Land Acquisition (Public Purposes) Ordinance (Cap. 136)	In section 2, for the words "the cost of which is recognized as being payable under the provisions of the War Damage Ordinance (Ordinance No. III of 1943)" in the definition of "old urban tenement" there shall be substituted the words "the cost of which was recognized as being payable under the provisions of the War Damage Ordinance, 1943."
	In subsection (1) of section 25 <i>bis</i> , for the words "is thereby entitled or may be entitled to compensation under the War Damage Ordinance, 1943, (Ordinance No. III of 1943)" there shall be substituted the words "was thereby entitled or might have been entitled to compensation under the War Damage Ordinance, 1943."
Public Libraries Ordinance (Cap. 142)	The proviso to subsection (2) of section 4 shall be deleted.

<i>First Column</i> <i>Enactment Amended</i>	<i>Second Column</i> <i>Extent of Amendment</i>
Pensions Ordinance (Cap. 143)	<p>In subsection (1) of section 11, for the words “by the Secretary of State” there shall be substituted the words “by the Prime Minister”.</p> <p>In section 15, the words “the Secretary of State or” shall be deleted.</p>
Department of Health (Constitution) Ordinance (Cap. 148)	<p>For section 5 there shall be substituted the following:</p> <p>“5. The Department shall comprise such establishments and services as may from time to time be declared by the Minister to form part of the Department.”</p> <p>In paragraph (a) of subsection (1) of section 32, for the words “31st day of March” there shall be substituted the words “31st day of December.”</p>
Electoral (Franchise, Method of Election and Registration of Voters) Ordinance (Cap. 157)	<p>In the Maltese text of subsection (2) of section 33A, immediately after the words “wara li jisma’ lill-appellant” there shall be added the words “u lir-Registratur Elettorali”.</p> <p>In the Maltese text of the Second Schedule, for the words “*(Jekk missier l-applikant ikun mejjet, agħti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)” there shall be substituted the following:</p> <p>“* (Jekk missier l-applikant ikun mejjet, agħti n-nazzjonalità tiegħu fiż-żmien tal-mewt tiegħu)</p>
	<hr/> <p>Isem u kunjom xubiet omm l-applikant</p> <p>Post tat-twelid tagħha”</p> <hr/>
Dangerous Drugs Ordinance (Cap. 161)	<p>In subsection (4) of section 10, for the words “Council of the League of Nations” there shall be substituted the words “United Nations Organization.”</p> <p>In subsection (3) of section 11 for the words “of the League of Nations” there shall be substituted the words “of the United Nations Organization.”</p>
Electoral (Polling) Ordinance (Cap. 163)	<p>Paragraph (a) of subsection (2) of section 2 shall be deleted.</p>

<i>First Column Enactment Amended</i>	<i>Second Column Extent of Amendment</i>
<p>Insanitary Areas Ordinance (Cap. 164)</p>	<p>Section 21 shall be amended as follows:—</p> <p>(a) for subsection (2) thereof there shall be substituted the following:—</p> <p>“(2) Where a person whose name appears in the last revised Electoral Register, but does not appear in the list published under subsection (3) of section 11 of this Ordinance, has not received the voting document, or after the receipt of such document, has lost or destroyed it, such person (even though in his respect no identity card was issued and was currently valid during the period mentioned in section 11 (1) of this Ordinance) may not later than 6.00 p.m. of the Wednesday immediately preceding the commencement of the poll, appear before one of the Commissioners, and if —</p> <p>(a) he proves his identity by the production of his identity card; and</p> <p>(b) makes a declaration on oath before any such Commissioner that he has not received the voting document or that, after the receipt of such document, he has lost or destroyed it, and such further declarations on oath as the Commissioner may require, he shall be given a voting document issued specially for the purpose specifying as the polling place where such person is to cast his vote a polling place designated for the purpose by the Commissioners; and in any such case —</p> <p>(i) such person shall vote only at the polling place specified in the voting document aforesaid; and</p> <p>(ii) if the name of such person appears on any list referred to in subsection (1) of section 18 of this Ordinance other than that of the polling place aforesaid, the Commissioners shall cause the name of such person to be struck off such list; and</p> <p>(iii) a list of all the persons to whom a voting document is issued under this subsection shall be kept at the Commissioners’ Office and shall be open to inspection by any candidate or his agent at all reasonable times until the poll closes.”; and</p> <p>(b) in subsection (10) of the Maltese text, for the words “Bla ħsara għad-disposizzjonijiet ta’ din l-Ordinanza” there shall be substituted the words “Bla ħsara għad-disposizzjonijiet ta’ l-artikolu 29 ta’ din l-Ordinanza”.</p> <p>In section 7, the words “or, in default of any such plan, subject to such restrictions and conditions as the Town Planning Commission referred to in Part 1 of that Code may think fit to impose” shall be deleted.</p>

<i>First Column</i> <i>Enactment Amended</i>	<i>Second Column</i> <i>Extent of Amendment</i>
Motor Vehicles Insurance (Third-party Risks) Ordinance (Cap. 165)	In paragraph (b) of subsection (1) of section 23, the words "to the Secretary to Government or" shall be deleted.
Interpretation Act, 1975 (Act No. VII of 1975)	Section 3 shall be amended as follows:— (a) in subsection (1) thereof the definition of "Malta" shall be deleted; and (b) immediately after subsection (1) thereof there shall be added the following new subsection:— “(1A) In this Act, and in every Act passed either before or after the commencement of this Act, "Malta" means the Island of Malta, the Island of Gozo and other islands of the Maltese Archipelago, including the territorial waters thereof.”
Identity Card Act, 1975 (Act No. LI of 1975)	In the Maltese text of the proviso to subsection (1) of section 6 for the words "b'avviż fil-Gazzetta jistabbilixxi" there shall be substituted the words "b'avviż fil-Gazzetta jitermina”.
Extradition Act, 1978 (Act No. XVIII of 1978)	Immediately after the present provision of subsection (1) of section 7 there shall be added the following proviso: “Provided that, until an order is made under this section containing a provision to the contrary, the Republic of Italy and any other country with which there is an arrangement as is referred to in subsection (3) of section 30 of this Act shall be treated as if an order designating it as a foreign country had been made under this section.”

Passed by the House of Representatives at Sitting No. 545 of the 19th October, 1981.

CALCIDON AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives