

A 460

I assent.

(L.S.)

GEORGE VELLA
President

30th April, 2021

ACT No. XXI of 2021

AN ACT to amend the Environment and Planning Review Tribunal Act, Cap. 551.

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.** The short title of this Act is the Environment and Planning Review Tribunal (Amendment) Act, 2021 and this Act shall be read and construed as one with the Environment and Planning Review Tribunal Act, hereinafter referred to as "the principal Act".

Cap. 551.

Amendment of article 4 of the principal Act. **2.** Sub-article (7) of article 4 of the principal Act shall be substituted by the following new sub-article:

"(7) Members of the Tribunal shall remain in office for a term of five (5) years, but may be reappointed for another term of five (5) years."

Amendment of article 9 of the principal Act. **3.** In paragraph (b) of sub-article (2) of article 9, the words "substantive or procedural nature;" shall be substituted by the words "substantive or procedural nature:" and immediately thereafter there shall be added the following new proviso:

"Provided that whenever pleas of a peremptory nature arise, the Tribunal may decide before any other matter to hear the evidence of the parties and give a decision, limitedly on the matter, and a decision given by the Tribunal shall be deemed

final and subject to appeal within twenty (20) days of its award, before the Court of Appeal in terms of article 52 of the Act."

4. Immediately after sub-article (3) of article 32B of the principal Act, there shall be added the following new sub-article:

Amendment of article 32B of the principal Act.

"(4) (a) Without prejudice to the provisions of sub-article (2), the Registry of this Tribunal shall be open for the lodging of acts during the following days and during the following working hours:

Between 1st October and 30th June of each year, from 8.00a.m. to noon and between 1.30p.m. and 3.15p.m. and between 1st July and 30th September from 8.00a.m. to noon.

(b) Subject to the provisions of the Environment and Planning Appeals (Procedure) Regulations, the Registry of the Tribunal shall be closed for the lodging of acts on Saturdays and Sundays and on public holidays as provided for in the National Holidays and Other Public Holidays Act."

S.L. 551. 02.

Cap. 252.

5. Article 51 of the principal Act shall be substituted by the following new article:

Substitution of article 51 of the principal Act.

"51. Without prejudice to sub-article 9(2)(b), an appeal against a partial decision of the Tribunal pursuant to article 33 may be lodged only with an appeal against the final decision of the Tribunal."

Passed by the House of Representatives at Sitting No. 452 of the 26th April, 2021.

CLAUDETTE BUTTIGIEG
Deputy Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

