

A 1562

I assent.

(L.S.)

GEORGE VELLA
President

14th December, 2021

ACT No. LXV of 2021

An ACT to further amend the Criminal Code, Cap. 9, and to provide for matters ancillary or consequential thereto.

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.
Cap. 9.

1. The short title of this Act is the Criminal Code (Amendment No. 8) Act, 2021 and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to "the Code".

2. Article 82A of the Code shall be substituted by the following:

"Incitement to racial hatred, etc.

82A. (1) Whosoever uses any threatening, abusive or insulting words or behaviour, or displays any written or printed material which is threatening, abusive or insulting, or otherwise conducts himself in such a manner, with intent thereby to stir up violence or hatred against another person or group of persons on the grounds of gender, gender identity, sexual orientation, race, colour, language, ethnic origin, age, disability, religion or belief or political or other opinion or whereby such violence or hatred is likely, having regard to all the circumstances, to be stirred up shall, on conviction, be liable to imprisonment for a term from six (6) to eighteen (18) months:

Provided that, for the purposes of this Code, unless the context otherwise requires, "disability" means the same as the meaning assigned to it in article 2 of the United Nations Convention on the Rights of Persons with Disabilities Act.

Cap. 627.

(2) For the purposes of sub-article (1) "violence or hatred" means violence or hatred against a person or against a group of persons in Malta defined by reference to gender, gender identity, sexual orientation, race, colour, language, national or ethnic origin, age, disability, citizenship, religion or belief or political or other opinion."

3. In sub-article (1) of article 82C of the Code the words "ethnic origin, citizenship" shall be substituted by the words "ethnic origin, age, disability, citizenship".

Amendment of article 82C of the Code.

4. In the sub-title before article 83B of the Code the words "RACIALLY AGGRAVATED OR MOTIVATED BY XENOPHOBIA OR HOMOPHOBIA" shall be substituted by the words "RACIALLY OR DISABILITY OR AGE AGGRAVATED OR MOTIVATED BY XENOPHOBIA OR HOMOPHOBIA".

Amendment of the sub-title before article 83B of the Code.

5. In article 83B of the Code the words "ethnic origin, citizenship" shall be substituted by the words "ethnic origin, age, disability, citizenship".

Amendment of article 83B of the Code.

6. Article 222A of the Code shall be amended by the following:

Amendment of article 222A of the Code.

(a) the words "ethnic origin, citizenship" shall be substituted by the words "ethnic origin, age, disability, citizenship" wherever they occur;

A 1564

(b) sub-article (1) thereof shall be deleted.

Amendment of
article 251D of
the Code.

7. In sub-article (1) of article 251D of the Code the words "ethnic origin, citizenship" shall be substituted by the words "ethnic origin, age, disability, citizenship".

Amendment of
article 325A of
the Code.

8. In sub-article (1) of article 325A of the Code the words "ethnic origin, citizenship" shall be substituted by the words "ethnic origin, age, disability, citizenship".

Passed by the House of Representatives at Sitting No. 529 of the 7th December, 2021.

ANGLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives