

I assent.

(L.S.)

GEORGE VELLA
President

4th February, 2022

ACT No. VI of 2022

AN ACT to amend the Persons within the Autism Spectrum (Empowerment) Act, Cap. 557, and to provide for other 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:-

1. The short title of this Act is the Persons within the Autism Spectrum (Empowerment) (Amendment) Act, 2022 and this Act shall be read and construed as one with the Persons within the Autism Spectrum (Empowerment) Act, hereinafter referred to as the "principal Act".

Short title.

Cap. 557.

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

Amendment of article 2 of the principal Act.

(1) immediately after the definition "Council" there shall be added the following new definition:

" "implementing entities" means entities mentioned in article 4(4), being line Ministries or other Government entities that would, by virtue of their competences, be directly involved in the implementation of specific measures emanating from the Autism State Support Plan referred to in article 11;"

(2) immediately after the definition "Minister" there

shall be added the following new definition:

" "monitoring entities" means entities mentioned in article 4(4) or (5), that do not fall within the definition of implementing entities in terms of the Act;"

(3) immediately after the definition "prescribe" there shall be added the following new definition:

" "UNCRPD National Coordination Mechanism" means the UNCRPD National Coordination Mechanism established in terms of article 5(3) of the United Nations Convention on the Rights of Persons with Disabilities Act."

Cap. 627.

Amendment of
article 4 of the
principal Act.

3. Article 4 of the principal Act shall be amended as follows:

(1) in sub-article (1) thereof, the words "eleven members" shall be substituted by the words "thirteen members";

(2) in sub-article (2) thereof, the words "knowledgeable in autism spectrum" shall be substituted by the words "knowledgeable about the autism spectrum";

(3) in sub-article (4) thereof:

(a) in paragraph (a) thereof, the words "Ministry for Health" shall be substituted by the words "Ministry responsible for Health";

(b) in paragraph (b) thereof, the words "Ministry for Education and Employment" shall be substituted by the words "Ministry responsible for Education";

(c) immediately after paragraph (b) thereof there shall be added the following new paragraph:

"(ba) the Permanent Secretary within the Ministry responsible for Employment or his representative;"

(d) in paragraph (c) thereof, the words "Ministry for Social Policy and Persons with Disability" shall be substituted by the words "Ministry responsible for the Rights of Persons with Disability";

(e) in paragraph (d) thereof, immediately after the words "Faculty for Social Wellbeing" there shall be added

the words "of the University of Malta";

(f) in paragraph (e) thereof, immediately after the words "Faculty of Medicine and Surgery" there shall be added the words "of the University of Malta";

(g) in paragraph (f) thereof, immediately after the words "Faculty of Education" there shall be added the words "of the University of Malta";

(h) immediately after paragraph (f) thereof there shall be added the following new paragraph:

"(fa) the Chairperson of the Centre for Labour Studies of the University of Malta or his representative;"

(4) in sub-article (5) thereof, the words "adult with autism spectrum" shall be substituted by the words "adult within the autism spectrum";

(5) immediately after sub-article (5) thereof there shall be added the following new sub-article:

"(5A) The entities referred to in sub-articles (4)(a), (b), (ba), (c) and (h) above shall be deemed to be implementing entities for the purposes of this Act, while the entities referred to in sub-articles (4)(d), (e), (f), (fa) and (g), and in sub-article (5) above shall be monitoring entities for the purposes of this Act."

4. In article 6 of the principal Act, the words "in procedures adopted by the Council." shall be substituted by the words "in procedures adopted by the Council:", and immediately thereafter there shall be added the following new proviso:

Amendment of article 6 of the principal Act.

"Provided that when the Council meets in respect of the implementation of the Autism State Support Plan referred to in article 11, only representatives of monitoring entities for the purposes of this Act shall convene, together with the Chairperson and the Secretary of the Council, while implementing entities for the purposes of this Act shall be involved in relevant implementation efforts through the UNCRPD National Coordination Mechanism."

5. In sub-article (1) of article 7 of the principal Act, the words "shall constitute a quorum." shall be substituted by the words "shall constitute a quorum:" and immediately thereafter there shall be added the following new proviso:

Amendment of article 7 of the principal Act.

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"Provided that when the Council meets in respect of the implementation of the Autism State Support Plan referred to in article 11, a simple majority of members of the Council being either representatives of monitoring entities for the purposes of this Act or the Chairperson of the Council shall constitute a quorum."

Amendment of
article 10 of the
principal Act.

6. In paragraph (e) of sub-article (2) of article 10 of the principal Act, the words "to effectively coordinate" shall be substituted by the words "to give advice on effectively coordinating".

Passed by the House of Representatives at Sitting No. 541 of the 31st January, 2022.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives
