

I assent.

(L.S.)

MYRIAM SPITERI DEBONO
President

18th February, 2025

ACT No. IV of 2025

AN ACT to amend the Criminal Code, Cap. 9.

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 Criminal Code (Amendment) Act, 2025 and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to as the "Code".

Cap. 9.

Substitution of
article 95 of the
Code.

2. Article 95 of the Code shall be substituted by the following new article:

"Vilification,
threats or bodily
harm against any
person lawfully
charged with a
public duty,
including public
officers and public
employees.
Cap. 595.

95. Whosoever, in any other case not referred to in the last preceding two articles, reviles, or threatens, or causes a bodily harm to any person lawfully charged with a public duty, including a public officer and a public employee as defined in article 2 of the Public Administration Act, while in the act of discharging his duty or because of his having discharged such duty, or

with intent to intimidate or unduly influence him in the discharge of such duty, shall on conviction be liable to the punishment established for the vilification, threats, or bodily harm, when not accompanied with the circumstances mentioned in this article, increased by two degrees and to a fine (*multa*) of not less than one thousand and two hundred euro (€1,200) and not more than seven thousand and five hundred euro (€7,500).".

3. Article 96 of the Code shall be substituted by the following new article: Substitution of article 96 of the Code.

"Assault or resistance.

Cap. 595.

96. Whosoever assaults or resists by violence or active force not amounting to public violence, any person lawfully charged with a public duty, including a public officer and a public employee as defined in article 2 of the Public Administration Act, when in the execution of the law or of a lawful order issued by a competent authority, shall on conviction be liable:

(a) where the assault or resistance is committed by one (1) or two (2) persons, to imprisonment for a term from one (1) year to four (4) years and to a fine (*multa*) of not less than six thousand euro (€6,000) and not more than fifteen thousand euro (€15,000);

(b) where the assault or resistance is committed by three (3) or more persons, to imprisonment for a term from eighteen (18) months to six (6) years and to a fine (*multa*) of not less than seven thousand and five hundred euro (€7,500) and not more than twenty-two thousand and five hundred euro (€22,500).".

4. In article 97 of the Code the words "be liable to imprisonment for a term from one year to four years and to a fine (*multa*) of not less than eight thousand euro (€8,000) and not more than twenty thousand euro (€20,000)." shall be substituted by the words "be liable to imprisonment for a term from eighteen months to six years and to a fine (*multa*) of not less than twelve thousand euro (€12,000) and not more than thirty thousand euro (€30,000).". Amendment of article 97 of the Code.

5. Article 98 of the Code shall be substituted by the following new article: Substitution of article 98 of the Code.

"98. Where any of the crimes referred to in article 96 is accompanied by public violence, the punishment shall be imprisonment for a term from three years to seven years and to a

A 74

fine (*multa*) of not less than ten thousand euro (€10,000) and not more than twenty-five thousand euro (€25,000).".

Addition of new
article to the
Code.

6. Immediately after article 98 of the Code there shall be added the following new article:

"Non-applicability
of articles 28A,
28B, 28C, 28D,
28E, 28F, 28G,
28H, 28I and article
22 of the Probation
Act.
Cap. 446.

98A. The provisions of articles 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I of this Code and article 22 of the Probation Act shall not apply to articles 96, 97 and 98 of this Code.".

Passed by the House of Representatives at Sitting No. 310 of the 12th February, 2025.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Clerk of the House of Representatives