

A 294

I assent.

(L.S.)

**GEORGE VELLA**  
**President**

25th March, 2020

**ACT No. X of 2020**

*AN ACT to amend the Public Health Act, Cap. 465.*

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 Public Health (Amendment) Act, 2020, and this Act shall be read and construed as one with the Public Health Act, hereinafter referred to as "the principal Act".

Cap. 465.

Amendment of  
article 27 of the  
principal Act.

**2.** In sub-paragraph (v) of paragraph (c) of article 27 of the principal Act, the words "of such disease;" shall be substituted by the words "of such disease:" and immediately thereafter there shall be added the following new proviso:

"Provided that the power of the Superintendent to prescribe such other matter as the Superintendent may deem expedient for the prevention or mitigation of such disease shall include and shall be deemed to have always included the power to provide for any matter which is ancillary or consequential to an order issued under this paragraph including the suspension of any time limits including, but not limited to, legal or judicial time limits, which shall be deemed to include periods of prescription, and any peremptory time limits provided for in any other law as a consequence of the order for the closure of government departments or other places from where public services are provided or of any other order issued under this paragraph as the Superintendent deems expedient;"

3. Immediately after article 44 of the principal Act there shall be added the following new article:

Addition of new article to the principal Act.

"Application of the Commissioners for Justice Act. Cap. 291.

44A. (1) Where a charge for breach of the provisions of this Act consists of a charge of a breach of any order given by the Superintendent listed in the Schedule to the Commissioners for Justice Act, the person charged shall be tried in accordance with the Commissioners for Justice Act and shall be liable, on conviction by the Commissioner for Justice, hereinafter referred to as "the Commissioner", to a penalty of between one thousand euro (€1, 000) and ten thousand euro (€10, 000).

(2) Where a person charged with an offence as provided for in sub-article (1) is a person not habitually resident in Malta, any penalty due in terms of the provisions of the said sub-article shall, unless the charge is contested, be paid in its minimum through electronic means and without proceedings before the Commissioner, at any place and in such manner as may be established by the Minister. Such payment may only be made through credit card or other bank transfer within twelve hours from the time when the said person is notified of the charge during which time the Executive Police shall have the power to keep the said person in detention until payment is made:

Provided that where a charge to which this sub-article applies is contested or where no payment of the penalty as provided above in this sub-article is made, the provisions of this sub-article shall cease to apply in respect of the person to be charged and the case shall proceed in accordance with the provisions of this Act."

**Consequential Amendments**

Amendment of  
article 4 of the  
Emergency  
Powers Act.  
Cap. 178.

**4.** In sub-article (1) of article 4 of the Emergency Powers Act, immediately after the words "the public safety," there shall be added the words "the public health,".

Amendment of  
the Schedule to  
the  
Commissioners  
for Justice Act.  
Cap. 291.

**5.** In the first column of the Schedule to the Commissioners of Justice Act, there shall be added the following items:

L.N. 39 of 2020.	"Enforcement of Directions relating to Quarantine Regulations, 2020
L.N. 83 of 2020.	Enforcement of the Order relating to the Closure of Places Open to the Public Regulations, 2020
L.N. 96 of 2020.	Enforcement of the Order relating to the Closure of Non-Essential Retail Outlets and Outlets Providing Non-Essential Services Regulations, 2020
L.N. 100 of 2020.	Enforcement of the Order relating to the Suspension of Organised Events Regulations, 2020
L.N. 98 of 2020.	Enforcement of the Order relating to Self-Isolation of Diagnosed Persons Regulations, 2020.".

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Passed by the House of Representatives at Sitting No. 314 of the 24th March, 2020.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Clerk of the House of Representatives*