

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,857, 20 ta' Jannar, 2012

Taqsimha B

A.L. 22 tal- 2012

**ATT DWAR IR-REGISTRAZZJONI
U L-LIĊENZJAR TA' VETTURI BIL-MUTUR
(KAP. 368)**

**ORDINANZA DWAR IR-REGOLAMENT TAT-TRAFFIKU
(KAP. 65)**

**Regolamenti tal-2012 dwar ir-Regolarizzazzjoni ta'
Arretrati dwar id-Drittijiet ta' Liċenzi ta' Vetturi bil-Mutur**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 20 tal-Att dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur u bl-artikolu 54 tal-Ordinanza dwar ir-Regolament tat-Traffiku, il-Ministru għall-Infrastruttura, Trasport u Komunikazzjoni bi qbil mal-Ministru tal-Finanzi, l-Ekonomija u Investiment, u wara konsultazzjoni mal-Awtorità għat-Trasport f'Malta, għamel dawn ir-regolamenti li ġejjin: -

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti tal-2012 dwar ir-Regolarizzazzjoni ta' Arretrati dwar Liċenzi ta' Vetturi bil-Mutur. Titolu.

2. F'dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma tkunx teħtiegħ xort'ohra - Tifsir.

“l-Awtorità” tfisser l-Awtorità għat-Trasport f'Malta stabbilita taħt l-Att dwar l-Awtorità għat-Trasport f'Malta; Kap. 499.

“dritt għal liċenza ta' ċirkolazzjoni” tfisser id-dritt imħallas fuq il-liċenzjar ta' vettura bil-mutur u kull sena wara l-ewwel ħlas;

“liċenza ta' vettura” tfisser il-liċenza ta' ċirkolazzjoni maħruġa mill-Awtorità skont ir-regolament 14 tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur; A.L. 198 tal-2009

“l-Ordinanza” tfisser l-Ordinanza dwar ir-Regolament tat-Traffiku.

Immunità minn responsabbiltà kriminali u eżenzjoni minn ħlas.

3. Kull min fid-data li fiha jibdwew iseħħu dawn ir-regolamenti kien responsabbli taħt l-artikolu 57 tal-Ordinanza jew taħt ir-regolamenti 13 u 14 tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, għandu jingħata immunità minn din ir-responsabbiltà kriminali u eżenzjoni sħiħa jew parzjali mill-ħlas ta' arretrati fuq drittijiet tal-liċenza ta' ċirkolazzjoni dovuti lill-Awtorità wara li jiġu sodisfatti l-pattijiet u l-kundizzjonijiet stabbiliti b'dawn ir-regolamenti.

Avviż bil-mitkub dwar dak in-nuqqas lill-Awtorità.

4. Matul il-perjodu mid-data li fiha jibdwew iseħħu dawn ir-regolamenti sal-31 ta' Diċembru, 2012, minn hawn 'il quddiem imsejjaħ il-perjodu ta' regolarizzazzjoni, kull persuna li għaliha japplika r-regolament 3 ta' dawn ir-regolamenti, għandha tippreżenta l-formola li tkun tapplika lill-Awtorità biex tkun tista' tirregolarizza l-pożizzjoni tagħha skont dawn ir-regolamenti.

Ħlas għall-iproċessar.

5. Il-formola għandha tiġi preżentata fit-Taqsima tal-Liċenzjar ta' Xufiera u Vetturi fi ħdan l-Awtorità flimkien mal-ħlas ta' dritt għall-iproċessar ta' mija u ħamsa u għoxrin euro (€125) u ta' kull ammont ieħor mhux imħallas ta' multi jew ammendi imposti minn qorti ta' ġurisdiżzjoni kriminali jew penali imposti minn Kummissarju tal-Ġustizzja bis-saħħa tad-dispożizzjonijiet tal-Att dwar il-Kummissarji tal-Ġustizzja, b'konnessjoni ma' kull reat li jkun sar bl-użu tal-vettura msemmija u kull ħlas pendenti għal aċċess skont ir-Regolamenti tal-2007 dwar Aċċess Kontrollat ta' Vetturi f'Ċerti Żoni:

Kap. 291.

A.L. 105 tal-2007.

Izda kull formola li ma jkollhiex magħha l-ħlas għall-iproċessar u l-ħlas tal-pieni u, jew penali li jkunu għadhom ma tħallsux, ma tikkostitwixxix talba valida skont ir-regolament 4 ta' dawn ir-regolamenti.

Vetturi skrappjati.

6. (1) Formola fir-rigward ta' liċenza li tappartjeni lil vettura li tkun giet skrappjata mingħajr il-formalitajiet meħtieġa kif mitlub fir-regolament 10 tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, għandu jkollha annessa magħha dikjarazzjoni maħlufa għal dak l-iskop.

(2) Persuna li tippreżenta formola valida skont dan ir-regolament għandha –

(a) tibbenefika minn eżenzjoni totali mir-responsabbiltà kriminali u mill-ħlas ta' arretrati dovuti minnha għar-rigward tal-liċenza tal-imsemmija vettura taħt l-Ordinanza u r-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, u

(b) tkun eżentata mill-ħlas ta' multi amministrattivi li jkunu dovuti skont l-artikolu 21(5) tal-Att dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur u r-regolament 14(2) tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur.

7. (1) Kull min jippreżenta formola fir-rigward ta' liċenza li tappartjeni lil vettura li huwa jkun se jiskrappja skont id-dispożizzjonijiet tat-Taqsima VIII tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, għandu –

Vetturi li jkunu se jiġu skrappjati.

(a) jibbenefika minn eżenzjoni sħiħa mill-ħlas tal-arretrati kollha ta' ħlasijiet tal-liċenza ta' ċirkolazzjoni dovuti fir-rigward ta' dik il-vettura,

(b) jkun eżentat mir-responsabbiltà kriminali jekk u meta jissodisfa r-rekwiżiti mniżżla fir-regolament 10 tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, u

(ċ) jiġi eżentat mill-ħlas ta' kull multa amministrattiva li tkun dovuta skont l-artikolu 21(5) tal-Att dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur u r-regolament 14(2) tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, u

(2) Il-formola msemmija fis-subregolament (1) għandu jkollha magħha dikjarazzjoni maħlufa li tikkonferma li l-vettura ma kinitx qed tiġi użata fit-triq.

8. (1) Kull min jippreżenta formola fir-rigward ta' liċenza ta' ċirkolazzjoni li tappartjeni lil vettura li ma tkunx għadha tintuża iżjed fit-triq iżda li ma tkunx tqiegħdet f'garaxx skont il-provisos mar-regolament 14(3) tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, għandu –

Vetturi garaxxjati.

(a) jibbenefika minn tnaqqis ta' ħamsin fil-mija (50%) tal-arretrati tal-ħlasijiet kollha tal-liċenza dovuti fir-rigward tal-imsemmija vettura,

(b) jiġi eżentat mill-ħlas tal-multi amministrattivi kollha skont id-dispożizzjonijiet tar-regolament 6(2)(b) u minn kull responsabbiltà kriminali jekk u meta dik il-persuna tissodisfa r-rekwiżiti tal-imsemmija provisos u thallas l-ammont imnaqqas tal-arretrati dovuti minnha:

Iżda meta dik il-persuna tissodisfa r-rekwiżiti ta' dan ir-regolament u tagħmel talba bil-miktub lill-Awtorità biex iġġedded il-liċenza ta' dik il-vettura, dik il-liċenza tidhol fis-seħħ biss tliet xhur wara d-data li fiha dik it-talba għal tiġdid tkun waslet għand l-Awtorità.

(2) Il-formola msemmija fis-subregolament (1) għandu jkollha magħha dikjarazzjoni maħlufa li tikkonferma li l-vettura ma kinitx qed tiġi użata fit-triq.

Multi u drttijiet pendent li għandhom jithallsu.

9. Persuna li tapplika għal eżenzjoni jew eżenzjoni parzjali taħt ir-regolamenti 6, 7 u 8 li tkun għadha trid tħallas xi multi pendent imposti minn qorti ta' ġurisdizzjoni kriminali jew penali imposti minn Kummissarju tal-Ġustizzja jew xi hłasijiet pendent għal aċċess skont ir-Regolamenti tal-2007 dwar Aċċess Kontrollat ta' Vetturi f'Ċerti Żoni, għandha tħallas ukoll id-drittijiet tal-liċenza ta' ċirkolazzjoni dovuti sad-data li fija hija tkun ikkommettiet l-aktar reat reċenti li għalih giet imposta multa mill-qorti jew mill-Kummissarju tal-Ġustizzja jew tkun daħlet l-aħħar darba f'żona ta' aċċess bi hłas.

Vetturi li la jkunu skrappjati u lanqas garaxxjati.

10. Kull min jipprezenta formola fir-rigward ta' liċenza li tappartjeni lil vettura li ma tkunx intiża biex titqiegħed f'garaxx skont il-provisos tar-regolament 14(3) tar-Regolamenti tal-2009 dwar ir-Registrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur, għandu jiġi eżentat mill-multi amministrattivi kollha skont id-dispożizzjonijiet tar-regolament 6(2)(b) ta' dawn ir-regolamenti u mir-responsabbiltà kriminali kollha.

Jirrevoka l-A.L. 13 tal-2004

11. Ir-Regolamenti tal-2004 dwar ir-Regolarizzazzjoni ta' Arretrati dwar Liċenzi ta' Vetturi bil-Mutur, qegħdin b'dawn jiġu mħassra.

L.N. 22 of 2012

**MOTOR VEHICLES REGISTRATION
AND LICENSING ACT
(CAP. 368)**

**TRAFFIC REGULATION ORDINANCE
(CAP. 65)**

**Arrears of Motor Vehicle Licence Fees (Regularisation)
Regulations, 2012**

IN exercise of the powers conferred by article 20 of the Motor Vehicles Registration and Licensing Act and article 54 of the Traffic Regulation Ordinance, the Minister for Infrastructure, Transport and Communications in concurrence with the Minister of Finance, the Economy and Investment and after consultation with the Authority for Transport in Malta, has made the following regulations:-

1. The title of these regulations is the Arrears of Motor Vehicle Licence Fees (Regularisation) Regulations, 2012. Title.

2. In these regulations, unless the context otherwise requires – Interpretation.

“the Authority” means the Authority for Transport in Malta established under the Authority for Transport in Malta Act; Cap. 499.

“circulation licence fee” means the fee paid on the licensing of a motor vehicle and annually thereafter;

“the Ordinance” means the Traffic Regulation Ordinance;

“vehicle licence” means the circulation licence issued by the Authority in terms of regulation 14 of the Registration and Licensing of Motor Vehicles Regulations, 2009. L.N. 198 of 2009.

3. Whosoever on the date of the coming into force of these regulations has incurred liability under article 57 of the Ordinance or under regulations 13 and 14 of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be granted an immunity from criminal liability and a full or partial exemption from the Immunity from criminal liability and exemption from payment.

payment of arrears in circulation licence fees due to the Authority upon the fulfilment of the terms and conditions set out by these regulations.

Written notice of default to the Authority.

4. During the period from when these regulations come into force until the 31st December, 2012, hereinafter called the regularisation period, any person to whom regulation 3 hereof applies, shall submit the applicable form to the Authority in order to regularise his position in accordance with these regulations.

Processing fee.

5. The form shall be presented at the Authority's Driver and Vehicle Licensing Unit together with the payment of a processing fee of one hundred and twenty-five euro (€125) and of any other amount in outstanding fines (multa or ammenda) awarded by a court of criminal jurisdiction or penalties awarded by a Commissioner of Justice in terms of the Commissioners for Justice Act in connection with any offence committed in respect of the said vehicle and also any outstanding access fees in terms of the Vehicle Access Zones (Control) Regulations, 2007:

Cap. 291.

L.N. 105 of 2007.

Provided that any form which is not accompanied by the payment of the processing fee and outstanding fines and, or penalties, shall not constitute a valid request in terms of regulation 4 of these regulations.

Scrapped vehicles.

6. (1) A form in respect of a licence pertaining to a vehicle which has been scrapped without the necessary formalities outlined in regulation 10 of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be accompanied by a sworn statement to that effect.

(2) A person who submits a valid form under this regulation shall –

(a) benefit from a total exemption from criminal liability and from the payment of arrears due by him in relation to the licence of the said vehicle under the Ordinance and under the Registration and Licensing of Motor Vehicles Regulations, 2009, and

(b) be exempt from the payment of any outstanding administrative fines which are due in terms of article 21(5) of the Motor Vehicles Registration and Licensing Act and regulation 14(2) of the Registration and Licensing of Motor Vehicles Regulations, 2009.

7. Any person who submits a form in respect of a licence pertaining to a vehicle which such person intends to scrap in accordance with the provisions of Part VIII of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall – Vehicles which are to be scrapped.

(a) benefit from a full exemption from the payment of all arrears in circulation licence fees due in respect of the said vehicle,

(b) be exempt from criminal liability if and when he fulfils the requirements set out in regulation 10 of the Registration and Licensing of Motor Vehicles Regulations, 2009, and

(c) be exempt from the payment of any outstanding administrative fines which are due in terms of article 21(5) of the Motor Vehicles Registration and Licensing Act and regulation 14(2) of the Registration and Licensing of Motor Vehicles Regulations, 2009.

(2) The form mentioned in sub-regulation (1) shall be accompanied by a sworn statement confirming that the vehicle was not used on the road.

8. (1) Any person who submits a form in respect of a circulation licence pertaining to a vehicle which is no longer used on the road but which has not been garaged in accordance with the provisos to regulation 14(3) of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall – Garaged vehicles.

(a) benefit from a reduction of fifty per cent (50%) of all the arrears in licence fees due in respect of the said vehicle, and

(b) be exempt from all administration fines in terms of the provisions of regulation 6(2)(b) and from all criminal liability if and when such person fulfils the requirements set out in the said provisos and pays the reduced amount of arrears due by such person:

Provided that when such a person fulfils the requirements of this regulation and makes a request in writing to the Authority to renew the licence of that vehicle, that licence shall only come into force three months from the date in which the Authority had received the request for renewal.

(2) The form mentioned in sub-regulation (1) shall be accompanied by a sworn statement confirming that the vehicle was not used on the road.

Outstanding fines and fees to be paid.

9. An applicant for an exemption or partial exemption under regulations 6, 7 and 8 who still has to pay any outstanding fines awarded by a court of criminal jurisdiction or penalties awarded by a Commissioner of Justice or any outstanding access fees in terms of the Vehicle Access Zones (Control) Regulations, 2007, he shall also have to settle all the circulation licence fees due up to the date on which he had committed the most recent offence for which a fine was awarded by the court or the Commissioner of Justice or on which he last accessed a charging zone.

Vehicles which will neither be scrapped nor garaged.

10. Any person who submits a form in respect of a licence pertaining to a vehicle which such person does not intend to garage in accordance with the provisos to regulation 14(3) of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be exempt from all administration fines in terms of the provisions of regulation 6(2)(b) of these regulations and from all criminal liability.

Revokes L.N. 13 of 2004.

11. The Arrears of Motor Vehicle Licences (Regularisation) Regulations, 2004, are hereby being revoked.

