

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,867, 9 ta' Frar, 2012

Taqsimha B

A.L. 66 tal-2012

**ATT DWAR GWARDJANI PRIVATI U LOKALI
(KAP. 389)**

**Regolamenti tal-2012 li jemendaw
ir-Regolamenti dwar Gwardjani Privati**

BIS-SAFHA tas-setgħat mogħtija bl-artikolu 24 tal-Att dwar Gwardjani Privati u Lokali, il-Ministru responsabbli għall-Pulizija għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2012 li jemendaw ir-Regolamenti dwar Gwardjani Privati, u dawn ir-regolamenti għandhom jinqraw u jinftiehm u waħda mar-Regolamenti dwar Gwardjani Privati, hawn iżjed 'il quddiem imsejha "ir-regolamenti prinċipali".

Titolu.

L.S. 389.01.

2. Fil-*proviso* mas-subregolament (2) tar-regolament 4 tar-regolamenti prinċipali minflok il-kliem "biex tattendi kors speċjalizzat." għandhom jiġu sostitwiti bil-kliem "biex tattendi kors speċjalizzat:" u minnufih wara għandu jiżdied il-*proviso* ġdid li ġej:

Jemenda r-regolament 4 tar-regolamenti prinċipali.

"Izda wkoll il-Kummissarju jista' wkoll, b'mod partikolari fejn il-persuna li tapplika ma tkunx obligata li tattendi kors speċjalizzat, jitlob lill-persuna li tapplika biex tipproduci riferenza mill-aġenzija tal-Gwardjani Privati li f'dak iż-żmien tkun qed timpjegaha jew, fil-każ li ma tkunx impjegata fiż-żmien meta l-applikazzjoni tkun ġiet sottomessa, riferenza mill-aġenzija tal-Gwardjani Privati li kienet timpjegaha qabel, li turi li tkun wettqet b'mod sodisfaċenti id-dmirijiet tagħha. "

3. Minnufih wara s-subregolament (3) tar-regolament 6 tar-regolamenti prinċipali għandu jidhol is-subregolament ġdid li ġej:

Jemenda r-regolament 6 tar-regolamenti prinċipali.

"(4) Kull persuna li hadet liċenza ta' gwardjan privat qabel u sal-31 ta' Jannar 2012, u li kellha dik il-liċenza għal perjodu ta' mill-inqas sitt xhur, tista' tapplika għal liċenza ta' gwardjan privat speċjalizzat, sakemm hija tkun fil-pussess tal-liċenza ta' gwardjan privat fiż-żmien li tiġi sottomessa l-applikazzjoni u sakemm l-applikazzjoni tkun sottomessa mhux aktar tard mit-30 ta' Marzu 2012. Kull persuna tista' wkoll tapplika għal liċenza ta' gwardjan privat f'post ta' divertiment, sakemm l-applikazzjoni tkun sottomessa mhux aktar tard mit-30 ta' April 2012. Il-persuna li tapplika għandha tkun meħtieġa li tissottometti riferenza mill-aġenzija tal-Gwardjani Privati li f'dak iż-żmien tkun qed timpjegaha jew, fil-każ li ma tkunx qed timpjegaha fiż-żmien li tkun sottomessa l-applikazzjoni, riferenza mill-aġenzija tal-Gwardjani Privati li kienet timpjegaha qabel, li turi li tkun wettqet b'mod sodisfaċenti id-dmirijiet tagħha. "

Jemenda r-regolament 7 tar-regolamenti prinċipali.

4. Minnufih wara s-subregolament (2) tar-regolament 7 tar-regolamenti prinċipali għandhom jidhlu s-subregolamenti ġodda li ġejjin:

"(3) Liċenzi maħruġa lill-gwardjani privati għandhom jindikaw jekk id-detentur hux "Gwardjan Privat", "Gwardjani Privat fuq Post ta' Divertiment", "Gwardjani Privati Speċjalizzat (tas-sewqan)" jew "Gwardjan Privat Speċjalizzat (mhux tas-sewqan)".

(4) Id-detentur tal-liċenza għandu jkollu dawk id-dmirijiet u s-setgħat li huma assenjati mill-Att u b'dawn ir-regolamenti:

Izda gwardjan privat speċjalizzat (tas-sewqan) biss jista' jipprovi servizzi ta' gwardjani privati fir-rigward tat-trasport jew għassa fit-trasport ta' proprjetà jew ta' flus."

Jemenda r-regolament 11 tar-regolamenti prinċipali.

5. Is-subregolament (3) tar-regolament 11 tar-regolamenti prinċipali għandu jiġi sostitwit bis-subregolamenti ġodda li ġejjin:

"(3) Minkejja d-disposizzjonijiet tas-subregolament (2), gwardjan privat jista' jwettaq id-dmirijiet kif inhuma hemm imsemmija, mingħajr ma tinħariġu liċenza ta' gwardjan privat speċjalizzat, sat-30 ta' Ġunju 2012.

(4) Minkejja d-disposizzjonijiet tas-subregolament (1) gwardjan privat jista' jwettaq dmirijiet kif inhuma hemm imsemmija, mingħajr ma tinħariġu liċenza ta' gwardjan privat f'post ta' divertiment, sat-30 ta' Ġunju 2012. "

Jemenda r-regolament 12 tar-regolamenti prinċipali.

6. Fil-*proviso* mas-subregolament (2) tar-regolament 12 tar-regolamenti prinċipali il-kliem "sal-31 ta' Jannar tal-2012" għandhom jiġu sostitwiti bil-kliem "sat-30 ta' Jannar tal-2012".

Jemenda l-Ewwel Skeda tar-regolamenti prinċipali.

7. L-intestatura "Kors ta' Tahriġ għal Gwardjani Privati Speċjalizzati" fl-Ewwel Skeda mar-regolamenti prinċipali għandha tiġi emendata kif ġej:

(a) taħt is-subintestatura "Ogġettivi tal-Kors", il-kliem "(fil-każ ta' persuni li japplikaw li jkollhom il-liċenza tas-sewqan meħtieġa)" għandhom jiġu sostitwiti bil-kliem "(fil-każ ta' persuni li japplikaw li jkollhom il-liċenza ta' Gwardjan Privat Speċjalizzat (tas-sewqan))"; u

(b) taħt is-subintestatura "Sillabu", il-kliem "(obbligatorju għal kull min japplika li jkollu l-liċenza tas-sewqan meħtieġa) għandhom jiġu sostitwiti bil-kliem "(fil-każ ta' persuni li japplikaw li jkollhom il-liċenza ta' Gwardjan Privat Speċjalizzat (tas-sewqan))".

L.N. 66 of 2012

**PRIVATE GUARDS AND LOCAL WARDENS ACT
(CAP. 389)**

Private Guards (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 24 of the Private Guards and Local Wardens Act, the Minister responsible for the Police has made the following regulations:-

1. The title of these regulations is the Private Guards (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the Private Guards Regulations, hereinafter referred to as "the principal regulations".

Citation.

S.L. 389.01

2. In the proviso to sub-regulation (2) of regulation 4 of the principal regulations for the words "to attend a specialised course." there shall be substituted the words "to attend a specialised course:" and immediately thereafter there shall be inserted the following new proviso:

Amends regulation 4 of the principal regulations.

"Provided further that the Commissioner may also, particularly where the applicant is not required to attend a specialised course, require the applicant to produce a reference from the Private Guard agency that is currently employing him or, in the event that he is not employed at the time the application is submitted, a reference from the Private Guard agency formerly employing him, attesting to the satisfactory performance of duties."

3. Immediately after sub-regulation (3) of regulation 6 of the principal regulations there shall be inserted the following new sub-regulation:

Amends regulation 6 of the principal regulations.

"(4) Any person who was licensed as a private guard prior and up to 31st January 2012, and who held such licence for a period of at least six months, may apply for a licence to act as a specialised private guard, insofar as he is in possession of the private guard licence at the time the application is submitted and insofar that the application is submitted by not later than 30th March 2012. Any such person may also apply for a licence to act as a private guard at a place of entertainment, insofar as such an application is submitted by not later than 30th April 2012. The applicant shall be required to submit a reference from the Private Guard agency that is currently employing him or, in the event that he is not employed at the time the application is submitted, a reference from the Private Guard agency formerly employing him, attesting to the satisfactory performance of duties."

Amends
regulation 7 of
the principal
regulations.

4. Immediately after sub-regulation (2) of regulation 7 of the principal regulations there shall be inserted the following new sub-regulations:

"(3) Licences issued to private guards shall indicate whether the holder is a "Private Guard", a "Private Guard at a Place of Entertainment", a "Specialised Private Guard (driving)" or a "Specialised Private Guard (non-driving)".

(4) The holder of the licence shall have such duties and powers as are assigned by the Act and by these regulations:

Provided that only a specialised private guard (driving) may provide private guard services in relation to the transportation or guarding in transit of property or money."

Amends
regulation 11 of
the principal
regulations.

5. Sub-regulation (3) of regulation 11 of the principal regulations shall be substituted by the following new sub-regulations:

"(3) Notwithstanding the provisions of sub-regulation (2), a private guard may perform such duties as are therein referred to, without being issued with a specialised private guard licence, until the 30th June 2012.

(4) Notwithstanding the provisions of sub-regulation (1) a private guard may perform such duties as are therein referred to, without being issued with a private guard at a place of entertainment licence, until the 30th June 2012."

Amends
regulation 12 of
the principal
regulations.

6. In the proviso to sub-regulation (2) of regulation 12 of the principal regulations for the words "31st January 2012" there shall be substituted the words "30th June 2012".

Amends the
First Schedule
to the principal
regulations.

7. The heading "Training Course for Specialised Private Guards" in the First Schedule to the principal regulations shall be amended as follows:

(a) under the sub-heading "Course objectives", for the words "(in the case of applicants in possession of the required driving licence)" there shall be substituted the words "(in the case of applicants for a Specialised Private Guard (driving) licence)"; and

(b) under the sub-heading "Syllabus", for the words "(compulsory for all applicants in possession of the required driving licence)" there shall be substituted the words "(in the case of applicants for a Specialised Private Guard (driving) licence)".

