<u>MEMORANDUM BY THE MINISTER OF JUSTICE</u>
<u>AND PARLIAMENTARY AFFAIRS</u>

        The attached is a Bill to amend the Criminal Code,
Chapter 12.   Its object is to repeal the Street-Begging
Ordinance (Chapter 47) as well as the regulations made under
the said Ordinance.

        The necessity to repeal the Street-Begging Ordinance
is due to the fact that this Ordinance and the relative
regulations which were made in 1901 (a copy of which is
hereto attached) have now served their purpose and are
completely outdated.

        It is to be pointed out that section 2 of the Street-
Begging Ordinance empowers the Crown Advocate-General to
take proceedings before the competent Civil Court against the
relatives of a beggar, when the latter has no means of
subsistence and is unable to work and has relatives who are
able and legally liable to maintain him.   A sort of a
counterpart to this provision may be found in section 26
(which had been added by Act VIII of 1957) of the National
Assistance Act, 1956 (Act No.VIII of 1956).

        It has consequently been proposed by the Commissioner
of Police to have the Street-Begging Ordinance repealed and
to make street-begging an ordinary contravention under the
Criminal Code.

        CAG/398/65

20th May, 1966.

A BILL
entitled

AN ACT further to amend the Criminal Code, Chapter 12.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the House of Representatives of Malta, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title. 1.   This Act may be cited as the Criminal Code (Amendment) Act, 1966, and shall be read and construed as one with the Criminal Code.

Amendment of section 352 of the Criminal Code. 2.   Section 352 of the Criminal Code is amended by the insertion of the following new paragraph immediately after paragraph (w) thereof:

"(wa) begs alms in any public place;".

Repeal and saving. Cap. 47. 3.   The Street-Begging Ordinance is hereby repealed but without prejudice to any proceedings taken or to be taken in respect of any offence against its provisions or against the provisions of any regulations made thereunder.

Objects and Reasons

The Street-Begging Ordinance and the regulations made thereunder have become outdated and, particularly, they have become inconsistent with social legislation at present in force. It is, therefore, proposed to repeal the said Ordinance with the regulations made thereunder and to make street-begging a contravention under the Criminal Code.

<u>GOVERNMENT NOTICE</u>

His Excellency The Governor, in virtue
of the power vested in him by article 1 of Ordinance
No.IX of 1899, has been pleased to make the following
Regulations concerning Street Begging.

By command,

Palace, Valletta,   G. STRICKLAND,
    July 6, 1901.   Chief Secretary to Government.

REGULATIONS CONCERNING STREET BEGGING, IN TERMS
OF ARTICLE I OF ORDINANCE NO. IX OF 1899.

1.   No person shall solicit alms, or any other kind of
relief in any street or public thoroughfare, if such person
be the recipient of relief from public funds or has been
offered and has refused out-door relief or admission to a
Charitable Institution.

2.   Persons who have not been offered relief from
public funds, shall not be prosecuted for soliciting alms,
except in the case that the Superintendent of Police be of
opinion that such persons are in possession of sufficient
means, or that they are able to work for their subsistence.

3.   In no case shall a person endeavour to attract
sympathy by exposing sores, or exhibiting personal
deformities.

4.   No person shall cause obstruction in streets, at
the entrances of churches, theatres, offices or shops, or
follow or in any other way annoy persons, for the purpose
of soliciting alms.

5.   No person shall solicit alms at or in the immediate
vicinity of Marsamuscetto Steps, Porta Reale, Victoria Gate,
the Upper and Lower Barraccas, St John's Church, the Market,
the Nibbia Chapel or in the public gardens.

6.   No person shall cause children to beg alms, or to
guide or accompany a beggar of alms, and no person shall be
allowed to solicit alms by proxy, or by an agent.