

MEMORANDUM FOR THE CABINET BY THE HON. PRIME MINISTERAmendment to the Code of Police Laws

A test case instituted against an Insurance Company for not taking out a Police Licence in terms of section 179A of the Code of Police Laws resulted in acquittal on grounds that the existing legislation did not require that the operation of an Insurance Company, which did not operate as an agency of a foreign company but was merely a branch office of the parent company, should be covered by a Police Licence.

The Crown Advocate General considered that there were no grounds for appeal and recommended an appropriate amendment to the Code of Police Laws to rectify the position.

The opportunity has also been taken to regularise the position regarding licensing of quarries.

It has so far been assumed that quarries "may cause annoyance to neighbours" and as such required a Police Licence. On the strength of this assumption, no quarries are permitted without a Police Licence and an ad-hoc committee has in fact been established to advise on the grant of such licences. Most, if not all, quarries are however situated outside the range of hearing of any neighbours and, under present conditions, the stand taken by the Police may very well be challenged.

Hon. Ministers are invited to agree that the annexed bill to amend the Code of Police Laws so as to provide that a licence be required

- a) for the carrying out in any premises of any insurance business or any matter connected therewith; and
- b) for the quarrying of stones

be submitted to the House of Representatives for approval.

6th August, 1965.

A B I L L

entitled

AN ACT further to amend the Code of Police Laws.

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 Code of Police Laws (Amendment)(No.2) Act, 1965, and shall be read and construed as one with the Code of Police Laws, hereinafter referred to as "the principal law".

Substitution
of section
179A of the
principal law.

2. For section 179A of the principal law there shall be substituted the following:-

"Require-
ment of
licence
in respect
of certain
trades.

- 179A. It shall not be lawful without a licence from the Commissioner of Police-
- (a) to keep in any premises an agency in connection with housing or travelling or in connection with any kind of trade, business or commerce;
 - (b) to carry out in any premises any insurance business or any matter connected with such business;
 - (c) to exercise in the streets any craft, trade or calling;
 - (d) to quarry stone by machinery, manually or by other means, or to sell stones from a quarry."

Objects and Reasons

The object of this Bill is to amend the Code of Police Laws so as to provide that a licence from the Commissioner of Police shall be required for the carrying out in any premises of any insurance business or any matter connected therewith and for the quarrying of stones.