

Memorandum to Cabinet by the Hon. Minister of Public
Building and Works.

Amendment to the Code of Police Laws.

Ordinance XV of 1962 empowered the Government to freeze land, by a legal notice, for a maximum period of three years. Legal Notice No. 11 of 1962 published on 16th February, 1962 declared the whole of Malta as a Planning area and thus a permit from the Planning Area Permits Board became essential before any buildings could be erected.

The objects and reasons behind Ordinance XV of 1962 were to enable Government prepare a Master Plan and Planning Schemes within three years without involving the Government in the payment of compensation until a Master Plan and Planning Schemes were prepared.

By Act III of 1965 the provisions of Sec.12(2) of Ordinance XV of 1962 were extended for a further period of two years thus making the order under Legal Notice No.11 of 1962 valid up to 16th February, 1967. This was done to enable Government to prepare a Physical Development Plan with the aid of Messrs Italconsult.

Unfortunately, the plan has not materialised, However, with the aid of the United Nations Development Programme an expert in Town and Country Planning has now been approved to help finalise a National Physical Development Plan and another expert is to help in the drafting of adequate Planning Legislation. However, it is felt that a further period of three years is required before both tasks are fully completed.

It is, therefore, recommended that the attached bill which has been drafted by the Crown Advocate General be approved for submission to the House of Representatives.

10th January, 1967.

EXTRACT FROM.

Ordinance No XV of 1962

An Ordinance further to amend the Code of Police Laws,
Cap.13.

For section **II** of the principal law there shall
be substituted the following section:-

12. 11. (1) The Governor may, prior to the preparation, publication or approval of a scheme, order by notice in the Government Gazette the whole or any part of Malta to be a planning area; and from the date of any such order no person shall lay out, construct or close any street, or erect any building or increase the height of or otherwise modify any existing building, or change the use of any land or building in any part of such area (whether or not an approved scheme exists in respect thereof) without a permit from the Chief Secretary who may, in his discretion, refuse the grant of a permit or, in granting it, impose such conditions as in his discretion he may deem proper.

(2) An order made under the last preceding sub-section shall cease to have effect three years after the date on which the order is made:

Provided that if at any time during such period a scheme is approved for any part of a planning area such order shall, as from the date on which the approval is notified in the Government Gazette, cease to have effect in respect of such part.

(3) In this section "Malta" means the Island of Malta and its Dependencies.

Extract from.

Act No. III of 1965

An Act further to amend the Code of Police Laws, Cap. 13

2. In subsection (2) of section 11 of the principal law, for the word "three" there shall be substituted the word "five".

A . B I L L
entitled.

AN ACT further to amend the Code of Police Laws, Cap.13

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 the present Parliament assembled, and by the authority of the same, as follows:-

Short title.

I. This Act may be cited as the Code of Police Laws (Amendment) Act, 1967, and shall be read and construed as one with the Code of Police Laws, hereinafter referred to as "the principal law".

Amendment of section II of the principal law.

2. In subsection (2) of section II of the principal law, for the word "five" there shall be substituted the word "eight".

Transitory provision.

3. The amendment of the principal law made by the last preceding section shall have effect and shall be deemed always to have had effect also in relation to any order made under subsection (1) of section II of the principal law prior to the commencement of this Act.

Objects and Reasons

The purpose of this Bill is to extend the duration, specified in section II(2) of the Code of Police Laws, of any order made under that section declaring the whole or any part of Malta to be a planning area.