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# Legislative Updates

*July and August 2015*

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## July's TOP 5 MALTESE LEGISLATIVE UPDATES

<i>Rank</i>	<i>Legal notice</i>	<i>Topic</i>	<i>What's new?</i>
<b>1</b>	L.N. 222	Service of Summons by E-Mail	Regulation 3 provides '[...] notification of a summons may also be effected by the delivery of the summons through electronic mail.'
<b>2</b>	L.N. 235	Continental Shelf	<p>Regulation 7 provides that the Government of Malta shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of artificial islands, installations, structures and devices on the continental shelf.</p> <p>Regulation 6 establishes that the right to regulation, authorise and conduct marine scientific research on the continental shelf is vested in the Government of Malta.</p> <p>Regulation 3 prohibits ships from entering any part of a designated area without the consent of the Prime Minister (as defined by the Regulation).</p> <p>Regulation 4 penalises those who discharge any oil into the sea.</p> <p>Regulation 5 prohibits persons from laying any submarine cable or pipeline on the continental shelf, or conducting a survey in preparation for such, without the express consent of the Prime Minister (as defined in the Regulation).</p>
<b>3</b>	L.N. 221	New English Language Teaching Council	Regulation 6 lists the functions of this important newly-formed Council, which include: (i) the issuing, suspension, withdrawal of licences in terms of this LN, (ii) the monitoring of compliance by Schools, Home Tuition Providers, Distance Learning Providers, English Language Teachers with the provisions of the Education Act, the regulations in the LN, the Schedules, licence, ELT Permit and ESP Permit conditions as applicable, and Council rules as it may determine and publish on the Council's website from time to time, and to take all such measures it may consider appropriate against any such School, Home Tuition Provider, Distance Learning Provider, English Language Teacher in breach thereof; (iii) to carry out quality assurance procedures; (iv) to develop and maintain

			curricula, assessments and examinations for the professional training and qualification of persons eligible to become English language teachers and non-academic support staff, and to monitor compliance thereto; (v) to develop and maintain a sectoral framework for ELT qualifications referenced to the National Qualifications Framework; (vi) to establish, develop, maintain and own brands, marks of distinction or trust and signs of quality assurance and to promote and regulate their use.
<b>4</b>	L.N. 224	Immovable Property Price Index	The Director General of the National Statistics Office has established the immovable property price index at 152.11 as on the 1st April, 2015. This represents a change of 2.8 per cent from 2014.
<b>5</b>	L.N. 228	Double Taxation Relief (Taxes on Income) (The Republic of Moldova) Order	The Agreement between the Government of Malta and the Government of the Republic of Moldova for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income published as a Schedule to Legal Notice 151 of 2014 has entered into force on 17 June 2015.

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### August's TOP 5 MALTESE LEGISLATIVE UPDATES

<b>Rank</b>	<b>Legal notice</b>	<b>Topic</b>	<b>What's new?</b>
<b>1</b>	L.N. 262 and L.N. 278	Permit procedures for hospital sites development	Regulation 3 provides that development is permitted without the need of any notification within the perimeter of declared hospital sites where such development consists of: (a) the erection or alteration or extension of any building within the perimeter of the hospital, which may be required solely for purposes related directly to any healthcare service provided by the hospital, which development is carried out by an operator of the hospital or its agent. (b) the change to the use of buildings within the perimeter of the hospital, for purposes related to any healthcare service or ancillary service provided by the hospital, which development is carried out by an operator of the hospital or its agent. Provided that: (a) when the development is located in designated areas or scheduled property, it shall be subject to prior clearance by the Superintendent of Cultural Heritage; (b) where necessary, the operations of the permitted development will be subject to an environmental permit in accordance with Part V of the Act.
<b>3</b>	L.N. 244	Various laws relating to Succession	The Various Laws (Succession) (Amendment) Act, 2015 has been enacted. This Act implements provisions of Regulation (EU) No. 650/2012 of the European Parliament and of the Council of the 4th July, 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance

			and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.
<b>4</b>	L.N. 281	Wild Birds	<p>Regulation 8(c) provides that The Wild Birds Regulation Unit (WBRU) shall be responsible for the implementation, compliance and enforcement of these regulations. In exercising such functions, the WBRU may designate officers to assist the Executive Police and any other authority or department in the conduct of any inspections related to the scope of these regulations, or assist in the prosecution of any suspected breaches of these regulations. In the exercise of their functions, the designated officers shall act in accordance with these regulations and shall have all the powers stipulated in Part VI of the Environment and Development Planning Act.</p> <p>Regulation 11 provides that persons do not require a license to stuff less than thirty (30) specimens in any given year, exclusively for personal use and not as a service provided on a commercial basis.</p>
<b>4</b>	L.N.257	Maternity Leave Trust	<p>The Trust Fund shall receive the contributions specifically payable by the employers in terms of the Tenth Schedule to the Social Security Act.</p> <p>At Trust established for the purposes of receiving maternity leave contributions from employers, in relation to which, the employers which contribute to this Trust shall, subject to the terms of the Trust, be entitled to reimbursement from this Trust, for any maternity leave payment paid to their employees.</p>
<b>5</b>	L.N.260	Eco Contribution	Removal of eco contribution on electrical and electronic equipment from 1 <sup>st</sup> September.