

ABBOZZ TA' LIĠI
msejjah

ATT biex jawtorizza u jirregola l-ġbir ta' self bil-ghan li jsiru ftehim ta' self mill-ġdid mal-Air Malta plc.

IL-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'liġi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2010 dwar Titolu fil-qosor.
Self tal-Gvern u l-Għoti ta' Self lil Air Malta plc.

2. F'dan l-Att sakemm il-kuntest ma jehtieġx xort'oħra - Tifsir.

"Fond Konsolidat" għandha l-istess tifsira kif mogħtija lilha bl-artikolu 124 tal-Kostituzzjoni;

"Ftehim dwar Self" tfisser kull ftehim, approvat mill-Kummissjoni Ewropea skont il-Linji Gwida tal-Komunjoni Ewropea dwar Għajnuna mill-Istat għas-Salvataġġ u Ristrutturazzjoni ta' Imprizi f'Diffikultà (2004/Ċ 244/02), li jipprovdi għas-self ta' flus lil Air Malta plc skont id-disposizzjonijiet ta' dan l-Att;

"Ministru" tfisser il-Ministru responsabbli għall-finanzi.

3. (1) Bla ħsara għad-disposizzjonijiet ta' dan l-Att, il-Awtorità li jingabar self.
Gvern ta' Malta jista', għall-finijiet tal-artikolu 4, jissellef ammonti ta' flus f'Malta kif il-Kamra tad-Deputati tista' minn żmien għal żmien tawtorizza b'riżoluzzjoni.

(2) Għall-fini li jingabru l-imsemmija ammonti ta' flus permezz ta' self, il-Ministru huwa hawnhekk awtorizzat li jissellef l-imsemmija ammonti ta' flus skont dawk it-termini u bla hsara għal dawk il-kundizzjonijiet li l-imsemmi Ministru jista' japprova taht id-disposizzjonijiet tal-Ordinanza dwar Self Lokali (*Stock* u Titoli Registrati), sabiex johrog titoli f'Malta:

Izda l-Ministru jista' wkoll, meta jidhirli li jkun spedjenti li hekk isir għal raġunijiet ta' urgenza, jawtorizza l-użu temporanju ta' fondi mill-Fond Konsolidat sabiex jagħmel tajjeb għall-htiġiet finanzjarji tal-Ftehim dwar Self sa dak iż-żmien li jinkiseb ir-rikavat tas-self imsemmi fl-artikolu 3.

4. (1) Minkejja xi disposizzjonijiet ohra fil-liġi, il-flus mislufa taht l-awtorità ta' dan l-Att għandhom jiġu approprijati u applikati bil-għan li jidhlu fi ftehim ta' self mill-ġdid, konklużi bejn il-Gvern ta' Malta, bhala min isellef, u Air Malta plc, bhala min jissellef, għal ammont identifikat, skont u fil-qafas ta' Ftehim dwar Self konkluż għal għanijiet tas-salvataġġ u l-istrutturar mill-ġdid ta' Air Malta plc.

(2) Is-self ta' flus mill-ġdid mislufin skont dan l-Att għal xi għan għajr dak speċifikat taht is-subartikolu (1) jista' jsir biss f'dak il-mod u għal dak il-għan li l-Kamra tad-Deputati tista', permezz ta' riżoluzzjoni, tiddetermina.

Għanijiet u Raġunijiet

L-għan ta' dan l-Abbozz hu sabiex jawtorizza u jirregola l-ġbir ta' self bil-għan li jsiru ftehim ta' self mill-ġdid ma' Air Malta plc bil-għan li jkun jista' jsir is-salvataġġ u l-istrutturar mill-ġdid tal-kumpannija msemmija.

**A BILL
entitled**

AN ACT to authorise and regulate the raising of loans for the purpose of entering into re-lending agreements with Air Malta plc.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

1. The short title of this Act is the Government Borrowing and Granting of Loans to Air Malta plc Act, 2010. Short title.

2. In this Act, unless the context otherwise requires - Interpretation.

"Consolidated Fund" has the same meaning as is assigned to it under article 124 of the Constitution;

"Loan Agreement" means any agreement, approved by the European Commission in terms of the European Community Guidelines on State Aid for Rescuing and Restructuring Firms in Difficulty (2004/C 244/02), providing for the lending of money to Air Malta plc in terms of this Act;

"Minister" means the Minister responsible for finance.

3. (1) Subject to the provisions of this Act, the Government of Malta may, for the purposes of article 4, borrow sums of money in Malta as the House of Representatives may from time to time by resolution authorise. Authority to raise loan.

(2) For the purpose of raising the aforesaid sums of money by way of loan, the Minister is hereby authorised to borrow the said sums of money on such terms and subject to such conditions as the said Minister may approve under the provisions of the Local Loans (Registered Stock and Securities) Ordinance, in order to issue stock in Malta:

Provided that the Minister may also, when he deems it expedient to do so for reasons of urgency, authorise the temporary use of funds from the Consolidated Fund in order to meet the financing requirements of the Loan Agreement until such time as the proceeds of the borrowing referred to in article 3 shall be obtained.

4. (1) Notwithstanding any other provision of law, any money borrowed under the authority of this Act shall be appropriated and applied for the purpose of entering into re-lending agreements concluded between the Government of Malta, as lender, and Air Malta plc, as borrower, for an identified amount, in pursuance and within the framework of a Loan Agreement entered into for purposes of the rescuing and restructuring of Air Malta plc.

(2) The re-lending of money borrowed in terms of this Act for any purpose other than that specified under sub-article (1) may only be done in such manner and for such purpose as the House of Representatives may by resolution determine.

Objects and Reasons

The object of this Bill is to authorise and regulate the raising of loans for the purpose of entering into re-lending agreements with Air Malta plc with a view to enabling the rescuing and restructuring of the said company.