



GOVERNMENT OF MALTA

**GOVERNMENT RESPONSE TO THE CONSULTATION ON
(CIVIL PROTECTION ACT AMENDMENTS)**

5 March 2015

*Ministry for Home Affairs and National Security (MHAS)
201, Strait Street, Valletta*

This publication (excluding Logos) may be re-used free of charge in any format or medium provided that is re-used accurately and not used in a misleading context. This material must be acknowledged as Government of Malta and the title of the publication specified.

Any enquiries regarding this publication should be sent at onlineconsultations@gov.mt.

Published by the Ministry for Home Affairs and National Security

Contents

Contents 3

Executive Summary..... 4

 Introduction and overview 4

 Implementation 6

 Contact Details..... 6

Executive Summary

Introduction and overview

Bill amending the Civil Protection Act (Cap 411 of the Laws of Malta)

At present the Civil Protection Act (Cap 411 of the Laws of Malta) does not provide for the granting of pensions and to the circumstances in which pensions may be granted. The Act caters only for those police officers who have been transferred to the Assistance and Rescue Force set up under this Act. In this regard, the police officer shall be deemed to have remained in the Police Force during their period of service with the Assistance and Rescue Force, and such officer shall be entitled to a pension in accordance with the Police Act (Cap 164 of the Laws of Malta).

To this effect, amendments are being proposed with a view to granting the 25 years service to members of the Assistance and Rescue Force within the Civil Protection Department. In this regard, a bill has been presented before Parliament with a view to introducing new pensions provisions as well as provisions dealing with removal from office, retirement on the ground of public interest and information to be granted to persons entitled to a pension.

The principal aim of these amendments is the insertion of the circumstances in which a pension may be granted. To this effect, a pension may only be granted:

- If the officer has attained the age of fifty-five years or if he has completed twenty-five years' service in the Force after he attains the age of fifty;
- If the officer's office has been abolished;
- In the event of compulsory retirement for the purpose of facilitating improvement in the organisation of the Force;
- In case of termination of employment in the public interest;
- On medical evidence to the satisfaction of the Minister that such officer of the Force is incapable by reason of infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent.

The Bill also provides for the grounds of removal from office. In this regard, an officer of the Force shall be removed from office on grounds of inefficiency, infirmity of body or mind and on grounds of public interest.

The Bill has been introduced in Parliament in December 2014 and is currently being discussed in parliament at second reading.

In view of this, the government is launching this consultation to collect input from the general public, civil society organisations, trade unions, business organisations, political parties, governmental institutions and all others that would like to contribute towards this process.

The Online Public Consultation was made between 2nd February and 27 February.

This consultation sought views on:

- The conditions whereby members of the Assistance and Rescue Force would be granted a service pension.

This document is the Government Response to this consultation and sets out the Government's decision on these matters.

It is not considered that any amendments are necessary pursuant to the consultation, in view of the fact that members of the Assistance and Rescue Force who previously served with another disciplined force already benefit from a Service Pension, and that their term of service with the CPD already counts towards the fulfilment of their service.

The closing date was 27 February 2015. The methods used for feedback were by Post, an online form and by e-mail to the Online Public Consultation contact.

A meeting was set up with the person who proposed some changes to the Civil Protection Act

The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise.

A recommendation was received to the effect that years spent in another disciplined force and within the Assistance and Rescue Force would both count towards the fulfilment of the 25 year service.

There was only one person who gave feedback related to the Civil Protection Amendments.

Government will be proceeding with the amendments as proposed, in view of the fact that the recommendation received during the consultation process is effectively already being implemented.

The present amendments are intended to extend the benefits already available to ex-Police officers within CPD to members of the Assistance and Rescue Force who have never been members of other disciplined forces.

Implementation

The Government will proceed to enact the law by end of June 2015

Contact Details

If you have any questions regarding this response, please contact:
onlineconsultations@msdc.gov.mt