

SUBSIDIARY LEGISLATION 363.55

**USE OF FACILITIES AND ADMINISTRATION
(ŽURRIEQ LOCAL COUNCIL) BYE-LAWS**

9th July, 2000

LOCAL COUNCIL BYE-LAW 67/13/2000, as amended by Legal Notice 425 of 2007.

- 1.** The title of these Bye-Laws is the Use of Facilities and Administration (Žurrieq Local Council) Bye-Laws. Citation.
- 2.1** In these Bye-Laws unless the context otherwise requires: Interpretation.
- "Act" means the Local Councils Act; Cap. 363.
- "applicant" means any person, whether an individual, club, association or society, who applies to use the facilities in accordance with these Bye-Laws;
- "authorised person" means the person, club, association or society who has been granted authorisation by the Council in terms of the provisions of these Bye-Laws for the use of any of the facilities;
- "Council" means the Žurrieq Local Council;
- "equipment" means anything placed or fixed within the facilities, and any other ornamental structures;
- "facilities" means the whole property or part thereof known as Mithna tax-Xarolla, Žurrieq;
- "Government" means the central Government;
- "locality" means the Žurrieq locality which lies within the boundaries as defined in the Second Schedule to the Act.
- 3.1** Without any prejudice to any other permit required by any other authority or under any law, no person shall use the facilities without the prior authorisation of the Council. Use of facilities.
- 3.2** Equipment shall only be used for the purposes for which they are intended. Use of equipment.
- 4.1** The Council shall issue an authorisation for the use of any of the facilities after a written application is submitted by an applicant on the form prescribed in the First Schedule: Application for the use of facilities.
- Provided that the Council shall have the right to refuse to issue an authorisation in those circumstances and for any reason which the Council deems fit; so however that the Council shall, within fifteen days from the date of application, issue the authorisation or a refusal in writing, as the case may be.
- 4.2** Applications must be submitted by not later than one month and not earlier than two months before the date of the proposed activity. Council's decision shall be communicated to applicant as early as possible:
- Provided that the Council may give a concession and vary

	these time-limits.
	4.3 Where more than one application is received for an activity to be held in the same place and on the same date, the first application received shall be given priority. If applications are received simultaneously, the applicant who resides in the locality shall be given preference. If all the applicants are from the locality, or if none of them resides in the locality, the Council shall draw by lot the application to be chosen in the presence of the applicants.
Nature of activity.	5. No application submitted in terms of bye-law 4.1 shall be accepted if the nature of the activity is not of a sporting, educational, recreational, religious, cultural or philanthropic nature, or if such an activity is not approved by the Council.
Authorisation.	6.1.1 The authorisation shall be forwarded to applicant on the form prescribed in the First Schedule and subject to the terms and conditions stipulated in the Second Schedule, and to any other condition which the Council may impose. A copy of the authorisation shall be kept by the Council. 6.1.2 This procedure shall also apply in the case of a refusal. In such case of refusal, the reason for such a refusal shall also be included.
Authorisation not transferable.	6.2 An authorisation issued under these Bye-Laws shall not be transferable without the prior written consent of the Council.
Priority by Council for use of facilities.	6.3 The Council shall have priority for the use of the facilities. 6.4 Where an authorisation has already been issued under these Bye-Laws for an activity to be held on the same date and at the same place where the Council intends to hold its activity, the Council may withdraw the authorisation already issued by informing applicant in writing at least fifteen days before the date of the said activity. In such a case, the Council shall refund the fees paid by applicant, and all other expenses incurred in connection with the activity applied for subject to the production of receipts.
Fees for the use of facilities and equipment. <i>Amended by: L.N. 425 of 2007.</i>	7. The applicant shall, on submission of the application, pay a fee as stipulated in the Third Schedule according to the nature of the activity: Provided that the Council may grant a special concession in the case of activities with a philanthropic purpose at a nominal fee of two euro and thirty-three cents (€2.33).
Special concession.	
Entrance of persons in the property.	8.1 The Council shall have the authority to admit any person to visit the museum within the property within the established days and time.
Entrance fee.	8.2 The Council shall have the ht to charge an entrance fee as stipulated in the Fourth Schedule.
Responsibility for damages.	9. Any person visiting the museum, or any other person to whom the authority is given by the Council to make use of the facilities within the property, shall be held responsible for any damages caused to the facilities or to any of its equipment, or for any other damages sustained by third parties within the facilities

during the duration of the authorisation.

10.1 Without prejudice to the provisions of bye-law 9, if an authorised person makes improper use of the facilities or breaches any of the terms and conditions stipulated in the authorisation, the Council may withdraw the authorisation and no fees paid shall be reimbursed.

Improper use of facilities; breach of the terms and conditions.

10.2 It is in the discretion of the Council whether or not to issue any future authorisation to the authorised person whose authorisation is withdrawn as indicated in bye-law 10.1.

11.1 Every person who is in breach of any of the provisions of these Bye-Laws, or who fails to abide by any condition of the authorisation given by virtue of these Bye-Laws, shall, on conviction be liable to a fine (*ammenda*) not exceeding sixty-nine euro and eighty-eight cents (€69.88) for such contravention.

Penalties.
Amended by:
L.N. 425 of 2007.

11.2 The Council may, in addition to the penalties stipulated in bye-law 11.1, order the person found guilty of a breach to carry out the necessary repairs to the satisfaction of the Council. A fine (*ammenda*) of eleven euro and sixty-five cents (€11.65) may also be imposed for any day during which such repairs are not carried out.

Amended by:
L.N. 425 of 2007.

11.3 The Council shall have the right to carry out the repairs at the expense of the guilty person.

FIRST SCHEDULE

(Bye-law 4.1)

Application for the Use of Facilities at the Mithna tax-Xarolla,
Triq Sant' Andrija, Žurrieq

Application No.:

Name and Surname of Applicant:

Identity Card No./Passport No.:

Position in Organisation: (e.g. President, Secretary, etc.)

Name of Organisation: (if applicable)

Official Address:

Tel. No.: Fax No.:

Facility applied for:

Days of Activity: From to

Duration: (time) From to (time)

Approx. expected attendance:

Entrance Fee (if applicable):

Measures taken to indemnify the Council (attach documents):
(e.g. Insurance Policy, Bank Guarantee, etc.)

Date: Applicant's Signature:

FOR OFFICIAL USE

Fee Paid: Receipt No:

Date and Time when application is received:

Accepted / Refused (delete as applicable) Date:

Comments by Council (if applicable):

Signature: Official Rubber Stamp:

Designation:

SECOND SCHEDULE

(Bye-law 6.1)

Terms and Conditions for the Authorisation of the Use of the Facilities at the
Mithna tax-Xarolla, Triq Sant' Andrija, Żurrieq

1. The authorisation is valid for the duration as indicated in the application form prescribed in the First Schedule and subject to any further conditions stipulated by the Council on the authorisation form.
2. The Council has the right to revoke the authorisation at any time for any breach of any of these terms and conditions or any provisions of the Bye-Laws or any other conditions as laid down by the Council on the authorisation form. The Council also has the right to revoke the authorisation if the activity is deemed contrary to public decency or morals.
3. If the Council revokes the authorisation for any of the reasons mentioned in paragraph 2, the authorised person shall not be refunded the fee paid or any part thereof.
4. The authorisation is subject to any permit or licence necessary under any other law. It is the responsibility of the applicant to obtain such permit or licence.
5. The authorised person shall not carry out any activity which is not indicated in the authorisation.
6. The authorised person shall keep the facility clean at all times during the activity, and ensure that such place remains clean until the expiry of the authorisation.
7. The authorised person shall ensure that at the end of the authorisation the facility be restored to its original state.
8. The authorised person shall ensure that no inconvenience or nuisance is caused to the public during the duration of the authorisation.
9. Any noise shall cease by 11.00 p.m.
10. A copy of the authorisation shall be prominently displayed at all times at the entrance to the facility for the information of the public.

THIRD SCHEDULE

(Bye-law 7)

*Substituted by:
L.N. 425 of 2007.*

Fees for the Use of Facilities

1. Payment for the use of the Mithna tax-Xarolla, Triq Sant' Andrija, Żurrieq
 - Cultural activities - €34.94 each activity
 - Other activities - €116.47 each activity
2. Activities for a Philanthropic Purpose:
A nominal fee of €2.33 in respect of any activity held for a philanthropic purpose.

*Substituted by:
L.N. 425 of 2007.*

FOURTH SCHEDULE**(Bye-law 8.2)**

Fees payable for entry into the Museum forming part of Mithna tax-Xarolla

1. Entrance fee due by persons aged between eighteen and sixty years €2.33
 2. Entrance fee due by persons aged between ten and seventeen years, and persons over sixty €0.58
 3. No entrance fee shall be due for students and persons under ten years of age.
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LEĠISLAZZJONI SUSSIDJARJA 363.55

BYE-LAWS DWAR UŻU TA' FAĊILITAJIET U AMMINISTRAZZJONI (KUNSILL LOKALI ŻURRIEQ)

9 ta' Lulju, 2000

KUNSILL LOKALI BYE-LAW 67/13/2000, kif emendat bl-Avviż Legali 425 ta' l-2007.

1. It-titolu ta' dawn il-*Bye-Laws* hu *Bye-Laws* dwar Użu ta' Faċilitajiet u Amministrazzjoni (Kunsill Lokali Żurrieq). Titolu.
- 2.1 F'dawn il-*Bye-Laws* kemm-il darba r-rabta tal-kliem ma ttehtieġx xort'ohra: Tifsir.
- "applikant" tfisser kull persuna, sew jekk kumpannija, każin, ghaqda jew soċjetà, li japplika biex jagħmel użu mill-faċilitajiet skond dawn il-*Bye-Laws*;
- "Att" tfisser l-Att dwar Kunsilli Lokali; Kap. 363.
- "attrezzamenti" tfisser kull haġa mqieghda jew imwahnha ġewwa l-faċilitajiet, u kull struttura ornamentali ohra;
- "faċilitajiet" tfisser il-proprjetà shiha jew parti minnha maghrufa bhala l-Mithna tax-Xarolla, Żurrieq;
- "Gvern" tfisser il-Gvern ċentrali;
- "Kunsill" tfisser il-Kunsill Lokali ta' Żurrieq;
- "lokalità" tfisser il-lokalità ta' Żurrieq li tinsab fil-konfini definiti fit-Tieni Skeda li tinsab ma' l-Att;
- "persuna awtorizzata" tfisser il-persuna, kumpannija, ghaqda jew soċjetà li tkun ġiet mogħtija l-awtorizzazzjoni mill-Kunsill skond id-disposizzjonijiet ta' dawn il-*Bye-Laws* sabiex tuża xi wahda mill-faċilitajiet.
- 3.1 Mingħajr ebda preġudizzju għal kull permess ieħor meħtieġ minn xi awtorità ohra jew taht xi liġi ohra, hadd ma' jista' jagħmel użu mill-faċilitajiet mingħajr l-awtorizzazzjoni minn qabel tal-Kunsill. Użu ta' faċilitajiet.
- 3.2 L-attrezzamenti jistgħu jiġu wżati biss għall-iskop li għalih ikunu saru. Użu ta' attrezzamenti.
- 4.1 Il-Kunsill għandu jagħti awtorizzazzjoni għall-użu ta' xi wahda mill-faċilitajiet wara li ssir applikazzjoni bil-miktub minn applikant fuq il-formula preskritta fl-Ewwel Skeda: Applikazzjoni għall-użu ta' faċilitajiet.
- Izda l-Kunsill ikollu d-dritt li jirrifjuta li jagħti awtorizzazzjoni f'dawk iċ-ċirkostanzi u għal xi raġuni li l-Kunsill ihoss li hija ġusta; madanakollu, il-Kunsill għandu, fi żmien hmistax-il ġurnata mid-data ta' l-applikazzjoni, jagħti l-awtorizzazzjoni tiegħu jew jiċhad, skond il-każ, bil-miktub.
- 4.2 L-applikazzjonijiet għandhom jaslu għand il-Kunsill sa mhux aktar tard minn xahar u mhux aktar qabel minn xahrejn mid-data meta jkollha ssir l-attività. Id-deċiżjoni tal-Kunsill għandha

tiġi mgħarrfa lill-applikant kemm jista jkun malajr:

Izda l-Kunsill jista' jagħti konċessjoni billi jbidel dawn il-perijodi.

4.3 Meta jaslu aktar minn applikazzjoni waħda għal xi attività biex issir fl-istess post u fl-istess jum, l-ewwel applikazzjoni li tkun dahlet għandha tingħata prijorità. Jekk jaslu xi applikazzjonijiet f'daqqa, l-applikant li jgħix fil-lokalità għandu jingħata preferenza. Jekk l-applikanti huma kollha mill-istess lokalità, jew jekk hadd minnhom ma jkun joqgħod fil-lokalità, il-Kunsill għandu jtellja' bix-xorti l-applikazzjoni li tkun se tintgħazel fil-preżenza ta' l-applikanti.

Xorta ta' attività.

5. Ma għandha tiġi milqugħa ebda applikazzjoni skond kif provdut fl-ordinament 4.1 kemm-il darba x-xorta ta' attività ma tkunx waħda edukattiva, rikreattiva, reliġjuża, kulturali jew filantropika, jew dik l-attività ma tkunx approvata mill-Kunsill.

Awtorizzazzjoni.

6.1.1 L-awtorizzazzjoni għandha tingħata lill-applikant fuq il-formula stabbilita fl-Ewwel Skeda u bla hsara għall-patti u l-kondizzjonijiet stabbiliti fit-Tieni Skeda, u għal kull kondizzjonijiet ohra li l-Kunsill jista' jimponi. Kopja ta' l-awtorizzazzjoni għandha tinżamm mill-Kunsill.

6.1.2 Din il-proċedura għandha tkun tapplika wkoll fil-każ ta' ċhid. F'każ li l-applikazzjoni tiġi miċhuda, l-Kunsill għandu wkoll jagħti r-raġuni għal dak ir-rifjut.

L-awtorizzazzjoni mhux trasferibbli.

6.2 Awtorizzazzjoni mahruġa taht dawn il-*Bye-Laws* ma tkunx trasferibbli jekk mhux bil-permess bil-miktub mogħti bil-quddiem tal-Kunsill.

Il-Kunsill preferut fl-użu tal-faċilitajiet.

6.3 Il-Kunsill ikollu preferenza għall-użu tal-faċilitajiet.

6.4 Meta tkun diġà inharġet awtorizzazzjoni taht dawn il-*Bye-Laws* biex issir attività fl-istess data u post fejn il-Kunsill ikun bi hsiebu jagħmel xi attività tiegħu nnifsu, il-Kunsill jista' jirrevoka l-awtorizzazzjoni li tkun diġà mahruġa billi jgħarraf b'dan bil-miktub lill-applikant mill-inqas hmistax-il ġurnata qabel id-data ta' dik l-attività. F'dak il-każ, il-Kunsill għandu jirrifondi d-dritt imhallas mill-applikant, u kull spejjeż ohra li jkunu saru u li jkollhom x'jaqsmu ma' dik l-attività li tkun saret applikazzjoni għaliha sakemm tingieb kull riċevuta.

Drittijiet għall-użu tal-faċilitajiet u attrezzamenti.

7. L-applikant għandu, meta jissottometti l-applikazzjoni, jhallas dritt kif stipulat fit-Tielet Skeda skond ix-xorta ta' l-attività:

Emendat:
A.L. 425 ta' l-2007.

Konċessjoni speċjali.

Izda l-Kunsill jista' jagħti konċessjoni speċjali ta' hlas nominali ta' żewġ euro u tlieta u tletin ċenteżmu (€2.33) fil-każ ta' attivitajiet li jkollhom għan filantropiku.

Dhul ta' persuni fil-proprjetà.

8.1 Il-Kunsill għandu wkoll id-dritt li jdahhal lill-persuni fil-hinjiet u granet stabbiliti minnu, biex iżuru il-mużew li ser ikun fi hdan il-proprjetà.

- 8.2 Id-dritt ta' hlas għal dhul ikun skond kif hemm stipulat fir-Raba' Skeda. Dritt ta' hlas.
9. Kull persuna li żżur il-mużew, kif ukoll kull persuna li tkun mogħtija l-fakultà li tuża l-faċilitajiet fil-proprjetà tinzamm responsabbli għal kull danni magħmula lill-faċilitajiet jew lill-attrezzamenti tagħhom jew xi danni oħra li terzi persuni jistgħu jsofru għewwa l-faċilitajiet matul iż-żmien ta' l-awtorizzazzjoni. Responsabbiltà fil-proprjetà.
- 10.1 Bla hsara għad-disposizzjonijiet ta' l-ordinament 9, jekk persuna awtorizzata tagħmel użu hażin mill-faċilitajiet jew tinkiser xi wahda mill-pattijiet u kondizzjonijiet stipulati fl-awtorizzazzjoni, il-Kunsill jista' jirrevoka l-awtorizzazzjoni u l-ebda dritt imħallas ma' jingħata lura. Użu hażin tal-faċilitajiet; ksur tal-pattijiet u kondizzjonijiet.
- 10.2 Ikun fid-diskrezzjoni tal-Kunsill jekk għandhiex tinhareg awtorizzazzjoni fil-futur lill-persuna awtorizzata li lilha tkun għiet revokata l-awtorizzazzjoni kif indikat fl-ordinament 10.1.
- 11.1 Kull persuna li tikser xi wahda mid-disposizzjonijiet ta' dawn il-*Bye-Laws*, jew li tonqos li taderixxi ma' xi kondizzjoni ta' l-awtorizzazzjoni mogħtija bis-saħħa ta' dawn il-*Bye-Laws*, tehel, meta tinsab hatja, ammenda ta' mhux aktar minn disgħa u sittin euro u tmienja u tmenin ċenteżmu (€69.88) għal dik il-kontravvenzjoni. Penali.
Emendat:
A.L. 425 ta' l-2007.
- 11.2 Il-Kunsill jista', b'żieda mal-penali stabbiliti fl-ordinament 11.1, jordna lill-persuna li tinsab hatja ta' ksur li tagħmel it-tiswijiet meħtieġa li jkunu għas-sodisfazzjon tal-Kunsill. Tista' wkoll tehel ammenda ta' hdax-il euro u hamsa u sittin ċenteżmu (€1.65) għal kull gurnata li matulha ma jsirux it-tiswijiet. Emendat:
A.L. 425 ta' l-2007.
- 11.3 Il-Kunsill ikollu dritt li jagħmel it-tiswijiet meħtieġa bi spejjeż tal-persuna misjuba hatja.
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L-EWWEL SKEDA

(Ordinament 4.1)

Applikazzjoni għall-użu tal-faċilitajiet
fil-Mithna tax-Xarolla fi Triq Sant' Andrija, Żurrieq

Nru. ta' l-Applikazzjoni

Isem u Kunjom ta' l-Applikant:

Nru. tad-Dokument ta' Identità/Nru. tal-Passaport:

Kariga fl-Għaqda (e.ż. President, Segretarju, eċċ.):

Isem ta' l-Għaqda (jekk applikabbli):

Indirizz Uffiċjali:

.....

Nru. tat-Telefon: Nru. tal-Fax:

Il-Faċilità li qed tapplika għaliha:

Ġranet ta' l-Attività: Minn: Sa:

Żmien (Hin) Minn: Sa:

Nru. ta' nies li maħsub li ser jattendu:

Dritt għad-Dhul (jekk applikabbli):

Miżuri mehuda biex jindennizzaw lill-Kunsill (ehmeż id-dokumenti):

(eż. Polza ta' Assigurazzjoni, Garanzija Bankarja, eċċ.)

Data: Firma ta' l-Applikant:

GHALL-UŻU UFFIĊJALI

Dritt Imħallas: Nru. tar-Riċevuta

Data u Hin meta waslet l-applikazzjoni:

Aċċettata / Mhux Aċċettata (hassar kif meħtieġ) Data:

Kummenti mill-Kunsill (jekk meħtieġ):

Firma: Timbru Uffiċjali:

Kariga:

IT-TIENI SKEDA

(Ordinament 6.1)

Pattijiet u Kondizzjonijiet għall-Awtorizzazzjoni għall-użu tal-faċilitajiet tal-Mithna tax-Xarolla fi Triq Sant' Andrija, Żurrieq

1. L-awtorizzazzjoni hi valida għat-tul ta' żmien skond kif muri fl-applikazzjoni li tinsab fl-Ewwel Skeda u bla hsara għal kull kondizzjoni oħra magħmula mill-Kunsill fuq il-formula ta' l-awtorizzazzjoni.
2. Il-Kunsill għandu dritt li jirrevoka l-awtorizzazzjoni f'kull hin għal xi ksur ta' xi wahda minn dawn il-pattijiet u kondizzjonijiet jew xi disposizzjonijiet tal-*Bye-Laws* jew xi kondizzjonijiet oħra magħmula mill-Kunsill fuq il-formula ta' l-awtorizzazzjoni. Il-Kunsill għandu dritt ukoll li jirrevoka l-awtorizzazzjoni jekk l-attività titqies li tkun kontra l-morali jew id-deċenza pubblika.
3. Jekk il-Kunsill jirrevoka l-awtorizzazzjoni għal xi raġuni msemmija fil-paragrafu 2, il-persuna awtorizzata ma jkollhiex jedd li tiegħu lura d-dritt imhallas jew xi parti minnu.
4. L-awtorizzazzjoni hi bla hsara għal kull permess jew liċenza meħtieġa taht xi liġi oħra. L-applikant għandu d-dmir li jikseb dawk il-permessi u l-liċenzi meħtieġa.
5. Il-persuna awtorizzata ma tistax tagħmel xi attività li ma tkunx imniżzla fl-awtorizzazzjoni.
6. Il-persuna awtorizzata għandha żzomm il-faċilità nadifa f'kull hin matul l-attività, u tassigura li dak il-post għandu jibqa' nadif sakemm jagħlaq iż-żmien ta' l-awtorizzazzjoni.
7. Il-persuna awtorizzata għandha tassigura li mat-tmiem ta' l-awtorizzazzjoni il-faċilità tithalla fl-istat oriġinali li fiha kienet tinstab.
8. Il-persuna awtorizzata għandha tassigura li ma jinholoq ebda inkonvenjent jew skumdità lill-pubbliku matul iż-żmien ta' l-awtorizzazzjoni.
9. Kull storbu għandu jicqaf fil-11.00 p.m.
10. Kopja ta' l-awtorizzazzjoni għandha f'kull waqt tintwera b'mod prominenti għall-informazzjoni tal-pubbliku fid-dahla tal-faċilità.

*Sostitwita:
A.L. 425 ta' l-2007.*

IT-TIELET SKEDA
(Ordinament 7)

Drittijiet għall-Użu tal-Faċilitajiet

1. Dritt għall-użu tal-faċilitajiet tal-Mithna tax-Xarolla fi Triq Sant' Andrija, Żurrieq
Attivitajiet kulturali - €34.94 kull attività
Attivitajiet ohra - €16.47 kull attività
2. Attivitajiet b'Għan Filantropiku:
Hlas nominali ta' €2.33 għal kull attività li ssir u li jkollha għan filantropiku.

*Sostitwita:
A.L. 425 ta' l-2007.*

IR-RABA' SKEDA
(Ordinament 8.2)

Drittijiet għad-Dhul fil-Mużew Formanti Parti mill-Mithna tax-Xarolla

1. Dritt għad-dhul għal persuni ta' bejn it-tmintax u s-sittin sena €2.33
2. Dritt għad-dhul għal persuni ta' bejn l-ghaxar snin u s-sbatax il-sena, u persuni ta' 'l fuq minn sittin sena €0.58
3. Persuni taht l-ghaxar snin u studenti jidhlu bla hlas.