*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 18,147, 13 ta' Novembru, 2007*
*Taqsima B*

**A.L. 369 ta' l-2007**

## ATT DWAR L-ADOZZJONI TA' L-EURO (KAP. 485)

## Regolamenti ta' l-2007 dwar'*Smoothing* ta' Ammonti Monetarji

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 3 ta' l-Att dwar l-Adozzjoni ta' l-Euro, il-Prim Ministru u Ministru tal-Finanzi għamel dawn ir-regolamenti li ġejjin:-

**1.** It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2007 dwar'*Smoothing* ta' Ammonti Monetarji. Titolu.

**2.** L-għan ta' dawn ir-regolamenti hu li jirregola l-konverżjoni ta' valuri u ta' ammonti monetarji ta' oġġetti u servizzi offruti lill-konsumatur sabiex jiġu żgurati prattii ġusti għall-ipprezzar fl-euro, biex b'hekk tiġi faċilitata l-bidla mingħajr xkiel tal-valuta legali mil-Lira Maltija għall-euro. Għan.

**3.** F'dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort'oħra:- Tifsir.

"ammont monetarju" tfisser l-ammont li juri l-valur monetarju ta' oġġetti jew servizzi li jkunu qegħdin jiġu offruti għal bejgħ jew xiri jew li jkollu jingħata kont tagħhom;

"l-Att" tifisser l-Att dwar l-Adozzjoni ta' l-Euro;

"l-Awtorità" tfisser l-Awtorità msemmija taħt ir-regolament 4 ta' dawn ir-regolamenti u fil-limiti ta' kull awtorità mogħtija tinkludi lil kull uffiċjal jew impjegat ta' dik l-Awtorità;

"konsumatur" tfisser kull persuna li tkun qegħda tara, titlob jew tuża l-provvista ta' xi oġġett jew servizz, mhux għall-bejgħ, għal prezz jew għal ammont li jkun rappreżentattiv għall-ħlas, jew li l-persuna tista' tkun mitluba li tħallas, għal dik il-provvista;

"Osservatorju ta' l-Euro" u "Osservatorju" ifissru t-taqsima mwaqqfa bir-Regolamenti ta' l-2007 dwar l-Adozzjoni ta' l- A.L. 4 ta' l-2007.

Euro (*Dual Display* u Ipprezzar fl-Euro), u fil-limiti ta' l-awtorità mogħtija, tinkludi lil kull uffiċjal u impjegat ta''l-Osservatorju ta' l-Euro;

"prezz" tfisser il-prezz tax-xiri;

"prezz tax-xiri" tfisser il-prezz finali bl-imnut tal-bejgħ jew għal kull oġġett, inkluża t-Taxxa fuq il-Valur Miżjud, kull taxxa oħra jew ħlas ieħor;

"rata ta' konverżjoni" tfisser ir-rata tal-kambju iffissata b'mod irrevokabbli adottata għal-Lira Malttija kif provdut fil-paragrafu (ċ) ta' l-Artikolu 1 tar-Regolament tal-Kunsill (KE) Nru. 2169 ta' l-2005;

"*smoothing*" tfisser il-proċess li prezz stramb jiġi mibdul fi prezz li jista' jiġi aċċettat aħjar jew li persuna tkun tista' tiftakru aħjar skond ma joħroġ mill-konverżjoni ta' prezz mil-Lira Maltija f'euro meta tintuża r-rata ta' konverżjoni.

**Meta jkun jista' jsir *smoothing*.**

*Smoothing.*

**4.** (1) Mingħajr preġudizzju għad-disposizzjonijiet tar-Regolamenti ta' l-2007 dwar l-Adozzjoni ta' l-Euro (*Dual Display* u Ipprezzar fl-Euro), kull *smoothing* ta' ammonti monetarji huwa biss permess meta tali *smoothing* jirriżulta f'ammont monetarju f'euro li jkun inqas mill-ammont monetarju ekwivalenti fil-lira Maltija qabel ma ssir il-konverżjoni.

(2) Minkejja d-disposizzjonijiet tas-subregolament (1) fil-każ ta' ammonti monetarji li jiffurmaw parti minn sekwenza mkomplija bil-għan li jiġu stabbiliti valuri limiti, jista' jsir *smoothing* fil-konverżjoni ta' dawk l-ammonti fl-euro, u sakemm dan ikun meħtieġ, sabiex tiġi żgurata kontinwità fil-valuri limiti ta' kwantitajiet indikati viċini li jiddelimitaw b'mod distint il-kwantità indikata f'valur limitu.

(3) Meta jkun hemm irkostanzi eċċezzjonali motivati minn restrizzjonijiet tekniċi li jkunu hekk jeħtieġu, u wara li ssir applikazzjoni lill-Osservatorju ta' l-Euro, tista' tingħata konessjoni mill-Osservatorju ta' l-Euro li tkun tippermetti li jsir *smoothing* b'mod differenti minn dak li hemm provdut dwaru fis-subregolament (1), taħt dawk il-pattijiet u kondizzjonijiet li l-Osservatorju ta' l-Euro jista' jistabbilixxi.

**Reati u pieni amministrattivi.**

**5.** (1) Kull min jikser jew jonqos milli jħares xi disposizzjoni ta' dawn ir-regolament jew xi kondizzjoni oħra tal-konessjoni mogħtija taħt dawn ir-regolamenti jkun ħati ta' reat amministrattiv kontra dawn ir-regolamenti u jista' jeħel piena amministrattiva ta' seba' mija u ħamsin lira (Lm750) u piena amministrattiva ta'ħamsa u sebgħin lira (Lm75) għal kull ġurnata li tiġi wara u li matulha tibqa' għaddejja dik il-kontravvenzjoni.

Proċeduri għall-*non-compliance.*

(2) Meta l-Osservatorju ta' l-Euro jirriżultalu li persuna ma tkunx qegħda tħares xi dispożizzjoni ta' dawn ir-regolamenti, għandhom japplika il-proċeduri dwar in-nuqqas ta' konformità li jinsabu fir-Regolamenti ta' l-2007 dwar l-Adozzjoni ta' l-Euro (*Dual Display* u Ipprezzar fl-Euro).

**L.N. 369 of 2007**

## EURO ADOPTION ACT
## (CAP. 485)

### Smoothing of Monetary Amounts Regulations, 2007

IN EXERCISE of the powers conferred by article 3 of the Euro Adoption Act, the Prime Minister and Minister of Finance has made the following regulations:-

Title.

**1.** The title of these regulations is the Smoothing of Monetary Amounts Regulations, 2007.

Objective.

**2.** The objective of these regulations is to regulate the conversion of values and monetary amounts of goods and services offered to a consumer to ensure fair practices in euro pricing, thereby facilitating the smooth changeover of the currency unit from the Maltese lira to the euro.

Interpretation.

**3.** In these regulations, unless the context otherwise requires:-

"the Act" means the Euro Adoption Act;

"the Authority" means the Authority designated under regulation 4 of these regulations and to the extent of any authority given includes any officer or employee of such Authority;

"consumer" means any person viewing, requesting or using the provision of a good or service, not for re-sale, at a price or for an amount which will be representative of payment, or which the person will be required to pay, for such provision;

"conversion rate" means the irrevocably fixed conversion rate adopted for the Maltese lira as provided for in paragraph (c) of Article 1 of Council Regulation (EC) No. 2169 of 2005;

L.N. 4 of 2007.

"Euro Observatory" and""Observatory" mean the unit set up by the"Euro Adoption (Dual Display and Euro Pricing) Regulations, 2007 and to the extent of any authority given, includes any officer or employee of the Euro Observatory;

"monetary amount" means the amount showing the monetary value of any goods or services being offered for sale or purchase or being accounted for;

"price" means the purchase price;

"purchase price" means the final retail selling or unit price, including Value Added Tax and any other taxes or charges;

"smoothing" means the process of changing an awkward price to a more acceptable or memorisable price resulting from the conversion of a price from Maltese Lira to euro using the conversion rate.

**When smoothing is allowed.**

Smoothing

**4.** (1) Without prejudice to the provisions of the Dual Display and Euro Pricing Regulations, 2007, the smoothing of monetary amounts is only permitted when such smoothing results in a monetary amount in euro which is less than the equivalent monetary amount in Maltese lira prior to conversion.

(2) Notwithstanding the provisions of sub-regulation (1) in the case of monetary amounts forming part of a continuum for the purpose of establishing threshold values, the conversion of such amounts into euro may, provided this is necessary, be smoothened to ensure continuity in the threshold values of neighbouring brackets to distinctly delimit the bracket in a threshold.

(3) Where exceptional circumstances motivated by technical constraints so dictate, and after an application is made to the Euro Observatory, a concession may be granted by the Euro Observatory allowing smoothing to take place in a manner other than as provided in sub-regulation (1), under such terms and conditions as the Euro Observatory may determine.

**Administrative offences and penalties.**

Procedures for non-compliance.

**5.** (1) Any person who contravenes or fails to comply with any provision of these regulations or with any condition of any concession made under these regulations shall be guilty of an administrative offence against these regulations and shall be liable to an administrative penalty of seven hundred and fifty liri (Lm750) and an administrative penalty of seventy five liri (Lm75) for each subsequent day during which the said contravention persists.

(2) Where the Euro Observatory finds that any person is not complying with any provision of these regulations the procedures for non-compliance outlined in the Euro Adoption (Dual Display and Euro Pricing) Regulations, 2007shall apply.