

## ABBOZZ TA' LIGI

msejjah

*ATT biex jemenda l-Att ta' l-1991 dwar l-Elezzjonijiet Generali.*

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqa' f'dan il-Parlament, u bl-awtorita' ta' l-istess, hareg b'ligi dan li gej:-

1. Dan l-Att jista' jissejjah l-Att ta' l-1995 li jemenda l-Att ta' l-1991 dwar l-elezzjonijiet Generali, hawnhekk izjed "l-quddiem imsejjah "l-Att principali".

Titolu fil-qosor.

2. L-artikolu ~~3~~ ta' l-Att principali ghandu jigi sostitwit b'dan l-artikolu gdid li gej:

Emenda ta' l-artikolu 3 ta' l-Att principali.

"Setgha ta' ghemil ta' regolamenti.

3. (1) Il-Kummissjoni tista' taghmel regolamenti li ma jkunux inkonsistenti mad-disposizzjonijiet ta' dan l-Att, jew li jkunu jmorru kontrihom, sabiex tistabilixxi l-formoli jew il-proceduri li ghalihom ma hemmx procedura espressa f'dan l-Att, u, in generali, dwar l-esekuzzjoni tad-dispozizzjonijiet ta' dan l-Att.

(2) Il-Kummissjoni tista' b'regolamenti ohra temenda jew tirrevoka regolamenti maghmula minnha.

(3) Ir-regolamenti maghmula mill-Kummissjoni ghandhom jigu ippubblikati fil-Gazzetta u ghandhom jidhlu fis-sehh meta jigu hekk pubblikati.

(4) Il-Kummissjoni ghandha tibghat kopja tar-regolamenti maghmula minnha lili-i-Speaker tal-Kamra tar-Reprezentanti li ghandu jpoggihom fuq il-medja tal-Kamra tar-Rapprezentanti fl-ewwel seduta "li jkun imiss."

3. L-artikolu 6 ta' l-Att principali ghandu jigi emendat kif gej:

Emenda ta' l-artikolu 6 ta' l-Att principali.

(a) Fis-subartikolu (1) tiegħu minnlok il-kliem "li ufficjali tal-

Pulizija fi stazzjoni tal-Pulizija f'Malta jew Ghawdex" ghandhom jidhlu l-kliem "lil kunsillier jew ufficcjali tal-Kunsill Lokali ta' fejn l-applikant ikun joqghod";

(b) Fis-subartikolu (2) tieghu minflok il-kliem "Kull ufficcjali tal-Pulizija" ghandhom jidhlu l-kliem "Kull kunsillier jew ufficcjali tal-Kunsill Lokali";

(c) Fis-subartikolu (3) tieghu, minflok il-kliem "tibghat lil" ghandhom jidhlu l-kliem "tibghat b'posta registrata lil"; u

(d) Fis-subartikolu (4) tieghu, minflok il-kliem "u jitqiesu li waslu ghand il-persuna li lilha ikunu indirizzati fil-jum li fih ittra li tkun giet regolarment impustata, tigi kunsinnata fil-kors normali tal-posta." ghandhom jidhlu l-kliem "registrata u jitqiesu li waslu ghand il-persuna li lilha jkunu indirizzati meta jigu kunsinnati fil-kors normali tal-posta registrata."

**3B.** Minnufih wara is-subartikolu (2) ta' l-artikolu 7 ta' l-Att principali ghandhom jidhlu dawn is-subartikolu godda li gejjin:

Emenda ta' l-artikolu  
7 ta' l-Att Principali.

"(3) Il-Kummissjoni tkun korp maghqud li jkollha personalita' legali distinta u li tkun tista', salvi d-disposizzjonijiet ta' dan l-Att, taghmel kuntratti, takkwista, zzomm u tiddisponi minn proprjeta' ghall-finijiet tal-funzjonijiet taghha, tharrek u tigi mharka u taghamel dawk il-hwejjeg kollha u dawk it-transazzjonijiet, irbit u obbligi kollha li jkunu incidentali jew iwasslu ghall-ezercizzju jew qadi tal-funzjonijiet taghha.

(4) Ir-rapprezentanza guridika tal-Kummissjoni tkun vestita fil-Kummissjonarju Elettorali Principali jew f'dak il-membri iehor jew dawk il-membri ohra tal-Kummissjoni li l-Kummissjoni tista' tistabbilixxi b'rizoluzzjoni."

**4.** L-artikolu 10 ta' l-Att principali ghandu jigi emendat kif gejjin:

Emenda ta' l-artikolu  
10 ta' l-Att Principali.

(a) Fis-subartikolu (2) tieghu, minnufih wara l-kliem "bid-decizjonijiet kollha mehudin fihom" ghandhom jidhlu l-kliem " u li kull xahar jinghataw rapport dwar id-decizjonijiet li l-Kummissjoni tkun hadet fil-laqghat taghha."; u

(b) Fis-subartikolu (6) tieghu, minflok il-kliem "It-taghrif, dokumenti jew listi ghandhom jinghataw lid-delegati tal-partit oralment jew f'ghamla miktuba jew stampata li ma jkunx mehtieg ebda strument jew process elettroniku, manjetiku jew xi process iehor simili biex jinqara, u f'ebda ghamla ohra" ghandhom jidhlu il-kliem. "Id-delegati

tal-partit ikollhom il-jedd jitolbu li dak it-taghrif, dokumenti jew listi jinghatawlihom oralment jew f'ghamla miktuba, stampata jew elettromanjetika."

5. Fl-artikolu 11 ta' l-Att principali, minnufih wara is-subartikolu (2) tieghu ghandhom jidhlu dawn is-subartikoli godda li gejjin:

Emenda ta' l-artikolu 11 ta' l-Att principali.

"(3) Is-sistema ta' informatika mehtiega ghat-thaddim tax-xoghol kollu tal-Ufficcju Elettorali, it-tmexxija ta' l-elezzjonijiet u in generali ix-xoghol kollu tal-Kummissjoni ghandu jitmexxa wkoll minn imjegati fis-servizz pubbliku taht ir-responsabilita' diretta u esklussiva tal-Kummissjoni.

(4) Il-Kummissjoni ghandha tassigura li jigu osservati proceduri ta' kontrolli u sigurta' partikolarment fl-access ghat-*terminais*, l-introduzzjoni, l-uzu u l-iprocessar ta' l-informazzjoni, u l-istampar ta' dokumenti ta' identifikazzjoni. Il-Kummissjoni ghandha tassigura wkoll li d-database tar-Registru Elettorali tkun tinkludi biss dettalji dwar persuni eligibbli ghall-vot. Il-partiti ikollhom ukoll id-dritt, qabel ma jinghata bidu ghal xi process elettromanjetiku fil-process elettorali, li jitolbu li ssir "*dummy run*" sabiex jassiguraw il-validita ta' l-istess process elettromanjetiku.

(5) (i) L-Ufficcju Elettorali ghandu jigi pprovdut bin-numru ta' persuni li l-Kummissjoni tqies li jkun mehtieg halli twettaq kif jixraq il-funzjonijiet taghha kolla skond dan l-Att u biex tezercita kontrolli effettivi fuq il-process elettorali kollu.

(ii) Il-persuni li jahdmu fl-Ufficcju elettorali ghandhom jigu nominati mis-servizz pubbliku f-numru ndaqqs mill-Prim' Ministru u mill-Kap ta' l-Opozizzjoni.

(iii) Il-Kummissjoni ghandha tizzgura li l-hidmiet sensitivi kollha jirwettqu minn persuna li tkun giet nominata mill-Prim' Ministru u minn persuna li tkun giet nominata mill-Kap tal-Oppozizzjoni.

(iv) Persuna li tkun taqdem fl-Ufficcju elettorali ma ristghax tigi trasferita jekk mhux:

(a) b'decizjoni tal-Kummissjoni; jew

(b) wara talba taghha stess; jew

(c) meta tinghata promozzjoni fis-servizz pubbliku.

6. L-artikolu 13 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
13 ta' l-Att principali.

(a) fis-subartikolu (2) tieghu, minflok il-kliem "fi stazzjoni tal-Pulizija" ghandhom jidhlu l-kliem "fil-Qorti jew fl-ufficcju tal-Kunsilli Lokali";

(b) fis-subartikolu (5) tieghu, il-kliem "b'dan li notifika tista' ssir minn ufficcjal tal-Pulizija" ghandu jigi kancellat;

(c) fis-subartikolu (6) tieghu, minnufih wara l-kliem "l-istazzjoni tal-Pulizija" ghandhom jidhlu l-kliem "u tal-Kunsill Lokali", u fl-ahhar tas-subartikolu minnufih wara l-kliem "jum iehor ghas-smigh." ghandhom jidhlu l-kliem "Il-lista tal-persuni li dwarhom l-Ufficcjal Revizur jordna l-affissjoni, ghandha tigi pubblikata f'mhux inqas minn zewg gazzetti ta' kuljum ghal mhux inqas minn darbtejn f'kull gazzetta."; u

(d) is-subartikolu (9) tieghu ghandu jigi enumerat mill-gdid bhala subartikolu (10) tieghu; u

(e) minnufih wara s-subartikolu (8) tieghu ghandu jidhol dan is-subartikoli gdid li gej:

"(9) fid-decizjoni tieghu l-Ufficcjali Revizur ghandu jaghti r-ragunijiet li fuqhom ikun ibbaza d-decizjoni tieghu."

7. Fis-subartikolu (2) ta' l-artikolu 16 ta' l-Att principali, minflok il-kliem "bhala elettur" ghandhom jidhlu l-kliem "bhala elettur, u jekk jaghmel dan, ikun hati ta' reat kontra dan l-Att u jehel meta jinstab hati, il-piena stabbilita ghar-reati taht l-artikolu 112 ta' dan l-Att."

Emenda ta' l-artikolu  
16 ta' l-Att principali.

8. Fl-artikolu 19 ta' l-Att principali, minnufih wara s-subartikolu (2) tieghu, ghandu jidhol dan is-subartikolu gdid li gej:

Emenda ta' l-artikolu  
19 ta' l-Att principali.

"(3) Il-Kummissjoni ghandha twaqqaf Taqsima ta' Verifika tar-Registru Elettorali li ghandha taghmel il-verifiki kollha mehtiega mad-Dipartimenti tal-Gvern, Korporazzjonijiet Pubblici, u kumpaniji kontrollati mill-Gvern, dwar il-kwalifiki ta' l-eletturi, tigbor taghrif mehtieg dwar eletturi registrati."

9. L-artikolu 20 ta' l-Att Principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
20 ta' l-Att principali.

(a) Fis-subartikolu (1) tieghu, minnufih wara l-kliem "fis-servizz tal-Gvern ta' Malta" ghandhom jidhlu l-kliem "u l-ufficcjali tal-

Korporazzjonijiet Pubblici, u tai-kumpaniji u entitajiet kontrollati mill-Gvern";

(b) minflok is-subartikolu (3) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(3) Fl-ewwel hamest ijiem ta' kull xahar ghandhom jintbaghtu lill-Kummissjoni,

(i) mill-Ufficcjal responsabbli ghall-Posta, lista ta' persuni li jkunu fix-xahar ta' qabel biddlu l-indirizz;

(ii) mill-ufficcjali responsabbli ghall-Ufficcju ta-cittadinanza, lista ta' persuni li fix-xahar ta' qabel ikun hadu c-cittadinanza u ta' persuni li jkunu irrinunzjaw ghalha jew xort'ohra tilfuha;

(iii) mill-ufficcjali responsabbli ghar-Registru Pubbliku ta' Malta u dak ta' Ghawdex, lista ta' persuni li fix-xahar ta' qabel ikun ghalqu t-tmintax-il sena, lista ta' persuni li jkunu izzewgu, u lista ta' persuni li l-mewt taghhom tkun giet irregistrata, u kull lista ghandha jkollha l-isem, il-kunjom, numru tal-karta ta' l-identita u numru tar-Registru Pubbliku jekk ikun hemm, u partikolaritajiet ohra ta' kull persuna imsemmija.";

(c) minflok is-subartikolu (4) tieghu ghandu jidhol is-subartikolu gdid li gej:

"(4) Ir-Registratur tal-Qrati Superjuri f' Malta u r-Registratur tal-Qrati ta' Ghawdex ghandhom, kull wiehed ghal dik il-Qorti li qiegheed fiha, fl-ewwel hamest ijiem ta' kull xahar jibaghtu lill-Kummissjoni lista bl-isem, kunjom, numru tal-karta ta' l-identita, jekk ikun hemm, in-numru tar-Registru Pubbliku, u partikolaritajiet ohra ta' kull min ikun gie interdett jew inabilitat minhabba xi mart mentali minn Qorti kompetenti, kif ukoll lista bl-isem, kunjom, numru tal-karta ta' l-identita, u partikolaritajiet ohra ta' kull min ikun gie kkundannat ghal prigunerija ghal zmien ta' izjed minn tnaax-il xahar"; u

(d) minnurih wara s-subartikolu (4) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(5) Il-Kummissjoni ghandha taghti lid-delegati tal-partiti kopja tal-listi imsemmija f'dan l-Artikolu."

10. L-artikolu 26 ta' l-Att Principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
26 ta' l-Att Principali.

(a) fis-subartikolu (3) tieghu, minflok il-kliem "minn xi persuna ohra" ghandhom jidhlu l-kliem "minn persuna"; u

(b) minnufih wara s-subartikolu (3) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(4) Meta l-Kummissjoni thassar ir-registrazzjoni ta' elettur, hija ghandha minnufih tinforma b'dan lili-elettur."

11. L-artikolu 28 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
28 ta' l-Att principali.

(a) minnufih wara l-kliem "jindikaw l-isem" ghandhom jidhlu l-kliem "u n-numru tal-karta ta' l-identita"; u

(b) minnufih wara l-kliem "tkun qeghda ssir xi bidla." ghandhom jidhlu l-kliem "Dan it-taghrif ghandu jinghata f'forma elettro-manjetika. Il-Kummissjoni ghandha wkoll ma dan it-taghrif, taghti taghrif dwar biddiet fl-ismijiet ta' toroq, u l-ismijiet ta' toroq godda."

12. L-artikolu 29 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
29 ta' l-Att principali.

(a) minflok il-kliem "dwar il-jedd" ghandhom jidhlu l-kliem "u minn ghand ufficcjali ta' korporazzjonijiet pubblici u kompaniji kontrollati mill-Gvern sabiex jigi stabbilit il-jedd"; u

(b) minnufih wara l-kliem "fir-rigward tad-delegati tal-paritit" ghandhom jidhlu l-kliem "Dan it-taghrif ghandu jinghata bid-dettalji kollha mehtiega u ghandu jinghata minghajr dewmien."

13. L-artikolu 31 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
31 ta' l-Att principali.

(a) Is-subartikolu (4) tieghu ghandu jigi enumerat mill-gdid subartikolu (6) tieghu:

(b) Fis-subartikolu (3) tieghu, minnufih wara l-kliem "jigi identifikat sew." ghandhom jidhlu l-kliem "Kull persuna li isimha jidher ghali-ewwel darba fir-Registru Elettorali, jew li tkun biddiet l-indirizz jew xi partikolarita' ohra mir-Registru Elettorali ta' qabel, ghandha tkun mirija b'marka hdejn isimha."; u

(c) minnufih wara s-subartikolu (3) tieghu ghandhom jidhlu dawn is-subartikoli godda li gejjin:

"(4) Ir-Registru Elettorali ghandu jkollu wkoll Skeda, kif murija fis-Sitt Skeda 'A', li turi c-caqliq kollu ta' l-eletturi li jkun sar mir-

— Regjistru Elettorali ta' qabel.

(5) Ir-Regjistru Elettorali ghandu jkollu wkoll mappa ta' kull lokalita' li turi l-ismijiet tat-toroq tal-lokalita'."

14. L-artikolu 35 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
35 ta' l-Att principali.

(a) l-artikolu 35 ghandu jigi enumerat mill-gdid subartikolu (1) tieghu; u

(b) minnufin wara s-subartikolu (1) tieghu ghandhom jidhlu dan is-subartikoli godda li gejjin:

"(2) Kull min:

— (i) jaghmel uzu minn dokument ghall-votazzjoni meta jkun jaf li ma ghandux jedd ghall-vot, jew

(ii) jacetta dokument ghall-votazzjoni ta' persuna ohra meta jkun jaf li dik il-persuna tkun tilfet il-jedd li tivota,

ikun hati ta' reat taht dan l-Att.

(3) Persuna li tinsab hatja ta' reat taht is-subartikolu (2) ta' dan l-artikolu tehed il-piena stabbilita ghar-reati taht l-artikolu 112 ta' dan l-Att."

15. Fis-subartikolu (1) ta' l-artikolu 40 ta' l-Att principali, minflok il-kliem "erbatax-il jum" ghandhom jidhlu l-kliem "wiehed u ghoxrin jum".

Emenda ta' l-artikolu  
40 ta' l-Att principali.

16. L-artikolu 41 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
41 ta' l-Att principali.

(a) minnufih wara s-subartikolu (1) tieghu ghandu jidhol dan il-paragrafu gdid li gej:

"Izda jekk persuna li kontriha ikun sar l-appell, wara li tigi notifikata b'avviz ghas-smiegh tal-appell skond l-artikolu 26 ta' dan l-Att, tonqos li twiegeb l-appell jew li tidher ghas-smiegh tal-appell minghajr ma taghti gustifikazzjoni ghan-nuqqas, l-Ufficejal Revizur ghandu jghaddi biex jordna t-thassir ta' l-isem ta' dik il-persuna mir-Regjistru Elettorali, wara li jizgura li gew imharsa l-provvedimenti kollha ta' l-artikolu 13 ta' dan l-Att."

(b) fis-subartikolu (2) tieghu minnufih wara l-kliem "l-artikolu 27 ta' dan l-Att" ghandhom jidhlu l-kliem "qabel ma jordna s-smiegh ta

l-appell"; u

(c) fis-subartikolu (4) tieghu minnufih wara l-kliem "tigi riferita" ghandhom jidhlu l-kliem "mic-Chairman tal-Bord".

17. Fl-artikolu 43 ta' l-Att principali minnufih wara l-kliem "skond dak ic-certifikat." ghandhom jidhlu l-kliem "Kopja ta' dak ic-certifikat ghandha tintbaghat lid-delegati tal-partiti mill-Kummissjoni."

Emenda ta' l-artikolu 43 ta' l-Att principali.

18. L-artikolu 46 ta' l-Att principali ghandu jigi emendat kif gej:

Emenda ta' l-artikolu 46 ta' l-Att principali.

(a) Fis-subartikolu (1) tieghu, minflok il-kliem "li jkun maghmul minn dak il-materjal u b'dik l-ghamla li fil-fehma tal-Kummissjoni jipprovdi harsien bizzejjed kontra falsifikazzjoni ghandhom jidhlu l-kliem "l-Kummissjoni ghandha tizgura kemm ikun prattikament possibbli li d-dokumenti ghall-votazzjoni jintaghmlu minn dik it-tip ta' karta li tippovdi sigurta' u li jkollhom dawk is-sinjali li jkunu jizguraw li ma jistghux jigu duplikati jew falsifikati";

(b) minflok is-subartikolu (2) tieghu, ghandu jidhol is-subartikolu gdid li gej:

"(2) Il-Kummissjoni ghandha tizgura li ma jkun hemm ebda abbuz fl-istampar tad-dokumenti ghall-votazzjoni, u ghandha tissodisfa lid-delegati tal-partiti minn dan billi taghtihom kull facilita' ragjonevoli li josservaw l-istampar tad-dokumenti tal-votazzjoni kollha, u li jivverifikaw l-ezattezza taghhom anki permezz ta' *dummy run* tal-process u permezz ta' *audit trials* li jistabilixxu l-validita' tas-sistema f'kull hin tal-process; billi jinghataw kopja tal-*audit trials* u billi d-delegati tal-partiti ikunu jistghu jizguraw li jigu stampati biss dawk ta' elettori li jkollhom jedd ghalihom; u billi l-partiti politici ikoillhom ukoll id-dritt li jaghmlu marka tas-sigurta' fuq id-dokumenti tal-votazzjoni.";

(c) dan li gej ghandu jizjed mas-subartikolu (4): "il-Kummissjoni ghandha taghti lista tal-persuni intitolati ghad-dokument ghal-votazzjoni lid-delegati tal-partiti u dan ghandu jsir mill-inqas jumejn ma jibda t-tqasim tad-dokumenti ghall-votazzjoni."

(d) fis-subartikolu (7) tieghu, minflok il-kliem "il-karta ta' l-identita'" ghandhom jidhlu il-kliem "il-karta ta' l-identita' valida".

19. L-artikolu 47 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu 47 ta' l-Att principali.

(a) l-artikolu 47 ghandu jigi enumerat mill-gdid subartikolu (1) tieghu;

(b) fis-subartikolu (1) tieghu minflok il-kliem "karta ta' l-identita" kull fejn tidher, ghandhom jidhlu l-kliem "karta ta' l-identita' valida"; u

(c) minnufih wara is-subartikolu (1) tieghu ghandu jidhol is-subartikolu gdid li gej:

"(2) F'kull kaz meta ikun mehtieg li dokument ghall-votazzjoni jkun stampat ghal darba ohra, id-dokument gdid ghall-votazzjoni ghandu jkollu l-kelma "Reprint" stampata fuqu."

20. L-artikolu 50 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
50 ta' l-Att principali.

(a) minflok is-subartikolu (2) tieghu ghandu jidhol is-subartikolu gdid li gej:

"(2) Il-Kummissjoni ghandha zzomm il-pakketti kollha f'kamra li tigi ssigillata bl-istess mod u flimkien mal-kaxex tal-votazzjoni kif provdut fis-subartikolu (2) ta' l-artikolu 69 ta' dan l-Att. Fil-jum li jigi minnufih qabel il-jum stabbilit ghall-votazzjoni, il-pakketti ghandhom jingarru lejn id-diversi postijiet ta' votazzjoni flimkien mal-kaxxex tal-votazzjoni; b'dan li l-pakketti ghall-votazzjoni f'Ghawdex ghandhom jingarru mal-kaxex tal-votazzjoni ghal Ghawdex kif provdut fis-subartikolu (2) ta' l-artikolu 69 ta' dan l-Att.

Il-partitit politici ghandhom jinghataw l-istess facilitajiet biex jivverifikaw il-pakketti u jakkumpanjawhom lejn il-postijiet tal-votazzjoni flimkien ma u bhal ma ghandhom ghal kaxex tal-votazzjoni kif provdut fit-tieni u t-tielet paragrafu tas-subartikolu (2) ta' l-artikolu 69 ta' dan l-Att."

(b) is-subartikolu (3) tieghu ghandu jigi enumerat mill-gdid bhala subartikolu (4) tieghu; u

(c) minnufih wara s-subartikolu (2) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(3) Wara l-garr taghhom lejn il-postijiet tal-votazzjoni il-pakketti ghandhom jiqiegħdu kollha f'kamra li tigi ssigillata bl-istess mod u flimkien mal-kaxex tal-votazzjoni ssigillati kif provdut fis-subartikolu (3) ta' l-artikolu 69 ta' dan l-Att, u jigu kunsinnati lill-Assistenti Kummissionarji fil-jum stabbilit ghall-votazzjoni meta tinfetah il-kamra biex itqasmu l-kaxex tal-votazzjoni fid-diversi

kmamar tal-votazzjoni.

Il-partiti-politici ghandhom jinghataw l-istess facilitajiet biex jivverifikaw il-pakketti u l-kunsinna taghhom lill-Assistenti Kummissjonarji flimkien ma u bhal ma ghandhom ghal kaxex tal-votazzjoni kif provdut fit-tieni paragrafu tas-subartikolu (3) ta' l-artikolu 69 ta' dan l-Att."

**20A.** Is-subartikolu (5) ta' l-artikolu 51 ta' l-Att principali ghandu jigi kancellat u sostitwit b'dan is-subartikolu gdid li gej:

Emenda ta' l-artikolu 51 ta' l-Att principali.

"(5) Il-Kummissjoni ghandha tiddeciedi dwar il-validita' ta' kull oppozizzjoni fi zmien jumejn minn meta ssir, u ghandha tgharraf lill-kandidat li ghan-nomina tieghu tirreferi l-oppozizzjoni jew lir-rapprezentant legittimu tieghu, kif ukoll lill-persuna li tkun ghamlet l-oppozizzjoni, dwar id-decizjoni taghha u, jekk l-oppozizzjoni tigi milqgha, bir-raguni tad-decizjoni taghha. Id-decizjoni tal-Kummissjoni, meta l-oppozizzjoni ma tigix milqgha, hija finali, izda meta l-oppozizzjoni tigi milqgha, jista' jsir appella minnha lill-Qorti ta' l-Appell b'rikors fi zmien jumejn mid-decizjoni. Il-Qorti ta' l-Appell ghandha tappunta r-rikors ghas-smiegh mhux aktar tard minn erba' u ghoxrin siegha wara u taghti d-decizjoni taghha fi zmien jumejn mis-smiegh, u f'kull kaz mhux aktar tard minn ghaxart ijiem qabel il-jum stabbilit ghall-elezzjoni.

**20B.** Fis-subartikolu (1) ta' l-artikolu 56 ta' l-Att principali, minnufih wara l-kliem "bil-mod stabbilit f'dan l-Att." Ghandhom jidhlu l-kliem "L-assistenti Kummissjonarji ghandhom ikunu mahtura minn fost l-eletturi li isimhom jidher fl-ahhar Regjistru Elettorali, u ghandhom ikunu kwalifikati biex jaqdu d-dmirijiet taghhom skond il-ligi elettorali.

Emenda ta' l-artikolu 56 ta' l-Att principali.

**21.** Fis-subartikolu (1) ta' l-artikolu 57 ta' l-Att principali minnufih wara il-paragrafu li jispicca bil-kliem "minn fost dawk il-pesuni." ghandhom jidhlu iz-zewg paragrafi godda li gejjin:

Emenda ta' l-artikolu 57 ta' l-Att principali.

"In-nomini ghandhom isiru bil-miktub jew f'forma elettromanjetika u ghandhom jindikaw il-partikularitajiet kollha mehtiega fl-applikazzjoni ghall-Assistenti Kummissarji.

In-nomini jistghu isiru f'zewg listi wahda li tindika l-Assistenti Kummissjonarji li minn fosthom ghandha ssir l-ewwel ghazla, u wahda li tindika l-Assistenti Kummissjonarji rizerva. Il-partiti politici jistghu ukoll jindikaw dawk l-Assistenti Kummissjonarji li ghandhom jigu assenjati mal-postijiet tal-votazzjoni fid-djar ta' l-anzjani."

22. L-artikolu 59 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
59 ta' l-Att principali.

(a) fis-subartikolu (1) tieghu minflok il-kliem "jumejn" ghandhom jidhlu l-kliem "erbat ijiem"; u

(b) fis-subartikolu (7) tieghu minflok il-kliem "tkun il-Kummissjoni wahedha li jkollha l-jedd tissostitwixxi lill-Assistenti Kummissjonarji sakemm dan isir" ghandhom jidhlu il-kliem "il-Kummissjoni ma jkollhiex jedd tissostitwixxi lill-Assistenti Kummissjonarji hliif bil-kunsens tal-partiti politici u".

23. L-artikolu 60 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
60 ta' l-Att principali.

(a) fil-margini tieghu il-kliem "Hatra ta' Agenti Elettorali" ghandu jidhol il-kliem "Hatra ta' Agenti tal-Kandidati"; u

(b) minflok il-kliem "agent elettorali kull fejn jidher f'dan l-artikolu ghandhom jidhlu l-kliem "agent tal-kandidat".

24. Minnufih wara l-artikolu 60 ta' l-Att principali ghandu jizjed dan l-artikolu gdid li gej:-

Zieda ta' l-artikoli  
godda 60A ma l-Att  
principali.

"Hatra ta' Agenti  
Elettorali.

60A. (1) Kull partit politiku jkollu jedd jinnomina bhala agent elettorali dak in-numru ta' persuni li jkun daqs in-numru ta' kandidati li jikkontestaw ma dak il-partit; fejn kandidat jikkontesta ghal izjed minn distrett elettorali wiehed, dak il-partit ikoilu dritt ghal agent elettorali ghal kull distrett elettorali kkontestat.

(2) Kandidati li jikkontestaw bhala indipendenti jkollhom dritt jinnominaw agent elettorali.

(3) L-hatra ta' l-agenti elettorali tista' tigi mhassra, u fil-kaz li tigi hekk mhassra jew f'kaz ta' mewt ta' l-agent elettorali, sew jekk it-thassir jew il-mewt jigrum qabel matul jew wara l-elezzjoni, ghandu minnufih jigi mahtur agent elettorali iehor. u l-isem u l-indirezz tieghu ghandhom jigu iddikjaratu bil-miktub lill-Kummissjonarji, li ghandhom minnufih jipubblikaw dak l-isem u indirizz.

25. L-artikolu 61 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
61 ta' l-Att principali.

(a) is-subartikolu (2) u (3) tieghu ghandhom jigu rispettivament enumerati mill-gdid bhala subartikoli (3) u (4);

(b) minnufih wara is-subartikolu (1) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(2) Il-partiti politici jistghu jinnominaw lill-Assistenti Kummissjonarji jew Assistenti Kummissjonarji riserva nominati minnhom jew uhud minnhom biex bhala Agenti ta' Partit ukoll.";

(c) minnufih wara s-subartikolu (4) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"Hatra ta' Agenti  
distrettwali tal-Partiti.

(5) Il-partiti politici jistghu jinnominaw ukoll agent distrettwali tal-partit ghal kuil distrett elettorali, li ma jkunx ukoll Assistent Kummissjonarju jew Assistent Kummissjonarju riserva. L-agent distrettwali tal-partit ikollu l-jedd li flimkien ma membru tal-Kummissjoni, jidhol f'post tal-votazzjoni sabiex jigu solvuti kwistjonijiet jew problemi li jistghu jinjalghu f'jum il-votazzjoni."

26. L-artikolu 63 ta' l-Att principali ghandu jigi emendat kif gej:- (a) minflok is-subartikolu (1) tieghu ghandu jidhol is-subartikolu gdid li gej:

Emenda ta' l-artikolu  
63 ta' l-Att principali.

"(1) Il-Kummissjonarji ghandhom mhux iktar ard minn sebat ijiem qabel ma tibda l-votazzjoni jaghtu lill-agenti tal-kandidati, agenti elettorali, u agenti tal-partit u lil kull persuna nominata mill-Kummissjoni li tkun taqdi dmirijiet waqt il-process elettorali, dokument ta' l-identita' li ma jistax jitbagħbas li jkun fih ir-ritratt ta' l-agent imbullat bis-sigill tal-Kummissjoni u li jkun juri l-isem, l-indirizz u n-numru tal-karta ta' l-identita' ta' l-agent u minn minn ikun gie nominat. Id-dokumenti ta' l-identita' ghandhom juru numru progressiv skond kif mahruġin, ikunu ta' kulur differenti sabiex l-agenti tal-kandidati, elettorali u ta' partit u il-persuni nominati mill-Kummissjoni jintgharfu facilmont, u jintlibsu b'mod li jidher sew mill-agent partikulari jew persuna ohra nkarigata, fit-twettiq ta' dmirijietu. Id-dokument ta' l-identita' ta' persuni li jirraprezentaw partiti politici differenti ghandhom ikunu ta' kuluri differenti b'mod li jkunu distinti minn xulxin."; u

(b) fis-subartikolu (2) tieghu minflok il-kliem "agent elettorali u

ta' partit" għandu jidhol il-kliem "agent tal-kandidat, elettorali u ta' partit", u minflok il-kliem "agent elettorali jew ta' partit" għandu jidhol il-kliem "agent tal-kandidat, elettorali jew ta' partit".

27. Fil-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 64 ta' l-Att principali minflok il-kliem "kopji ta' dawk il-listi minghajr ritratti" għandu jidhol il-kliem "kopji identici ta' dawk il-listi"

Emenda ta' l-artikolu 64 ta' l-Att principali.

28. Fl-artikolu 68 ta' l-Att principali minflok il-kelma "issigillati" għandhom jidhlu l-kliem "ta' materjal trasparenti."

Emenda ta' l-artikolu 68 ta' l-Att principali.

29. L-artikolu 69 ta' l-Att principali għandu jigi emendat kif gej:-

Emenda ta' l-artikolu 69 ta' l-Att principali.

(a) minflok is-subartikolu (1) tiegħu għandu jidhol is-subartikolu gdid li gej:

"(1) Il-Kummissjoni għandha tavza lill-pariti bin-numru totali ta' kaxex tal-votazzjoni disponibbli, in-numru ta' kaxex li jkun se jintuza għall-votazzjoni u l-lok fejn il-kaxex tal-votazzjoni zejda jkunu se jinzammut."

(b) fis-subartikolu (2) tiegħu minflok il-kliem "Wara li l-kaxex tal-voti jkunu gew sigillati bil-mod imsemmi qabel huma", għandhom jidhlu l-kliem "Il-Kaxex tal-votazzjoni";

(c) minflok is-subartikolu (4) tiegħu għandu jidhol is-subartikolu gdid li gej:

"(4) Minnufih qabel tibda l-votazzjoni kull imkien miftuh fil-kaxex tal-votazzjoni għandu jigi sigillat mill-Assistent Kummissjonarju nominat mill-Kummissjoni u mill-agenti tal-partiti wara li jigi accertat li l-kaxex tal-votazzjoni jkunu vojta." u

(d) fis-subartikolu (5) minflok il-kliem "Hlief fil-kaz imsemmi fis-subartikolu ta' qabel. is-sigilli" għandhom jidhlu l-kliem "Is-sigilli".

30. L-artikolu 70 ta' l-Att principali għandu jigi emendat kif gej:-

Emenda ta' l-artikolu 70 ta' l-Att principali.

(a) fis-subartikolu (1) tiegħu minflok il-kliem "dak id-dokument lill-Assistent Kummissjonarju" għandu jidhol il-kliem "dak id-dokument u l-karta ta' l-identita' lill-Assistent Kummissjonarju";

(b) fis-subartikolu (2) tiegħu minflok il-kliem "id-dokument għall-votazzjoni lill-Assistenti Kummissjonarji." għandu jidhol il-kliem "id-dokument għall-votazzjoni u karta ta' l-identita' valida lill-Assistenti

Kummissjonarji."; u

(c) fis-subartikolu (4) tieghu minflok il-kliem "tad-dokument ghall-votazzjoni, wara" ghandhom jidhlu l-kliem "tad-dokument ghall-votazzjoni u l-karta ta' l-identita', wara".

31. L-artikolu 71 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
71 ta' l-Att principali.

(a) fil-paragrafu (a) tas-subartikolu (2) tieghu minflok il-kelma "quddiem" ghandha tidhol il-kelma "hdejn";

(b) fil-paragrafu (b) tas-subartikolu (2) tieghu minflok il-kelma "quddiem" ghandha tidhol il-kelma "hdejn";

(c) fil-paragrafu (b) tas-subartikolu (3) tieghu minflok il-kelma "quddiem" ghandha tidhol il-kelma "hdejn";

(d) fil-paragrafu (c) tas-subartikolu (3) tieghu minflok il-kelma "quddiem" ghandha tidhol il-kelma "hdejn";

(e) fis-subartikolu (4) tieghu minflok il-kliem "u ghandu mbaghad jitfa' l-polza tal-votazzjoni fil-kaxxa tal-voti quddiem l-Assistenti Kummissjonarji." ghandhom jidhlu l-kliem " u b'mod li jibqa' jidher it-timbru ufficcjali, u ghandu mbaghad juri it-timbru ufficcjali fuq il-polza tal-votazzjoni tieghu mitwija lill-Assistenti Kummissjonarji, u jitfa' l-polza tal-votazzjoni fil-kaxxa tal-voti quddiem l-Assistenti Kummissjonarji."; u

(f) minnufih wara s-subartikolu (4) ghandu jidhol dan is-subartikolu gdid li gej:

"(5) L-Assistenti Kummissjonarji ghandhom id-dover li jassiguraw li kull elettur jixhet biss il-polza tal-votazzjoni fil-kaxxa tal-voti u ghal dan il-ghan ghandhom jivverifikaw it-timbru ufficcjali fuq il-polza tal-votazzjoni qabel din tinxtehet fil-kaxxa tal-voti."

32. Fl-artikolu 72 ta' l-Att principali minflok il-kliem "b'gurament id-dikjarazzjoni tieghu" ghandhom jidhlu l-kliem "id-dikjarazzjoni tieghu b'gurament skond il-formula murija fil-Imistax il-skeda li tinsab ma' dan l-Att."

Emenda ta' l-artikolu  
72 ta' l-Att principali.

33. L-artikolu 78 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu  
78 ta' l-Att principali.

(a) is-subartikolu (1) tieghu ghandu jigi kancellat u minflok jidhol dan is-subartikolu gdid li gej:

"(1) Wara li jghaddi z-zmien stabbilit għall-votazzjoni, l-Assistenti Kummissjonarji għandhom jissigillaw il-fetħa li jkun hemm fil-kaxxa tal-votazzjoni u jissigillaw il-poloż mhux uzati, id-dokumenti u l-materjal kollu konsinnat lilhom mill-Kummissjoni u d-dokumenti għall-votazzjoni konsenjati lilhom, f'pakketti trasparenti bil-mod kif gejj:

(a) F'pakkett immarkat "A" id-dokumenti għall-votazzjoni kollha kkonsegnjati lilhom mill-eletturi li vvutaw;

(b) F'pakkett immarkat "B" il-poloż tal-votazzjoni kollha mhux uzata jew imhassra;

(c) F'pakkett immarkat "C" il-materjal l-iehor kollu imqassam lilhom mill-Kummissjoni għall-qadi ta' dmirijiethom.";

(b) fis-subartikolu (3) minnufih wara l-kliem "jagħtu lura lill-Kummissjoni" jidied "u in-numru ta' persuni li għamlu uzu mid-dikjarazzjoni u/jew gwarant imsemmija fl-artikoli 70(5) u 72(4);" u

(c) is-subartikolu (6) ta' l-artikolu 78 is-sub-paragrafu (iii) tal-paragrafu (c) għandu jigi kancellat u minflok jidhol is-sub-paragrafu gdid li gejj:

"(iii) hadd ma jista' jiehu notamenti ta' kull xorta tal-persuni li ma marrux jivvotaw."

34. Minnufih wara s-subartikolu (3) ta' l-artikolu 81 ta' l-Att prinċipali għandu jidhol dan is-subartikolu gdid li gejj:

Emenda ta' l-artikolu 81 ta' l-Att prinċipali.

"(4) Il-membri kollha tas-sotto-kumitat fil-qadi ta' dmirijiethom fil-jum tal-votazzjoni ikollhom il-jedd li jidhlu fil-kmamar tal-votazzjoni sabiex jassiguraw li d-dispożizzjonijiet kollha rilevanti tal-ligi jkunu qegħdin jigu osservati."

35. Minnufih wara s-subartikolu (4) ta' l-artikolu 82 ta' l-Att prinċipali għandu jidhol dan is-subartikolu gdid li gejj:

Emenda ta' l-artikolu 82 ta' l-Att prinċipali.

"(5) L-ebda tibdil ta' personnel ma għandu jsir fi djar ta' l-anzjani mid-data tal-*Writ* sakemm tispecca l-votazzjoni."

36. L-artikolu 83 ta' l-Att prinċipali għandu jigi emendat kif gejj:-

Emenda ta' l-artikolu 83 ta' l-Att prinċipali.

(a) fis-subartikolu (1) tregnu minflok il-kliem "lill-amministratur

tad-dar" ghandu jidhol il-kliem "*lic-chairperson* tas-sotto-kumitat ghal djar ta' l-anzjani";

(b) fis-subartikolu (2) tieghu wara l-kliem "ta' kull elettur." ghandu jizdied il-kliem "Din l-ghazla trid issir sa mhux aktar tard minn sebat ijiem qabel jum il-votazzjoni permezz ta' dikjarazzjoni li ssir quddiem il-membri tas-sotto-kumitat ghal djar ta' l-anzjani. Din l-ghazla ghandha tigi komunikata immedjatament lid-delegati tal-partiti."; u

(c) fis-subartikolu (5) tieghu wara l-kliem "fi djar ta' l-anzjani." ghandhom jidhlu l-kliem "Il-membri tal-personnel u l-graba ta' pazjenti li jkunu gew awtorizzati jakkumpanjaw lill-eletturi ghandhom jidentifikaw irwieghom permezz ta' karta ta' l-identita' apposta mahruga mill-Kummissjoni."

37. Fis-subartikolu (9) ta' l-artikolu 86 il-kliem "u qabel ma jibda l-process tal-ghadd" ghandu jigi mhasrar.

Emenda ta' l-artikolu 86 ta' l-Att principali.

37A. . Fis-subartikolu (1) ta' l-artikolu 87 ta' l-Att principali, minnuh wara l-kliem "taht is-supervizjoni diretta tal-Kummissjoni." ghandhom jidhlu l-kliem "Dawn il-persuni ghandhom ikunu mahtura minn fost l-eletturi li isimhom jidher fl-ahhar Registru Elettorali, u ghandhom ikunu kwalifikati biex jaqdu d-dmirijiet taghom skond il-ligi elettorali.

Emenda ta' l-artikolu 87 ta' l-Att principali.

38. Fis-subartikolu (2) ta' l-artikolu 89 ta' l-Att principali, wara il-kliem "jissejnu "agenti ghall-ghadd"." ghandu jidhol dan il-paragrafu gdid li gej:

Emenda ta' l-artikolu 89 ta' l-Att principali.

"Kull partit politiku jkollu jedd jinnomina wkoll numru ta' personel amministrattiv, klerikali u messaggiera kif jigi stabbilit mill-Kummissjoni bi ftehim mal-partiti."; u

minflok il-kliem "Il-lista ta' dawk l-agenti" kull fejn dawn jidhru ghandhom jidhlu l-kliem "Il-lista ta' dawk l-agenti u personel lehor nominat skond dan l-artikolu".

39. L-artikolu 90 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu 90 ta' l-Att principali.

(a) fil-paragrafu (c) tieghu minnuh wara l-kliem "ghadd ta' kmamar kif jista'" ghandha tidhol il-kelma "jkun", u minflok il-kliem "personel tax-xandir *bona fide* u korrispondenti tal-gurnali li jkunu qabel gew akkreditati mill-Kummissjoni" ghandhom jidhlu l-kliem "personel tax-xandir u korrispondenti tal-gurnali *bona fide* li jkunu qabel gew akkreditati mill-Kummissjoni" il-Kummissjoni ghandha l-

jedd u d-dover li tassigura li l-personnel tax-xandir u l-korrispondenti tal-gurnali akkreditati minnha jaqdu biss il-funzjoni professjonali taghhom u fin-nuqqas il-Kummissjoni tikkancella l-akkreditazzjoni lill-min jonqos. Il-Kummissjoni ghandha mhux aktar tard minn hamest ijiem qabel jum il-votazzjoni, taghti lista dettaljata tal-personnel kollu li jkun gie akkreditat minnha sabiex iwettaq xi funzjoni fil-jiem tal-ghadd tal-voti fl-imkien fejn isir l-ghadd tal-voti.";

(b) fil-paragrafu (d) tieghu minnufih wara l-kliem "tas-sala tal-ghadd tal-voti" ghandhom jizdiedu l-kliem "u d-delegati tal-partiti u s-sostituti taghhom ikollhom jedd ta' dhul f'dik iz-zona f'kull waqt";

(c) fit-test multi fil-paragrafu (f) tieghu minflok il-kliem "b'dan gew nominati minn dawk id-delegati" ghandhom jidhlu l-kliem "b'dan li d-delegati tal-partiti u sitt sostituti taghhom li jkunu gew nominati minn dawk id-delegati";

(d) Il-paragrafu (h) tieghu ghandu jigi kancellat;

(e) il-paragrafi (i), (j), (k), (l) u (m) tieghu ghandhom jigu rispettivament ri-enumerati (h), (i), (j), (k) u (l);

39A. Fi-artikolu 97 ta' l-Att principali, minflok il-kliem "Il-kaxex tal-votazzjoni ghandhom jinfethu wahda wahda ghal kull distrett u qabel" ghandhom jidhlu l-kliem "Il-Kaxex tal-votazzjoni ghandhom jinfethu b'mod li kull kaxxa tkun separata minn ohra u li ma jkun hemm possibilita' li l-voti ta' kaxxa jithaltu ma dawk ta' kaxxa ohra. Qabel".

Emenda ta' l-artikolu 97 ta' l-Att principali.

40. L-artikolu 105 ta' l-Att principali ghandu jigi emendat kif gej:-

Emenda ta' l-artikolu 105 ta' l-Att principali.

(a) fis-subartikolu (1) tieghu minflok il-kliem "l-Prim Ministru jista' jaghmel" ghandu jidhol il-kliem "il-Kummissjoni tista' taghmel"; u

(b) minflok is-subartikolu (3) tieghu ghandu jidhol dan is-subartikolu gdid li gej:

"(3) Il-Kummissjoni ghandha tipublika r-Regolamenti maghmulin skond is-subartikolu (1) ta' dan l-artikolu fil-Gazzetta, u dawn ir-Regolamenti ma ghandhomx jidhlu fis-sehh sakemm u sakemm ma jigux hekk pubblikati."

41. Fis-subartikolu (1) ta' l-artikolu 112 ta' l-Att principali fil-paragrafu (h) tieghu minflok il-kliem "ghall-elezzjoni" ghandhom jidhlu l-kliem "ghall-elezzjoni jew" u

Emenda ta' l-artikolu 112 ta' l-Att principali.

minnufih wara l-paragrafu (h) ghandhom jidhlu dawn il-paragrafi godda

li gejjin:

"(i) jivvota f'distrett li ma jkunx registrat fih; jew

(j) jaccetta li jircievi dokument għall-votazzjoni ta' persuna oħra meta jkun jaf li dik il-persuna tkun tilfet id-dritt li tivvota; jew

(k) jaccetta li jircievi d-dokument għall-votazzjoni meta jkun jaf li jkun tilef id-dritt li jivvota; jew

(l) jivvota meta jkun jaf li jkun tilef id-dritt li jivvota,".

42. Minflok it-tmien skeda ta' l-Att prinċipali għandha tidhol l-iskeda gdida li gejja:

Emenda ta' t-Tmien  
Skeda ta' l-Att  
prinċipali.

### Għanijiet u Ragunijiet

L-għan ta' dan l-Abbozz huwa sabiex jemenda l-Att ta' l-1991 dwar l-Elezzjonijiet Generali biex il-process elettorali jkun aktar trasparenti u biex jipprova għal kontrolli akbar u tishih kontra kull Prattika abbużiva.

Il Hames Distrett Elettorali

	B'Bugia	Ghaxaq	Gudja	Kirkop	Mqabba	Qrendi	Safi	Zurrieq	Total
Total - Marzu '94									
Immigranti									
Registrazzjonijiet Godda									
Ohrain									
Trasferimenti									
Total - Zieda									
Mewt									
Emigranti									
Mard Mentali									
Habs									
Ohrain									
Trasferimenti									
Total - Tnaqqis									
Total - Settembru '94									














Saffi Qrendi Safi

(Artikolu 49)

IT-TMIEN SKEDA

Formula tal-Polza

(A)

Numru ta' Membri li ghandhom jigu eletti ..... Distrett .....		
Badgja tal-Kandidat	Issem tal-Kandidat	Immarka sekond li-preferenzi li taghti
	<b>PARTIT TAL-FJURI</b>	
	JONES, (John Jones, of 52 Old Bakery Street, Valletta, Merchant)	
	MAGRO, (William David Magro, of 10 Tower Road, Sliema, Painter)	
	MIFSUD, (Joseph Mifsud, of 16 Victoria Avenue, Sliema, Labourer)	
	MUSCAT, (Francesco Muscat of 1 St. Paul's Str. Zabbar, Driver)	
	VELLA, (James Vella, of 5 Republic Street, St. Julians, Architect)	
	WILLIAMS, (Francis Williams of 85 Genuis Street, Zurrieq, Chemist)	
	<b>PARTIT TAL-GHASFUR</b>	
	AZZOPARDI, (Spiro Azzopardi, of 13 Marina Street, Zejtun, Printer)	
	BORG, (Assuero Borg, of 69 Barbara Street, Mellieha, Clerk)	
	CASSAR, (Lela Cassar, of "Dolores", Main Street, Cospicua, Housewife)	
	MIZZI, (Gormu Mizzi, of 70 Two Gates Str. Lija, Lawyer)	
	ZARB, (Fortunat Zarb, of 15 Strait Street, Luqa, Clerk)	
	<b>PARTIT TAS-SIGAR</b>	
	AZZOPARDI, (Reginald Azzopardi, of 165 St. Domenic Str., Oormi, Clerk)	
	ZAMMIT, (Lawrence Zammit of "Josdor", 188 Bwieraq Str. Hamrun, Chemist)	
	<b>KANDIDATI INDIPENDENTI</b>	
	BUHAGIAR, (Louis Buhagiar, of 55 Republic Street, Zabbar, Merchant)	
	GALEA, (Ninu Galea, of 37 B'Kara Lane, Qrendi, Worker)	

Artikoli (2) Skeda Hmilitax

# ELEZZJONIJIET GENERALI 1992

## FORMOLA TAL-GURAMENT LI ASSISTENT KUMMISSJONARJU GRANDU JAGHTI LIL ELETTUR

Jiena (1) ..... Nru. ta' I.D. ....

li noqghod (2) .....

nahlef/aiddik/jara sollemnemant illi jiena qiegħed nitlob l-ghajnuna ta' l-Assistenti Kummissjonarji Elettorali sabiex inkun nista' nilvota peress li ma nistax nimmarka l-poiza tal-votazzjoni. (U hekk Alla jghini.)

Date ..... Firma jew marka ta' l-Elettur .....

Mahluf quddlemi illum .....

.....  
Firma ta' l-Assistent Kummissjonarju Elettorali

(1) Isem snih  
(2) Indirizz ta' l-Elettur

DRAFT BILL

CALLED

AN Act to Amend the General Elections Act, 1991

The President, acting on the advice and with the consent of the House of Representatives, duly convened in this parliament, and with the authority of same, ordained as law the following:-

1. This Act may be cited as the 1995 Act Amending the General Short Title Elections Act, 1991; the said 1991 Act being hereunder referred to as 'The Principal Act'

2. Section 3 of the Principal Act is to be deleted and be substituted by the following new section. Substitution of section 3 of the Principal Act

"Power to make regulations"

3.(1) The Commission has the power to make regulations which are not in contravention of, or inconsistent with, the dispositions of this Act, and this in order to establish the forms and/or the procedures, which are not expressly catered for in this Act, and in general, other regulations in connection with the execution of the dispositions of this Act.

(2) The Commission has the power to amend and/or revoke, by means of other regulations, any regulations made by it in virtue of subsection (1) above.

(3) The regulations so made by the Commission are to be published in the Government Gazette and are to come into force on being so published.

4) The Commission is to send a copy of all regulations so made by it to the Speaker of the House of Representatives forthwith, who is bound to bring same to the House of Representatives in the next following sitting.

3 Section 6 of the Principal Act is to be amended as follows: Amendment of  
Section 6 of the  
Principal Act

(a) In subsection (1) thereof the words 'to any Police officer in any Police Station in Malta or Gozo' are to be substituted by 'to a local Councillor or to an official of the local council of the place where the applicant resides';

(b) In subsection (2) thereof the words 'Every Police officer' are to be substituted by 'Every local Councillor, or official of the Local Council';

(c) In subsection (3) thereof the words 'give or forward to' are to be substituted by 'to send by way of registered post to'; and

(d) In subsection (4) thereof the words 'through the post and shall be deemed to have been received by the person to whom it was addressed on the day on which a letter regularly posted would in the normal course of postage have been received' are to be substituted by 'registered post and shall be deemed to have been received by the person to whom it was addressed, on being so consigned in the normal course of registered post.'

3B Immediately after subsection (2) of Section 7 of the Principal Act, the following subsections are to be added:

"(3) The Commission is to be a corporate body with a distinct legal personality with the capability, saving always the dispositions of this Act, to enter into contracts, to acquire, own, hold and dispose of property required by it in connection with its functions, to sue and to be sued in its own name, and in general to carry out all those acts and transactions, and to enter into all those agreements and obligations which may be incidental to or conducive of the carrying out and the fulfillment of its functions. Amendment of  
section 7 of the  
Principal Act.

(4) The legal representation of the Commission is to be vested in the Chief Electoral Commissioner, or in that member or other members of the said Commission, which the Commission may so nominate by a resolution"

4.

Section 10 of the Principal Act is to be amended as follows:

Amendment of  
Section 10 of  
the Principal  
Act.

(a) in subsection (2) thereof, immediately after the words "of all sittings of the Commission and decisions taken thereat", there are to be added the following "and shall be given a report every month of the decisions taken by the Commission during its meetings"

(b) In subsection (6) thereof the words "The information, documents or lists shall be given to the party delegates orally or in written or in printed form, that shall not require any device or electronic or magnetic or similar process to be read, and in no other form," shall be substituted by :- "The Party Delegates will have the right to demand that such information, documents or lists be given to them orally, or in written or printed form, or by electro magnetic means"

5. In Section 11 of the Principal Act, immediately after subsection (2) thereof, there is to be added the following

Amendment of section 11 of the Principal Act.

"(3) The informatics systems required by the Electoral Office in the carrying out of all its duties, for the running of Elections and in general for the carrying out of all the functions of the Commission, is likewise to be carried out by employees in the public service under the direct and exclusive responsibility of the Commission.

(4) The Commission is to ensure that there is full observance of procedures of control and security, especially with regards to access of terminals, the introduction use and processing of information and in the printing of documents of identification. The Commission is also to ensure that the Electoral Register database includes only the details of those persons eligible to vote. The parties are further to have the right, prior to the carrying out of any electro magnetic process during the electoral process, to demand the holding of a "dummy run" in order to ascertain the validity of the said electro-magnetic process.

(5) (i) The Electoral Office is to be supplied with the appropriate number of persons which the Commission deems to be necessary in order that it may properly carry out its functions under this Act and in order to have effective control over the whole of the electoral process

(ii) The persons working at the Electoral Office are to be nominated from the public service, equally between the Prime Minister and the Leader of the Opposition.

(iii) The Commission is to ensure that all work of a sensitive nature is carried out by a person nominated by the Prime Minister and by another person nominated by the Leader of The Opposition

(iv) Any person working in the Electoral Office cannot be transferred therefrom, unless

(a) by a decision of the Commission; or

(b) upon that person's own request; or

(c) on being granted a promotion in the public service."

-6. Section 13 of the Principal Act is to be amended as follows:-

Amendment of  
Section 13 of  
the Principal  
Act.

(a) In subsection (2) thereof, the words "in any police station" are to be substituted by: "at Court, or in the offices of the Local Councils"

(b) In subsection (5) thereof the words "provided that service may be effected by any police officer" are to be deleted.

(c) In subsection (6) thereof immediately after the words "Police Stations" there are to be added "and in the offices of the Local Councils", whilst at the very end of the said subsection (6) there are also to be added the words:- "The list of persons in respect of whom the Revising Officer has ordered the carrying out of the procedure of "affissjoni" is to be published at least twice in not less than two daily newspapers".

(d) The present subsection (9) is to be re-numbered as being subsection (10) thereof

(e) Immediately after the presently existing subsection (8) thereof, there is to be added the following new subsection.

"(9) "In giving decisions the Revising Officer is to state the reasons on the basis of which he has arrived at such decisions."

7. In subsection (2) of section 16 of the Principal Act, the words " as a voter " are to be substituted by: "as a voter, and on so doing, such person will be guilty of an offence against the provisions of this Act, and will be subject on being convicted guilty, to the penalties laid down for offences under section 112 of this Act"

Amendment of  
Section 16 of  
the Principal  
Act.

3. In Article 19 of the Principal Act, immediately following subsection (2) thereof, the following new subsection is to be added-

Amendment of  
the Section 19  
of the Principal  
Act.

"(3) The Commission is bound to set up and maintain a Verifications Section of the Electoral Register, which section is to make all the necessary verifications with the various Government Departments, Public Corporations and other bodies which are under Governmental control, as regards to the qualification of voters, as well as being bound to collect all the necessary information regards registered voters"

9. Section 20 of the Principal Act is to be duly amended as follows: Amendment of  
Section 20 of  
the Principal  
Act.

(a) in subsection (1) thereof, immediately after the words "in the service of the Government of Malta" there are to be added "and all the officers of Public Corporations, and of the Companies and bodies under Government control"

(b) The presently obtaining subsection (3) thereof is to be substituted by the following:-

"(3) During the first five days of every month the Electoral Commission is to receive:-

(i) From the Officer responsible for Posts, a list of those persons who have changed their address during the preceding month:

(ii) From the Officer(s) responsible for the Citizenships Office, a list of those persons who have acquired Maltese citizenship, and a list of those persons who have either renounced or otherwise lost Maltese citizenship during the preceding month:

(iii) From the Office responsible for the Public Registries of Malta and Gozo, a list of those persons who have completed the age of eighteen during the preceding month, a list of those persons who married during the preceding month, and a list of those persons whose death were registered in the preceding month. All such lists are to include the name, surname, identity card number (and Public Registry Number where applicable) and all the other details /particulars, of all those persons contained therein.

(c) The present subsection (4) is to be substituted by the following:

"(4) The Registrar of Superior Courts in Malta and the Registrar of the Courts of Gozo shall, each with regard to the Courts to which he is attached, within the first five days of every month, forward to the Commission a list containing the name, surname, identity card number, if any, the Public Registry number and other particulars of every person who has interdicted or incapacitated for reasons of mental capacity by a Competent Court, as well as a list containing the name, surname, identity number and other particulars of every person who has been convicted by a prison sentence exceeding twelve months": and

(d) Immediately after the new subsection (4) the following new subsection is to be added:

"(5) The Commission is bound to give the Party Delegates a copy of all the lists provided for in this section

Amendment of  
Section 26 of  
the Principal  
Act.

10. Section 26 of the Principal Act is to be duly amended as follows:-

(a) in subsection (3) thereof, the words "by any other person" are to be substituted by:-

"by any person"; and

(b) immediately after subsection (3) thereof the following new subsection is to be added :-

"(4) Whenever the Commission deletes the registration of a voter, said voter is to be informed of such deletion forthwith"

11. Article 28 of the Principal Act is to be amended as follows:-

Amendment of  
Section 28 of  
the Principal  
Act.

(a) immediately after the words "indicating the name", there are to be added the words "and the identity card number"; and

(b) immediately after the words: "for effecting any change" there are to be added: "Such information is to be given in electro-magnetic means. Moreover, the Commission is also to give together with such information, all information regarding changes in street names, as well as regarding the names of new streets"

12. Article 29 of the Principal Act is to be amended as follows:

Amendment of  
Section 29 of  
the Principal  
Act.

(a) instead of the words "regarding the entitlement" these are to be substituted by: "and from officers of public corporations and of companies and bodies under government control in order to establish the right", and

(b) immediately after the words "in relation to the party delegates " there are to be added "This information is to be given inclusive of all the necessary appropriate details and is to be given forthwith"

13. Section 31 of the Principal Act is to be amended as follows:

Amendment of  
Section 31 of  
the Principal  
Act.

(a) Subsection (4) thereof is to be re-numbered as subsection(5)

(b) In subsection (3) thereof, immediately after the words "identification of each voter" there are to be added: "Every person whose name appears in the Electoral Register for the first time or which has changed its address or some other detail from the previous Electoral Register, is to be so identified by means of some mark near its name" and

(c) immediately after subsection (3) thereof the following new subsections are to be added:-

"(4) The Electoral Register is to have an Appendix, as outlined in Sixth Schedule "A", showing all the movements of voters which have occurred since the previous Electoral Register.

(5) The Electoral Register is also to contain a map of each and every locality, which includes the street names of each particular locality."

14. Section 35 of the Principal Act is to be amended as follows.

Amendment of  
Section 35 of  
the Principal  
Act.

(a) the present section 35 is to be re-numbered as being subsection (1) thereof; and

(b) immediately after the said subsection (1) thereof (as now re-numbered), there are to be added the following subsections:-

(2) "Every Person:-

(i) which makes use of a voting document when it is aware of not being entitled to vote, or

(ii) which accepts a voting document(s) of another person(s) in the knowledge that such other person(s) has lost the right to vote, will be guilty of an offence against this Act.

(3) Any person who is convicted of an offence in terms of subsection (2) of this Section, will be subject to the penalties stipulated for offences under section 112 of this Act".

15. In subsection (1) of section 40 of the Principal Act, the words "fourteen days" are to be substituted by "Twenty-one days"

Amendment of  
Section 40 of  
the Principal  
Act.

16. Section 41 of the Principal Act is to be amended as follows:-

Amendment of  
Section 41 of  
the Principal  
Act.

(a) immediately after subsection (1) thereof, the following paragraph is to be added:-

"However, if a person against whom an appeal has been lodged, and after having been duly notified of the hearing of such an appeal, in terms of section 26 of this Act, fails to respond to such an appeal or fails to appear for the hearing of such an appeal without giving a valid reason for such failure, then in such case the Revising Officer is to proceed to order the cancellation of the name of such person from the Electoral Register, and this after having duly ensured that the provisions of section 13 of this Act have been abided by."

(b) in subsection (2) thereof, immediately after the words "in section 27 of this Act" there are to be added the words "before ordering the hearing of the appeal"; and

(c) in subsection (4) thereof immediately after the words "be referred", there are to be added the words "by the Chairman of the Board"

17. In section 43 of the Principal Act after the words "revise the Electoral Register accordingly" there are to be added "A copy of such certificate is to be forwarded by the Electoral Commission to the Party Delegates".

Amendment of  
Section 43 of  
the Principal  
Act.

18. Section 46 of the Principal Act is to be amended as follows:-

Amendment of  
Section 46 of  
the Principal  
Act.

(a) In subsection (1) thereof the words:- "made of such material and in such manner as in the opinion of the Commission provides adequate security against forgery" are to be substituted by: "The Commission is to ensure that as much as practically possible the voting documents are printed on security paper, and that these contain all those other features which ensure that they cannot be copied or forged"

(b) Subsection (2) thereof is to be substituted by the following:-

"(2) The Commission is to ensure that no abuse whatsoever is carried out during the printing of voting documents, and the party delegates are to be fully satisfied of same, the Commission being bound to offer them every reasonable facility to observe the printing of each and every voting document and also to verify the correctness of same, and this also through the holding of dummy runs of the process, and also by means of audit trails which establish and confirm the correctness of the system throughout the process. The party delegates are to be given copies of such audit trails, and are to be allowed the facility to verify that only the voting documents of those entitled to vote have been printed; the political parties having also the right to insert a security feature on such voting documents".

(c) The following is to be added to subsection (4) thereof: "The Commission is to give the Party Delegates a list of those persons entitled to receive a voting document, and such a list is to be given at least two days prior to commencement of the distribution of voting documents"

(d) In subsection (7) thereof, the words "his identity card" are to be substituted by: "a valid identity card"

19. Section 47 of the Principal Act is to be amended as follows:-

Amendment of  
Section 47 of  
the Principal  
Act.

(a) The present section 47 is to be re-numbered as being subsection (1) thereof

(b) In subsection (1) thereof the words "his identity card" are to be substituted by: "a valid identity card": and

(c) Immediately after subsection (1) thereof, the following new subsection is to be added:-

"(2) Whenever it is necessary for a voting document to be printed afresh, such a new voting document is to have the word "Reprint printed on its face"

20. Section 50 of the Principal Act is to be amended as follows

Amendment of  
Section 50 of  
the Principal  
Act.

(a) The present subsection (2) thereof is to be replaced by the following:

"(2) The Commission is to keep all the ballot papers packets in a room which is to be sealed in the same manner as outlined in subsection (2) of section 69 hereunder; and this together with the ballot boxes as also provided for in the said subsection (2) of section 69 of this Act. On the day immediately prior to the day of the poll, the said packets together with the ballot boxes, are to be transported to the various polling places; saving however the fact, that the ballot papers packets to be used for the poll in Gozo are to be transported with the ballot boxes to be used in Gozo, as provided for in subsection (2) of section 69 of this Act.

The political parties are to be given the same facilities to verify the said packets and to accompany them during their transportation to the various polling places together with the ballot boxes, as they are offered for the transportation of ballot boxes, as provided for in the second and third paragraphs of subsection (2) of section 69 of this Act".

(b) The present subsection (3) is to be re-numbered as being subsection (4) thereof; and

(c) Immediately after subsection (2), the following new subsection is to be added:-

"(3) After their having been transported to the various polling places the ballot papers packets are to be kept in one room together with the sealed ballot boxes, which room is to be sealed as provided for in subsection (3) of section 69 of this Act, and then these are to be handed over to the Assistant Commissioners on the day of the poll, when the said room is opened in order that the various ballot boxes be distributed to the various polling booths.

The political parties are to be offered the same facilities to verify such packets and to supervise their handing over to the Assistant Commissioners, as they are allowed in respect of the ballot boxes, as provided for in the second paragraph of subsection (3) of section 69 of this Act."

20A Subsection (5) of section 51 of the Principal Act is to be deleted and be substituted by

Amendment of Section 51 of the Principal Act.

"(5) The Commission shall decide on the validity of any objection within two days from when such objection is made, and shall inform the candidate in respect of whose nomination the said objection is made, or his lawful representative, as well as the person who made such an objection of its decision, and in the case where such an objection is upheld, the Commission is also to state the reason for its upholding same. In those cases where an objection is declined, the Commission's decision shall be final, however, where an objection has been upheld, then such a decision may be appealed from by means of an application being filed in the Court of Appeal within two days from such a decision. The Court of Appeal is to appoint the hearing of same within twenty four hours from receiving same and a decision regarding said "application" is to be given within two days from the hearing of same; and in all cases, however, not less than ten days prior to the day of the Poll."

20B. In subsection (1) of section 56 of the Principal Act, immediately after the words "in the manner herein prescribed" there are to be added: "The Assistant Commissioners are to be appointed from amongst the voters whose names appear on the last Electoral Register, and are to be sufficiently qualified in order to properly carry out their duties in terms of the Electoral Law."

Amendment of Section 56 of the Principal Act.

21. At the end of subsection (1) of section 57 of the Principal Act, the following two new paragraphs are to be added:-

Amendment of Section 57 of the Principal Act.

"The said nominations are to be made either written or by electro-magnetic means, and are to contain all those details asked for in the applications published for Assistant Commissioners.

The said nominations may be divided by the parties into two separate lists, one indicating the first preference Assistant Commissioners who are to actually serve as such, and the other indicating those Assistant Commissioners who are to form the reserve list. The political parties are also to be entitled to indicate those Assistant Commissioners which are to be assigned from their lists to serve in the polling booths of retirement homes".

22. Section 59 of the Principal Act is to be amended as follows:-  
(a) the words "two days" in subsection (1) thereof are to be substituted by "four days"; and  
(b) in subsection (7) thereof the words: "the Commission alone shall have the right to substitute Assistant Commissioners" are to be substituted by: "the Commission shall not have the right to substitute Assistant Commissioners, except with the consent of the political parties"

Amendment of Section 59 of the Principal Act.

23. Section 60 of the Principal Act is to be amended as follows:-  
(a) the words "Appointment of Election Agents" in the margin thereof are to be substituted by:-

Amendment of Section 60 of the Principal Act.

"Appointment of Candidates' Agents "; and

(b) the words "election agent" as featuring throughout this section are to be substituted by :- "candidates' agent"

"Appointment of Election Agents"

24. Immediately following section 60 of the Principal Act, the following new section is to be added:-

Addition of Section 60A to the Principal Act.

60A (1) Every political party is entitled to nominate as election agents a number of persons equivalent to the number of candidates contesting in its name; where a candidate contests the election in more than one district, than the party concerned will be entitled to nominate an election agent for each electoral district contested.

(2) Independent candidates are also entitled to nominate an election agent

(3) The appointment of an election agent may be cancelled, and in such case or on the occurrence of the death of the election agent, whether such cancellation or death of the election agent occurs before, during, or after the poll, a new election agent is to be nominated forthwith and the name and address of such new election agent is to be communicated in writing to the Electoral Commission, who is to publish same forthwith"

25. Section 61 of the Principal Act is to be amended as follows: Amendment of Section 61 of the Principal Act.

(a) ~~subsections (2) and (3) thereof are to be respectively re-numbered as subsections (3) and (4)~~

(6) immediately following the present subsection (1), this new subsection is to be added:-

"(2) The political parties are to have the option to appoint the Assistant Commissioners nominated by them, be these first preference or reserve ones, or some of these, to also carry out the duties reserved for Party Agents"

(c) immediately after subsection (4) thereof, the following new subsection is to be added:-

(5) The political parties are also to be entitled to nominate a Party District Agent for each electoral district, such agent not being an Assistant Commissioner or a reserve Assistant Commissioner. The said Party District Agent has the right, together with a member of the Commission, to enter a polling place in order to sort out any difficulties or problems, which may arise during the day of the poll"

"Appointment of Party District Agents"

26. Section 63 of the Principal Act is to be amended as follows: Amendment of  
Section 63 of  
the Principal  
Act.

(a) the present subsection (1) thereof is to be substituted by:-

"(1) The Commissioners shall, not later than seven days before the day of the poll, forward to the candidates' agents, election agents and to the party agents and to every person nominated by the Commission to carry out any function throughout the electoral process, a tamper-proof identity document bearing the photograph of the agent franked with the seal of the Commission and indicating the name, address and identity card number of the agent and by whom he has been nominated. Such identity documents are to bear a progressive number indicating the order in which they have been issued, and are to be differently coloured, so that the candidates' agents, election agents, party agents and those persons nominated by the Commission are each and every one of them, easily distinguishable from each other, and such documents are to be worn in a conspicuous manner by the agent and/or person concerned during the exercise of their functions. The identity documents of the persons nominated by the different parties are to be differently coloured, so that they may be easily distinguishable from each other; and

(b) In subsection (2) thereof the words "election and party agents" are to be substituted by :-  
"candidates' agents, election agents and party agents" and the words "election or party agent" are to be substituted by: "Candidates' agent, or election agent, or party agent."

27. In paragraph (b) subsection (1) of section 64 of the Principal Act, the words "copies of such lists without photographs" are to be substituted by: "Identical copies of such lists" Amendment of  
Section 64 of  
the Principal  
Act.
28. In section 68 of the Principal Act the words "sealed ballot boxes" - are to be substituted by:- "ballot boxes made out of transparent material" Amendment of  
Section 68 of  
the Principal  
Act.

29. Section 69 of the Principal Act is to be amended as follows:-

Amendment of  
Section 69 of  
the Principal  
Act.

(a) The existing subsection (1) is to be substituted by the following subsection:-

"(1) The Commission is to inform the political parties of the total number of ballot boxes available, the number of ballot boxes which are to be used for the poll, and the place where the extra ballot boxes are to be kept."

(b) In subsection (2) thereof the words: "After the ballot boxes have been sealed in the manner aforesaid they" shall be substituted by "The ballot boxes"

(c) the present subsection (4) thereof is to be substituted by the following:-

"(4) Immediately prior to the commencement of the poll, all the openings of the ballot boxes are to be sealed by the assistant commissioners nominated by the commission and by the party agents, and this after their having ascertained that the ballot boxes were empty

(d) In subsection (5) thereof, the words "Except in the eventuality provided for in the preceding subsection" are to be substituted by "The seals"

30. Section 70 of the Principal Act is to be amended as follows:-

Amendment of  
Section 70 of  
the Principal  
Act.

(a) In subsection (1) thereof the words "such document to an Assistant Commissioner" shall be substituted by:- "such document and a valid identity card to an Assistant Commissioner;"

(b) In subsection (2) thereof the words "the voting document to the Assistant Commissioners" shall be substituted by:- "the voting document and a valid identity card to the Assistant Commissioners"

(c) In subsection (4) thereof the words "of the voting document" are to be substituted by: "of the voting document and of the valid identity card"

31. Section 71 of the Principal Act is to be amended as follows:

Amendment of  
Section 71 of  
the Principal  
Act.

(a) in paragraph (a) of subsection (2) thereof, the word "opposite" is to be substituted by "near"

(b) in paragraph (b) of subsection (2) thereof, the word "against" is to be substituted by "near"

(c) in paragraph (b) of subsection (3) thereof the word "opposite" shall be substituted by "near"

(d) in paragraph (c) of subsection (3) thereof, the word "opposite" shall be substituted by "near"

(e) in subsection (4) thereof the words "and shall then put the ballot paper in the ballot box in the presence of the Assistant Commissioners" shall be substituted by: "and in such a manner so as the official mark be clearly visible, which official mark is to be then clearly shown to the Assistant Commissioners, following which he shall then put the ballot paper in the ballot box in the presence of the Assistant Commissioners", and

(f) immediately after subsection (4) thereof the following new subsection is to be added:-

"(5) The Assistant Commissioners are in duty bound to ensure that each and every voter puts only the ballot paper in the ballot box and nothing else and for this purpose they are to verify and confirm the official mark on each and every ballot paper prior to this being put in the ballot box"

32 In section 72 of the Principal Act the words, "his declaration on oath" are to be substituted by the words "his declaration on oath using the format shown in the Fifteenth Schedule annexed to this Act"

Amendment of  
Section 72 of  
the Principal  
Act.

33. Section 78 of the Principal Act is to be amended as follows:

Amendment of  
Section 78 of  
the Principal  
Act.

(a) Subsection (1) thereof is to be deleted and be substituted by the following new subsection:-

"(1) After the expiration of the time fixed for voting, the Assistant Commissioners shall seal the opening of the ballot box, and shall further seal all unused and spoilt ballot papers, all the documents and materials delivered to them by the Commission and all the voting documents delivered to them, 'by the voters' and this in transparent packets as provided for hereunder:-

(a) in a packet marked letter "A", are to be placed all the voting documents delivered to them by the voters

(b) in a packet marked letter "B", all the unused and spoilt ballot papers; and

(c) in a packet marked letter "C", all the other documents and materials delivered to them by the Commission for the carrying out of their functions"

(b) In subsection (3) thereof, immediately after the words "returned by them to the commission" there are to be added the words "and the number of persons, who have availed themselves of the declaration and /or oath provided for in section 70 (5) and section (4)" and

(c) sub-paragraph (iii) of paragraph (c) of subsection (6) of section 78 is to be deleted and be substituted by:

"(iii) No person is to be allowed to take any records whatsoever of the persons who have not voted".

34. Immediately after subsection (3) of section 81 of the Principal Act, the following new subsection is to be added:

Amendment of  
Section 81 of  
the Principal  
Act.

"(4) All the members of the sub-committee during the carrying out of their duties on the day of the poll, will be entitled to enter the various polling places in order to ensure that all the relevant dispositions laid down by law are being abided by"

35 Immediately after subsection (4) of section 82 of the Principal Act, the following new subsection is to be added:-  
Amendment of Section 82 of the Principal Act.

"(5) No changes whatsoever in the personnel working at retirement homes is to be allowed from the date of issue of the writ until the end of the poll"

36. Section 83 of the Principal Act is to be amended as follows.  
Amendment of Section 83 of the Principal Act.

(a) in subsection (1) thereof the words "the administrator of the home" are to be substituted by: "the chairperson of the sub-committee for retirement homes"

(b) in subsection (2) thereof immediately after the words "by each voter", the following is to be added: "Such a choice is to be duly made by not later than seven days prior to the day of the poll by means of a declaration made in front of the members of the sub-committee for retirement homes. Party delegates are to be informed of such choice forthwith"; and

(c) in subsection (5) thereof, following the words "retirement homes" the following is to be added: "members of the staff and members of the families of persons resident in retirement homes, who have been authorised to accompany voters are to identify themselves by means of an identity document issued specifically for this purpose by the Commission".

37 The words "and prior to the start of the counting process" in subsection (9) of section 86 of the Principal Act are to be deleted.  
Amendment of Section 86 of the Principal Act.

37A In subsection (1) of section 87 of the Principal Act immediately after the words "under the direct supervision of the Commission" the following words be to added: "These persons are to be appointed from amongst the voters whose names appear on the last Electoral Register and are to be suitably qualified to fulfil their functions in terms of the electoral law".  
Amendment of Section 87 of the Principal Act.

38

In subsection (2) of section 89 of the Principal Act, immediately after the words "Counting agents" the following new paragraph is to be added:-

Amendment of  
Section 89 of  
the Principal  
Act.

"Every political party shall have the right to further nominate a number of persons who are to carry out functions of an administrative, clerical and messengerial nature, such a number being established by the Commission in agreement with the political parties"; and

the words "The list of such agents", wherever these appear, are to be duly substituted by the words "The list of such agents and of the other personnel nominated in terms of this section".

39

Section 90 of the Principal Act is to be amended as follows:-

Amendment of  
Section 90 of  
the Principal  
Act.

(a) ( Correction in the Maltese version only ) and the words "bona fide broadcasting personnel and newspaper reporters who shall have been previously accredited by the Commission" are to be duly substituted by "bona fide broadcasting personnel and newspaper reporters who shall have been previously accredited by the Commission; the Commission having the right and the duty to ensure that all the broadcasting personnel and newspaper reporters so accredited by it, carry out only those functions directly related to their profession, failing which such an accreditation is to be cancelled, by the Commission

The Commission is further bound, to give the political parties, not later than five days prior to the date of the poll, a detailed list of all those persons accredited by it to carry out any functions at the Counting Hall during the counting process."

(b) in paragraph (d) thereof immediately following the words "all parts of the counting hall" there are to be added: "and the party delegates and their sub delegates shall have the right of free access thereto at all times."

(c) (Correction in the Maltese text only)

(d) paragraph (h) thereof is to be cancelled

(e) paragraph (i) (j) (k) (l) and (m) thereof are to be re-lettered respectively as (h) (i) (j) (k) and (l)

39A In section 97 of the Principal Act, the words "One ballot box at a time shall be opened in each division and prior to" shall be duly substituted by: "The ballot boxes are to be opened in such a manner so as to ensure that the contents of each and every ballot box are kept separate from the contents of every other ballot box. Prior to"

Amendment of Section 97 of the Principal Act.

40 Section 105 of the Principal Act is to be amended as follows:-

(a) in subsection (1) thereof the words "the Prime Minister may make" are to be substituted by: "the Commission may make"; and

(b) the present subsection (3) thereof is to be substituted by:-

"(3) The Commission is to publish the regulations made by it in terms of subsection (1) of this section in the Government Gazette and such regulations will not come into effect prior to such publication."

Amendment of Section 105 of the Principal Act.

41 In paragraph (h) of subsection (1) of section 112 of the Principal Act the words "for the purpose of the election," are to be substituted by "for the purpose of the election; or"; and immediately following paragraph (h) thereof, the following new paragraphs are to be added:-

(i) votes in a district in which he is not registered as a voter; or

(j) accepts to receive a voting document of another person, in the knowledge that such other person has lost the right to vote; or

(k) accepts to receive a voting document in the knowledge that he / she has lost the right to vote ; or

(l) votes, knowing that he/she had lost the right to vote."

Amendment of Section 112 of the Principal Act.

42 The presently existing Eighth Schedule of the Principal Act is to be substituted by the new Eighth Schedule annexed hereto

Amendment of the Eighth Schedule of the Principal Act.

#### Objects and Reasons

The purpose of this Draft Bill is to amend the General Elections Act 1991, in order that the electoral process be made more transparent and to provide better effective control and safeguards against all corrupt practices.

II-Hames Distrett Elettorali

	B'Bugla	Chaxaq	Gugja	Kirkon	Mqabba	Qrendi	Safi	Zaurieg	Total
Total - Marzu '94									
Immigranti									
Registrazzjonijiet Godda									
Ohtrajn									
Trasferimenti									
Total - Zieda									
Mewt									
Emigranti									
Mard Mentali									
Habs									
Ohtajn									
Trasferimenti									
Total - Tnaqqis									
Total - Settembru '94									

(Section 49)

EIGHTH SCHEDULE

Form of Ballot Paper














No. of Members to be elected ..... Division .....		
Badge of Candidate	Names of Candidates	Mark order of preference in spaces below
	<b>PARTIT TAL-FJURI</b>	
	JONES, (John Jones, of 52 Old Bakery Street, Valletta, Merchant)	
	MAGRO, (William David Magro, of 10 Tower Road, Sliema (Painter)	
	MIFSUD, (Joseph Mifsud, of 16 Victoria Avenue, Sliema, Labourer)	
	MUSCAT, (Francesco Muscat of 1 St. Paul's Str. Zabbar, Driver)	
	VELLA, (James Vella, of 5 Republic Street, St. Julians, Architect)	
	WILLIAMS, (Francis Williams of 85 Genuis Street, Zurrieq, Chemist)	
	<b>PARTIT TAL- GHASFUR</b>	
	AZZOPARDI, (Spiro Azzopardi, of 13 Marina Street, Zejtun, Printer)	
	BORG, (Assuero Borg, of 69 Barbara Street, Mellieha, Clerk)	
	CASSAR, (Leia Cassar, of "Dolores", Main Street, Cospicua, Housewife)	
	MIZZI, (Glormu Mizzi, of 70 Two Gates Str. Lija, Lawyer)	
	ZARB, (Fortunat Zarb, of 15 Strait Street, Luqa, Clerk)	
	<b>PARTIT TAS-SIGAR</b>	
	AZZOPARDI, (Reginald Azzopardi, of 165 St. Domenic Str., Qormi, Clerk)	
	ZAMMIT, (Lawrence Zammit of "Josdor", 188 Bwieraq Str. Hamrun, Chemist)	
	<b>KANDIDATI INDIPENDENTI</b>	
	BUHAGIAR, (Louis Buhagiar, of 55 Republic Street, Zaboar, Merchant)	
	GALEA, (Ninu Galea, of 87 B'Kara Lane, Qrendi, Worker)	

Table (72)

FIFTEENTH SCHEDULE

# GENERAL ELECTIONS 1992

## FORM OF OATH WHICH AN ASSISTANT COMMISSIONER SHALL ADMINISTER TO A VOTER

I (1) ..... I.D. No. ....

of (2) .....

do swear / affirm that I am requesting the help of the Assistant Electoral Commissioners to record my vote because I am unable to mark my ballot paper. (So help me God.) .....

Date ..... Signature or Mark of Voter .....

Sworn / affirmed before me this ..... day of .....

.....  
Signature of Assistant Election Commissioner

(1) Insert name in full  
(2) Insert Voter's address

## ABBOZZ TA' LIGI

msejjah

*Att biex jemenda l-Att dwar il-Karta ta' l-Identita, KAP 258.*

Il-President, bil-parir u l-kunses tal-Kamra tad-Deputati, imlaqqa f'dan il-Parlament, u bl-awtorita ta' l-istess, hareg b'ligi dan li gej:

1. Dan l-Att jista jissejjah l-Att ta' l-1995 li jemenda l-Att dwar il-Karta ta' l-Identita, u ghandu jinqara u jiftiehem haga wahda ma l-Att dwar il-Karta ta' l-Identita, hawn izjed 'il quddiem imsejjah "l-Att Principali" Totolu fil-qosor
2. Fl-artikolu 2 ta' l-Att Principali id-definizzjoni ta' "ufficjal awtorizzat" ghandha tigi kkancellata u minflokha tidhol id-definizzjoni gdida li gejja: Emenda ta' artikolu 2 ta' l-Att Principali  
" "Ufficjal Awtorizzat" tfisser il-Kummissjoni Elettorali mwaqqfa bl-artikolu tal-Kostituzzjoni ta' Malta, u, safejn tinghata din is-setgha tinkludi kull persuna jew ufficjal fl-Ufficcju Elettorali, delegata ghal hekk mill-Kummissjoni Elettorali;"
3. Fis-subartikolu (1) ta' l-artikolu (6) ta' l-Att Principali minflok il-kliem "ghal ghaxar snin jew dak il-perjodu li jista jkun preskritt" ghandhom jidhlu l-kliem "ghal hames snin". Emenda ta' l-artikolu 6 ta' l-Att Principali

### Ghanijiet u Ragunijiet

L-ghan ta' dan l-Abbozz huwa biex l-awtorita dwar l-amministrazzjoni ta' l-karta ta' l-identita tghaddi f'idejn il-Kummissjoni Elettorali u biex il-validata ta' l-karta ta' l-identita tkun ta' hames snin biss.

**DRAFT BILL**

called

*An Act to amend the Identity Cards Act, Chapter 258*

The President, acting on the advice and with the consent of the House of Representative, duly convened in this Parliament, and with the authority of same, ordered as law the following:

1. This Act may be cited as the Identity Card (Amendment) Act, 1995; and shall be read and construed as one with the Identity Card Act, hereinafter referred to as "the principal Act".

Short Title

2. The definition of "authorised officer" in Section 2 shall be deleted and replaced by:

Amendment of section 2 of the principal Act

" "authorised officer" shall mean the Electoral Commission established by Section of the Consitution of Malta, and to the extent of any power delegated as hereinafter provided, includes any person or officer of the Electoral Office designated by the Electoral Commission;"

3. In Section 6 sub-section (1) of the principal Act the words "a period of ten years or such other period as may be prescribed" shall be substituted by the words "a period of five years".

Amendment of section 6 of the principal Act

**Object and Reasons**

The Object of the Bill is to declare the Electoral Commission as the authorised officer in connection with identity cards and to limit the validity of identity cards for a period of five years.