
Nru. 158

22. 7. 2020

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Edward Zammit Lewis, M.P., Ministru għall-Ġustizzja, l-Ugwaljanza u l-Governanza, u moqri għall-Ewwel darba fis-Seduta tal-1 ta' Lulju 2020.

A BILL introduced by the Honourable Edward Zammit Lewis, M.P., Minister for Justice, Equality and Governance, and read the First time at the Sitting of the 1st July 2020.

ATT sabiex jemenda diversi liġijiet bil-għan li jirrifirma l-proċedura li biha jsiru diversi ħatriet.

AN ACT to provide for the amendment of various laws for the purpose of reforming the procedure for the making of various appointments.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjah

ATT sabiex jemenda diversi liġijiet bil-għan li jirrifirma l-proċedura li biha jsiru diversi ħatriet.

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 dwar ir-Riforma tas-Setgħat tal-Ħatra. Titolu fil-qosor.

TAQSIMA I
Emendi tal-Kostituzzjoni

2. Din it-Taqsima temenda l-Kostituzzjoni u għandha tinqara u tinftiehem haġa waħda mal-Kostituzzjoni, hawn iżjed 'il quddiem f'din it-Taqsima msejja "il-Kostituzzjoni". Emendi għall-Kostituzzjoni.

3. Minnufih wara s-subartikolu (3) tal-artikolu 86 tal-Kostituzzjoni, għandu jizdied is-subartikolu ġdid li ġej: Emenda għall-artikolu 86 tal-Kostituzzjoni.

"(4) Fejn b'din il-Kostituzzjoni, il-Prim Ministru huwa meħtieġ li jwettaq il-funzjonijiet elenkati fl-artikoli 120(2), (6) u (7) ta' din il-Kostituzzjoni, huwa għandu jagħmel dan wara li jkun ħa kunsiderazzjoni xierqa ta' dak il-parir li jista' jkun ingħata f'dak ir-rigward mill-Kabinett."

TAQSIMA II
Emendi tal-Att dwar il-Bank Ċentrali ta' Malta

4. Din it-Taqsima temenda l-Att dwar il-Bank Ċentrali ta' Malta u din għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Bank Ċentrali ta' Malta, hawn iżjed 'il quddiem f'din it-Taqsima msejja "l- Emendi għall-Att dwar il-Bank Ċentrali ta' Malta. Kap. 204.

C 4494

Att prinċipali".

Emenda għall-
artikolu 8 tal-
Att prinċipali.

5. Fis-subartikolu (1) tal-artikolu 8 tal-Att prinċipali, il-kliem "nominat mill-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru" għandhom jiġu sostitwiti bil-kliem "nominat mill-President ta' Malta, li jaġixxi fuq il-parir tal-Kabinett tal-Ministri".

Emenda għall-
artikolu 9 tal-
Att prinċipali.

6. Fil-paragrafu (a) tas-subartikolu (2) tal-artikolu 9 tal-Att prinċipali, minnufih wara l-kliem "mill-Prim Ministru" għandhom jiżdiedu l-kliem "li jaġixxi fuq il-parir tal-Kabinett tal-Ministri".

TAQSIMA III

Emendi tal-Att dwar l-Awtorità għas-Servizzi Finanzjarji ta' Malta

Emendi għall-
Att dwar l-
Awtorità għas-
Servizzi
Finanzjarji ta'
Malta.
Kap. 330.

7. Din it-Taqsima temenda l-Att dwar l-Awtorità għas-Servizzi Finanzjarji ta' Malta u din għandha tinqara u tinftiehem haġa waħda mal-Att dwar l-Awtorità għas-Servizzi Finanzjarji ta' Malta, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda għall-
artikolu 6 tal-
Att prinċipali.

8. Fil-paragrafu (a) tas-subartikolu (2) tal-artikolu 6 tal-Att prinċipali, minnufih wara l-kliem "mill-Prim Ministru", għandhom jiżdiedu l-kliem "li jaġixxi skont il-parir tal-Kabinett tal-Ministri".

TAQSIMA IV

Emendi tal-Att dwar l-Arbitraġġ

Emendi għall-
Att dwar l-
Arbitraġġ.
Kap. 387.

9. Din it-Taqsima temenda l-Att dwar l-Arbitraġġ u din għandha tinqara u tinftiehem haġa waħda mal-Att dwar l-Arbitraġġ, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda għall-
artikolu 4 tal-
Att prinċipali.

10. Fis-subartikolu (3) tal-artikolu 4 tal-Att prinċipali, minnufih wara l-kliem "kwalifikati li jkunu hekk magħżula." għandhom jiżdiedu l-kliem "Qabel ma tiġi finalizzata din l-għażla, il-Prim Ministru għandu jikseb l-approvazzjoni tal-Kabinett tal-Ministri".

TAQSIMA V

Emendi tal-Att dwar il-Protezzjoni u l-Privatezza tad-Data

Emendi għall-
Att dwar il-
Protezzjoni u l-
Privatezza tad-
Data.
Kap. 586.

11. Din it-Taqsima temenda l-Att dwar il-Protezzjoni u l-Privatezza tad-Data u din għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Protezzjoni u l-Privatezza tad-Data, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda tal-
artikolu 11 tal-
Att prinċipali.

12. Fis-subartikolu (1) tal-artikolu 11 tal-Att prinċipali, il-kliem "mill-Prim Ministru wara li jkun ikkonsulta mal-Kap tal-Oppożizzjoni," għandhom jiġu sostitwiti bil-kliem "mill-Prim Ministru li jaġixxi fuq il-parir tal-Kabinet tal-Ministri wara li jkkonsulta mal-Kap tal-Oppożizzjoni,".

Ghanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma sabiex jitkomplew ir-riformi li l-Gvern qiegħed jagħmel sabiex fil-ħatriet jassigura l-involviment tal-Kabinett tal-Ministri fil-proċessi ta' ħatriet ta' persuni f'karigi għolja.

C 4496

**A BILL
entitled**

AN ACT to provide for the amendment of various laws for the purpose of reforming the procedure for the making of various appointments.

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

Short title.

1. The short title of this Act is the Reform of Powers of Appointment Act, 2020.

**PART I
Amendments to the Constitution**

Amendments to the Constitution.

2. This Part amends the Constitution and it shall be read and construed as one with the Constitution, hereinafter in this Part referred to as "the Constitution".

Amendment of article 86 of the Constitution.

3. Immediately after sub-article (3) of article 86 of the Constitution, there shall be added the following new sub-article:

"(4) Where by this Constitution the Prime Minister is required to perform the functions listed in articles 120(2), (6) and (7) of this Constitution, he shall do so after giving due consideration to such advice as might have been given in that respect by the Cabinet."

PART II**Amendments to the Central Bank of Malta Act**

4. This Part amends the Central Bank of Act and it shall be read and construed as one with the Central Bank of Malta Act, hereinafter in this Part referred to as "the principal Act".
Amendments to the Central Bank of Malta Act. Cap. 204.
5. In sub-article (1) of article 8 of the principal Act, the words "appointed by the President of Malta, acting on the advice of the Prime Minister" shall be substituted by the words "appointed by the President of Malta, acting on the advice of the Cabinet of Ministers".
Amendment of article 8 of the principal Act.
6. In paragraph (a) of sub-article (2) of article 9 of the principal Act, immediately after the words "by the Prime Minister" there shall be added the words "acting on the advice of the Cabinet of Ministers".
Amendment of article 9 of the principal Act.

PART III**Amendments to the Malta Financial Services Authority Act**

7. This Part amends the Malta Financial Services Authority Act and it shall be read and construed as one with the Malta Financial Services Authority Act, hereinafter in this Part referred to as "the principal Act".
Amendments to the Malta Financial Services Authority Act. Cap. 330.
8. In paragraph (a) of sub-article (2) of article 6 of the principal Act, immediately after the words "by the Prime Minister" there shall be added the words "acting on the advice of the Cabinet of Ministers,".
Amendment of article 6 of the principal Act.

PART IV**Amendments to the Arbitration Act**

9. This Part amends the Arbitration Act and it shall be read and construed as one with the Arbitration Act, hereinafter in this Part referred to as "the principal Act".
Amendments to the Arbitration Act. Cap. 387.
10. At the end of sub-article (3) of article 4 of the principal Act there shall be added the following "Before finalising the said selection the Prime Minister shall obtain the approval of the Cabinet of Ministers.".
Amendment of article 4 of the principal Act.

PART V**Amendments to the Data Protection Act**

11. This Part amends the Data Protection Act and it shall be read and construed as one with the Data Protection Act, hereinafter in this Part referred to as "the principal Act".
Amendments to the Data Protection Act. Cap. 586.
12. In sub-article (1) of article 11 of the principal Act, the words "the Prime Minister after he has consulted with the Leader of the
Amendment of article 11 of the principal Act.

C 4498

Opposition," shall be substituted by the words "the Prime Minister acting on the advice of the Cabinet of Ministers after consulting the Leader of the Opposition,".

Objects and Reasons

The objects and reasons of this Bill are to continue the reforms that the Government is undertaking in order to ensure the involvement of the Cabinet of Ministers in the processes of the appointments of persons in senior positions.