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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli Eddie Fenech Adami, M.P., Prim Ministru, u moqri għall-Ewwel darba fis-Seduta tal-5 ta' April, 1995.

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

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Eddie Fenech Adami, M.P., Prime Minister, and read the First time at the Sitting of the 5th April, 1995.

AN ACT to amend the General Elections Act, 1991.

RICHARD J. CAUCHI
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

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

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1995 li jemenda l-Att dwar l-Elezzjonijiet Ġenerali, u għandu jinqara u jinftihem bħala haġa waħda ma' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor
u bidu fis-sehh.

Att Nru. XXI
ta' l-1991.

(2) Dan l-Att għandu jibda jsehh f'dik id-data li l-Prim Ministru jista' b'ordni fil-Gazzetta jstabilixxi u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet differenti u għanijiet differenti ta' dan l-Att.

2. Fis-subartikolu (1) ta' l-artikolu 2 ta' l-Att prinċipali:

Emenda ta'
l-artikolu 2 ta'
l-Att prinċipali.

(a) minnufih wara t-tifsira ta' "karta ta' l-identità" għandha tidhol din it-tifsira ġdida li ġejja:—

“kaxxa tal-voti” tfisser kaxxa li ġewwa fiha l-eletturi jitfgħu l-polza tal-votazzjoni markata tagħhom;”;

(b) minnufih wara t-tifsira ġdida ta' "kaxxa tal-voti" u qabel it-tifsira ta' "Kummissjoni" ghandha tidhol din it-tifsira li ġejja:

“kompartiment tal-votazzjoni” tfisser dik it-taqsimha minn kamra tal-votazzjoni fejn l-eletturi jimmarkaw il-polza tal-votazzjoni tagħhom, u li ghandha tkun mghammra b'wiċċ ta' mejda lixx li fuqu wiehed ikun jista' jikteb sew u lapsijiet għal dak l-għan;”;

(ċ) fit-tifsira ta' "post ta' votazzjoni", minflok il-kliem "jew struttura." ghandhom jidhlu l-kliem "jew struttura;"; u

(d) minnufih wara t-tifsira ta' "post ta' votazzjoni" ghandha tidhol din it-tifsira li ġejja:

“timbru uffiċjali” tfisser it-timbru li l-Kummissjoni u l-partiti politiċi jagħtu direttiva lill-Assistenti Kummissjonarji sabiex jużaw fuq il-karta ta' votazzjoni qabel ma dik il-karta ta' votazzjoni tinghata lill-elettur u t-timbru jista' jkollu dik l-għamla hekk kif kull wiehed minnhom jista' jiddeċiedi sakemm it-timbru b'ebda mod ma jikkostitwixxi xi forma ta' propaganda u t-timbri tal-partiti politiċi ma jkunux mehtieġa għall-validità tal-karta ta' votazzjoni. Il-partiti politiċi li jagħzlu li jagħmlu użu minn timbri uffiċjali ghandhom jiddepożitaw stampat tat-timbru li jkun hekk se jintuża mill-inqas siegħa qabel ma tibda l-votazzjoni;”.

Emenda ta'
l-artikolu 5 ta'
l-Att prinċipali.

3. Is-subartikoli (2) u (3) ta' l-artikolu 5 ta' l-Att prinċipali ghandhom jithassru, u s-subartikolu (1) ta' dak l-artikolu ghandu jiġi enumerat mill-ġdid u jkun jikkostitwixxi l-artikolu kollu kemm hu.

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

4. L-artikolu 6 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minnufih wara l-kliem "jiġu ikkunsinnati fl-Uffiċċju Elettorali" ghandhom jidhlu l-kliem "jew fl-uffiċċju tal-Kunsill Lokali tal-lokalità fejn ikun joqghod l-elettur";

(b) fis-subartikolu (2) tiegħu, minflok il-kliem "Kull uffiċjal tal-Pulizija" ghandhom jidhlu l-kliem "Kull segretarju ta' Kunsill Lokali u kull uffiċjal tal-Pulizija";

(ċ) minnufih fi tmiem is-subartikolu (4) tiegħu ghandu jiżdied dan il-proviso li ġej:

“Izda kull avviż jew kumnikazzjoni bil-miktub mibghuta mill-Kummissjoni lil xi persuna dwar il-jeddijiet tagħha bhala elettur ghandhom jintbagħtu bil-mezz ta’ posta reġistrata.”;
u

(d) minnufih wara s-subartikolu (4) tiegħu, għandu jiżdied dan is-subartikolu ġdid li ġejj:

“(5) Ikun id-dmir tal-Kummissjoni Elettorali li tiżgura li jkun hemm provvista sew ta’ formuli f’kull żmien disponibbli ġewwa l-uffiċċju ta’ Kunsilli Lokali u għases tal-Pulizija.”.

5. Minnufih wara s-subartikolu (2) ta’ l-artikolu 7 ta’ l-Att prinċipali għandhom jiżdiedu dawn is-subartikoli ġodda li ġejjin:

Emenda ta’
l-artikolu 7 ta’
l-Att prinċipali.

“(3) Il-Kummissjoni Elettorali għandha tkun korp magħqud b’personalità ġuridika distinta li tista’, bla hsara għad-dispożizzjonijiet ta’ dan l-Att, tagħmel kuntratti, takkwista, iżżomm u tneħhi kull xorta ta’ proprjetà għall-għanijiet tal-funzjonijiet tagħha, li tharrek u li tigi mharrka, u li tagħmel dak kollu u tiehu sehem f’kull transazzjoni li jkunu inċidentali jew li jwasslu għat-twettiq tal-funzjonijiet tagħha skond dan l-Att.

(4) Ir-rappreżentanza ġuridika tal-Kummissjoni tvesti fiċ-*Chairman* tagħha.”.

6. L-artikolu 10 ta’ l-Att prinċipali għandu jiġi emendat kif ġejj:

Emenda ta’
l-artikolu 10 ta’
l-Att prinċipali.

(a) fis-subartikolu (2) tiegħu minnufih wara l-kliem “il-jedd b’mod ġenerali li jiġu avżati” għandhom jiżdiedu l-kliem “bil-miktub mill-inqas darba fix-xahar”;

(b) fis-subartikolu (6) tiegħu, minflok il-kliem “jew f’għamla miktuba jew stampata li ma jkunx mehtieg ebda strument jew proċess elettroniku, manjetiku jew xi proċess iehor simili biex jinqara, u f’ebda għamla oħra” għandhom jidhlu l-kliem “jew miktubin, stampati jew f’għamla elettronika hekk kif id-delegati jistgħu jehtiegu u hekk kif il-Kummissjoni jkollha l-kapaċità teknika li ttiprovdi”.

7. L-artikolu 13 ta’ l-Att prinċipali għandu jiġi emendat kif ġejj:

Emenda ta’
l-artikolu 13 ta’
l-Att prinċipali.

(a) fis-subartikolu (2) tiegħu minflok il-kliem “fi stazzjon tal-Pulizija jew f’post iehor” għandhom jidhlu l-kliem “f’kull Qorti jew uffiċċju ta’ Kunsilli Lokali”;

(b) fis-subartikolu (3) tieghu minflok il-kliem “jew minn avukat jew minn prokuratur legali jew minn persuna ohra f’isem l-applikant, jew l-appellant u debitament awtorizzat minnhom,” ghandhom jidhlu l-kliem “jew minn persuna li taġixxi f’isem u li tkun awtorizzata mill-applikant jew mill-appellant jew minn avukat jew minn prokuratur legali,”;

(c) minflok is-subartikoli (4), (5) u (6) tieghu, ghandu jidhol dan li ġejj:

“(4) L-Uffiċjal Revizur ghandu jistabbilixxi jum ghas-smigh ta’ l-applikazzjoni jew appell u ghandu jordna li kopja ta’ l-applikazzjoni jew appell flimkien mad-data tal-jum stabbilit ghas-smigh ghandhom jiġu notifikati lill-applikant jew l-appellant, lill-Kummissjoni u lil kull persuna ohra li tkun tinteressaha dik l-applikazzjoni jew dak l-appell.

(5) In-notifika ssir bil-mezz ta’ posta registrata. Meta persuna li tkun se tiġi notifikata bl-applikazzjoni jew bl-appell bil-mezz ta’ posta registrata tibqa’ ma tinstabx, l-Uffiċjal Revizur jordna li dik il-persuna ghandha tiġi notifikata minn uffiċjal tal-Qorti. Meta dik il-persuna tibqa’ ma tinstabx minn dak l-uffiċjal tal-Qorti, l-Uffiċjal Revizur ghandu jordna, wara li jsirulu rapport mill-uffiċjal tal-Qorti li l-applikazzjoni jew l-appell jitwaxx fil-post fejn soltu jitwaxx l-avviżi fl-għassa tal-Pulizija u fl-uffiċċju tal-Kunsill Lokali tal-lokalità fejn il-persuna interessata tkun toqghod u li jiġu pubblikati darbtejn fil-gazzetti kollha lokali u meta jkun mehtieg, ghandu jistabbilixxi jum iehor ghas-smigh.

(6) In-notifika tal-persuni kollha interessati ghandha ssir mill-inqas tlett ijiem qabel il-jum stabbilit ghas-smigh ta’ l-applikazzjoni jew l-appell.”;

(d) is-subartikolu (9) tieghu ghandu jiġi enumerat mill-ġdid bhala s-subartikolu (11); u

(e) minnufih wara s-subartikolu (8) tieghu, ghandhom jidhlu dawn is-subartikoli (9) u (10) ġodda li ġejjin:

“(9) Fil-każ ta’ applikazzjoni jew appell imsejsa fuq inabilità tal-mohh, l-Uffiċjal Revizur ghandu, għad li jkun assenti l-applikanti jew l-appellant jew l-avukat, il-prokuratur legali jew persuna ohra li tkun qed tirrappreżentah, jirreferi l-applikazzjoni jew l-appell lill-Bord Mediku għad-deċizjoni tieghu.

(10) Fid-deċiżjoni tiegħu dwar l-applikazzjoni l-Uffiċjal Reviżur għandu jiddikjara x'ikunu r-raġunijiet li fuqhom tkun imsejsa d-deċiżjoni tiegħu u l-applikant jew l-appellant, il-Kummissjoni jew l-elettur involut ikollhom jedd ta' appell quddiem il-Qorti ta' l-Appell dwar punt ta' liġi billi jsir rikors li jiġi preżentat fi żmien sebat ijiem mill-konsenja tad-deċiżjoni ta' l-Uffiċjal Reviżur.”.

8. L-artikolu 19 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 19 ta' l-Att prinċipali.

(a) fis-subartikolu (1) tiegħu wara l-kliem “jew li tibqa' hekk reġistrata” għandhom jiżdiedu l-kliem “jew il-post fejn għandha tiġi reġistrata”; u

(b) minflok is-subartikolu (2) tiegħu għandu jidhol dan li ġej:

“(2) Il-Kummissjoni Elettorali għandha tiżgura li jkun hemm persunal adegwat bil-għan ewlieni li jivverifikaw il-kwalifiki u r-reġistrazzjoni ta' l-eletturi u għandhom iwettqu dik il-verifika sew ma' l-elettur u ma' persuni oħra li jistgħu jagħtu t-tagħrif meħtieġ, kif ukoll ma' kull dipartiment tal-gvern li jista' jkollu t-tagħrif rilevanti.”.

9. L-artikolu 20 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 20 ta' l-Att prinċipali.

(a) fis-subartikolu (3) tiegħu:

(i) il-kliem “li għalqet tmintax-il sena” għandhom jithassru; u

(ii) minnufih wara l-kliem “fix-xahar ta' qabel” għandhom jiżdiedu l-kliem “kif ukoll lista li jkun fiha partikolaritajiet bhal dawk tal-persuni kollha li jkunu żżewġu matul ix-xahar ta' qabel u lista li jkun fiha partikolaritajiet bhal dawk tal-persuni kollha li jkunu għalqu l-età ta' tmintax-il sena matul ix-xahar ta' qabel”.

(b) fis-subartikolu (4) tiegħu:

(i) minnufih wara l-kliem “r-Registratur tal-Qrati ta' Għawdex” għandhom jidhlu l-kliem “jew dawk il-persuni oħrajn li jkollhom dik il-funzjoni”; u

(ii) minnufih wara l-kliem “minn Qorti kompetenti” għandhom jiżdiedu l-kliem “kif ukoll lista li jkun fiha

partikolaritajiet bhal dawk ta' dawk il-persuni kollha li jkunu nghataw kundanna ta' prigunerija (tkun kif tkun imsejha) ta' aktar minn tnax-il xahar imposta fuqhom minn Qorti ta' Malta jew kundanna ta' prigunerija bhal dik li l-eskuzzjoni taghha tkun giet sospiza.”;

(ċ) minnufih wara s-subartikolu (4) tiegħu, ghandhom jizdiedu dawn is-subartikoli li ġejjin:

“(5) Kull uffiċjal pubbliku jew persuna ohra responsabbli ghal habs f' Malta ghandu matul l-ewwel hamest ijiem ta' kull xahar jghaddi lill-Kummissjoni lista li jkun fiha l-isem, il-kunjom, in-numru tal-karta ta' l-identità, jekk ikollha, u partikolaritajiet ohra ta' kull persuna li tkun inhelset mill-habs matul ix-xahar ta' qabel.

(6) L-uffiċjal pubbliku jew persuna ohra responsabbli għall-uffiċċju fejn tinghata jew tiġi rtirata ċ-ċittadinanza ghandu matul l-ewwel hamest ijiem ta' kull xahar jghaddi lista li jkun fiha l-isem, il-kunjom, in-numru tal-karta ta' l-identità, jekk ikollha, u partikolaritajiet ohra ta' kull persuna li tkun inghatat iċ-ċittadinanza jew li kellha ċ-ċittadinanza taghha rtirata matul ix-xahar ta' qabel.

(7) Il-Kummissjoni ghandha tghad di lid-delegati tal-partiti kopja ta' dawk il-listi fi żmien hamest ijiem minn meta jkunu waslulha.”.

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

10. Minnufih wara s-subartikolu (3) ta' l-artikolu 26 ta' l-Att prinċipali, ghandu jizdied dan is-subartikolu li ġej:

“(4) Meta l-Kummissjoni tiddeċiedi li taqta' il barra l-isem ta' l-elettur mir-Registru Elettorali, din ghandha tgharraf lill-elettur b'dan bil-mezz ta' ittra li tiġi lili indirizzata u ghandha wkoll tibghat kopja ta' dik l-ittra lid-delegati tal-partiti.”.

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

11. Fl-artikolu 28 ta' l-Att prinċipali, minnufih wara l-kliem “u r-raġuni għaliex tkun qieghda ssir xi bidla” ghandhom jidhlu l-kliem “kif ukoll lista li jkun fiha kull tibdil fl-ismijiet tat-toroq u l-partikolaritajiet ta' dawk l-eletturi li jkunu ntlaw minn kull bidla bhal dik”.

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

12. L-artikolu 31 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) minflok is-subartikolu (1) tiegħu ghandu jidhol dan li ġej:

“(1) Ir-Registru Elettorali ghandu jintghamel minn daqstant taqsimiet daqskemm ikun hemm lokalitajiet, taqsima ghal kull lokalità, u kull lokalità ghandha terġa’ tinqasam f’daqstant taqsimiet daqskemm il-Kummissjoni tqis li jkun mehtieg jew konvenjenti. Għall-ghanijiet ta’ din it-Taqsima ta’ l-Att, il-kelma “lokalità” ghandha l-istess tifsir bhalma ghandha mogħti lilha fl-Att ta’ l-1993 dwar Kunsilli Lokali.”;

u

(b) fis-subartikolu (2) tiegħu, minflok il-kliem “kull taqsima” ghandhom jidhlu l-kliem “kull lokalità”.

13. L-artikolu 33 ta’ l-Att principali ghandu jiġi emendat kif ġej:

Emenda ta’
l-artikolu 33 ta’
l-Att principali.

(a) is-subartikoli (2) u (3) ghandhom jiġu enumerati mill-ġdid bhala s-subartikoli (5) u (6) tiegħu, rispettivament; u

(b) minnufih wara s-subartikolu (1) tiegħu ghandhom jidhlu dawn is-subartikoli li ġejjin:

“(2) Ir-Registru Elettorali ghandu jiġi pubblikat f’zewġ ghamliet distinti. L-ewwel ghamla tinqasam f’daqstant taqsimiet daqskemm ikun hemm lokalitajiet filwaqt li t-tieni ghamla tinqasam f’daqstant taqsimiet daqskemm ikun hemm distretti.

Għall-ghanijiet ta’ dan l-Att ir-Registru Elettorali kif pubblikat fl-ewwel ghamla ghandu jitqies li jkun ir-Registru Elettorali mehtieg b’dan l-Att u t-tibdiliet li ghandhom x’jaqsmu mar-registrazzjoni ta’ eletturi f’dak ir-registru kif jidhru f’dik l-ewwel ghamla ghandhom isiru wkoll u jiġu pubblikati mill-Kummissjoni fir-registru kif pubblikat fit-tieni ghamla.

(3) Kull waħda mill-ghamliet tar-Registru Elettorali ghandha turi l-ghadd shih ta’ eletturi li jkunu registrati f’kull lokalità jew distrett skond il-każ, u iktar maqsumin skond it-triq, taqsima ta’ lokalità jew lokalità skond il-każ, kif ukoll l-ghadd shih ta’ eletturi ghal kull lokalità u distrett skond il-każ li jkunu żdiedu, thassru, ġew trasferiti minn lokalità jew distrett, skond il-każ, ghal lokalità oħra jew distrett ieħor, u ghandha turi bil-mezz ta’ sinjal distintiv l-ismijiet ta’ l-eletturi kollha li jkunu ġew registrati għall-ewwel darba jew li jkunu żdiedu fir-registru wara li r-registrazzjoni tagħhom tkun qabel thassret mill-Kummissjoni. Dak it-tagħrif ghandu jingħata f’dik l-ghamla li l-Kummissjoni tista’ tqis li tkun l-iktar faċli għall-pubbliku biex jifhimha.

(4) Meta l-Kummissjoni fit-twettiq tas-setgħat tagħha skond is-subartikolu (1) ta' l-artikolu 31 ta' dan l-Att, taqşam iktar lil xi lokalità din għandha turi dak it-tagħrif għal kull parti minn dik il-lokalità li tkun għet hekk maqsuma iktar.”.

Emenda ta' l-artikolu 36 ta' l-Att prinċipali.

14. Fl-artikolu 36 ta' l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”.

Emenda ta' l-artikolu 37 ta' l-Att prinċipali.

15. Fl-artikolu 37 ta' l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”.

Emenda ta' l-artikolu 38 ta' l-Att prinċipali.

16. Fl-artikolu 38 ta' l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”.

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

17. Fis-subartikolu (1) ta' l-artikolu 40 ta' l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”.

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

18. Fis-subartikolu (4) ta' l-artikolu 41 ta' l-Att prinċipali minflok il-kliem “għandha tiġi riferita lill-Uffiċjal Revizur” għandhom jidhlu l-kliem “Għandha tiġi ffirmata mill-membri kollha tal-Bord Mediku u - *Chairman* tiegħu għandu jirreferiha lill-Uffiċjal Revizur”.

Emenda ta' l-artikolu 42 ta' l-Att prinċipali.

19. Fl-artikolu 42 ta' l-Att prinċipali minnufih wara l-kliem “L-Uffiċjali Revizur” għandhom jidhlu l-kliem “u l-Qorti ta' l-Appell”.

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

20. Fl-artikolu 43 ta' l-Att prinċipali, minnufih wara l-kliem “għandha tirrevedi r-Registru Elettorali skond dak iċ-ċertifikat.” għandhom jidhlu l-kliem “Kopji ta' dawk iċ-ċertifikati jintbagħtu mill-Kummissjoni lid-delegati tal-partiti fi żmien hamest ijiem minn meta jkunu waslu għand il-Kummissjoni.”

Emenda ta' l-artikolu 45 ta' l-Att prinċipali.

21. L-artikolu 45 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok il-kliem “tmint ijiem” għandhom jidhlu l-kliem “tlett ijiem”, u

(b) fil-paragrafu (a) tiegħu, il-kliem “tax-xogħol” għandhom jithassru.

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

22. L-artikolu 46 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minflok il-kliem “mill-hmistax-il jum” għandhom jiġu l-kliem “mid-dsatax-il jum” u minnufih wara l-kliem “u li jkun magħmul minn” għandhom jidhlu l-kliem “dik il-karta ta' sigurezza u”;

(b) fil-paragrafu (i) tal-proviso li hemm mas-subartikolu (1) tiegħu, minflok il-kliem “sebat ijiem” ghandhom jidhlu l-kliem “tlett ijiem”;

(c) minnufih fi tmiem is-subartikolu (2) tiegħu, ghandhom jiżdiedu dawn il-kliem li ġejjin:

“Il-Kummissjoni ghandha wkoll tistampa fuq id-dokument għall-votazzjoni dak il-kodiċi ta’ sigurezza raġonevoli li jista’ hekk jintalab mill-partiti politiċi u hekk kif il-Kummissjoni jista’ jidhrilha li jkun sew, b’dan illi l-partiti politiċi ghandhom jikkonsenjaw dak il-kodiċi ta’ sigurezza lill-Kummissjoni mhux aktar tard minn erbgħa u ghoxrin siegħa qabel ma jinbeda l-istampar tad-dokumenti għall-votazzjoni.”;

(d) fis-subartikolu (5) tiegħu, minnufih wara l-kliem “mill-aktar fis li jista’ jkun,” ghandhom jiżdiedu l-kliem “u f’ebda każ iktar tard minn dsatax-il jum miż-żmien stabbilit fis-subartikolu (1) ta’ dan l-artikolu.”;

(e) fis-subartikolu (6) tiegħu, minnufih wara l-kliem “quddiem wiehed mill-Kummissjonarji” ghandhom jidhlu l-kliem “jew persuni oħra mahturin mill-Kummissjoni sabiex jagħmluha flok il-Kummissjonarji”;

(f) fis-subartikolu (7) tiegħu minflok il-kelma “Kummissjonarju” kull fejn tidher ghandhom jidhlu l-kliem “Kummissjonarju jew persuna oħra mahtura mill-Kummissjoni biex tagħmila flok il-Kummissjonarji”;

(g) minnufih wara s-subartikolu (7) tiegħu, ghandhom jiżdiedu dawn is-subartikoli li ġejjin:

“(8) Il-Kummissjoni ghandha tippubblika minn fejn u f’liema hinijiet l-eletturi jkunu jistgħu jirtiraw id-dokumenti għall-votazzjoni tagħhom skond ma hemm fis-subartikolu (6) ta’ dan l-artikolu. Il-Kummissjoni tista’ tistabbilixxi liema post trid minn fejn ikunu jistgħu jiġu rtirati d-dokumenti għall-votazzjoni li ma jkunux ġew konsenjati b’dan illi l-Kummissjoni ghandha tippermetti żmien sew għall-ġbir ta’ dokumenti minn kull lokalità u perijodu ta’ żmien iehor għall-ġbir tagħhom mill-uffiċċji tagħha.

(9) Minkejja kull haġa li tinsab fis-subartikolu (6), (7) u (8) ta’ dan l-artikolu, meta l-Kummissjoni ssir taf li persuna

li isimha jidher fuq il-lista msemija fis-subartikolu (5) ta' dan l-artikolu tkun registrata f'dar ta' mistrieħ, jew li tkun qieghda fi sptar, jew li tkun tbat minn xi disabilita jew li tkun tinsab dejjem fis-sodda jew li tkun mod ieħor fizikament inkapaci milli tidher f'wiehed mill-postijiet stabbiliti mill-Kummissjoni skond is-subartikolu (8) ta' dan l-artikolu sabiex titlob li jinghatalha d-dokument għall-votazzjoni tagħha, ikun id-dmir tal-Kummissjoni li twassal dak id-dokument lill-persuna koncernata jew permezz ta' wiehed mill-kummissjonarji jew minn xi persuna li tkun mahtura għal dak il-ghan mill-Kummissjoni minflokhom. Il-Kummissjonarju jew il-persuna mahtura kif imsemmi qabel jistghu jinterrogaw lil dik il-persuna bil-gurament sabiex tiġi stabbilita l-identita tagħha u t-talba tagħha li tinghata d-dokument. Dak id-dokument ma għandux jinghata lil dik il-persuna kemm-il darba ma turix il-karta ta' l-identita tagħha lill-Kummissjonarju jew lill-persuna mahtura kif imsemmija qabel, skond il-każ.

(10) Jekk għal xi raġuni li tkun minbarra xi raġuni minn dawk imsemmija fl-artikolu 47 ta' dan l-Att, il-Kummissjoni tiddeċiedi li jkun meħtieġ li tistampa mill-ġdid xi dokument jew dokumenti għall-votazzjoni, il-Kummissjoni għandha minnufih tgharraf b'dan lill-partiti politiċi billi tagħtihom it-tagħrif kollu meħtieġ dwar dan. Kull dokument li jiġi hekk stampat mill-ġdid għandu jkollu l-kelma 'REPRINT' tidher fuqu, sakemm din il-kelma ma tkun tghatti b'ebda mod xi biċċa mit-tagħrif li jkun hemm fuq id-dokument.”.

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

23. L-artikolu 47 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok il-kliem “mis-6.00 p.m.” għandhom jidhlu l-kliem “mid-9.00 p.m.”; u

(b) minflok il-kliem minn “mahruġ speċjali għal hekk” sal-kliem “jithassar minn fuq dik il-lista; u (iii)” għandhom jidhlu l-kliem “li fuqu jkun hemm il-kelma “SPECJALI”, sakemm din il-kelma ma tkun tghatti b'ebda mod xi biċċa mit-tagħrif li jkun hemm fuq id-dokument. Il-kelma “SPECJALI” għandha tiddaħhal ukoll maġenb isem dak l-elettur fil-lista msemija fis-subartikolu (1) ta' l-artikolu 64 ta' dan l-Att u”.

Emenda ta'
l-artikolu 48 ta'
l-Att prinċipali.

24. Fis-subartikolu (1) ta' l-artikolu 48 ta' l-Att prinċipali, il-kliem “il-kamra tal-votazzjoni fejn dawn il-persuni kienu oriġinarjament maħsubin li jivvutaw, u l-kamra tal-votazzjoni fejn issa għandhom jivvotaw,” għandhom jithassru.

25. L-artikolu 49 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta'
l-artikolu 49 ta'
l-Att prinċipali.

(a) fis-subartikolu (1) tiegħu, minflok il-kliem “Mhux iktar tard minn tlett ijiem qabel” għandhom jidhlu l-kliem “Il-Kummissjoni għandha kemm jista' jkun prattikament fil-qrib tal-jum tal-votazzjoni tistampa dak l-għadd ta' poloz tal-votazzjoni daqskemm jista' jenhtieg għall-votazzjoni f'dik l-ghamla u fuq dak il-materjal skond kif jista' jiġi provdut f'dan l-Att u mhux iktar tard minn jumejn qabel”; u

(b) fis-subartikolu (6) tiegħu, minflok il-kliem “jista' jiġi stampat” għandhom jidhlu l-kliem “għandu jiġi stampat”.

26. L-artikolu 51 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta'
l-artikolu 51 ta'
l-Att prinċipali.

(a) minnufih fi tmiem is-subartikolu (2) tiegħu, għandhom jiżdiedu dawn il-kliem li ġejjin: “Il-kunsinna tal-formula tan-nomina lill-Kummissjoni u l-aċċettazzjoni tal-kunsinna mill-Kummissjoni ma għandhiex minnha nnifisha tindika l-validità tan-nomina u l-Kummissjoni ma għandha tagħmel ebda dikjarazzjoni dwar dan hliet li tgharraf lill-kandidat b'dan u tirċievi l-kunsinna tal-formula u tad-depositu, jekk ikun hemm, u tagħti r-riċevuta dovuta.”;

(b) fis-subartikolu (3) tiegħu, minnufih wara l-kliem “nomina minhabba li” għandhom jidhlu l-kliem “l-kandidat ma jkunx registrat bħala elettur fir-Registru Elettorali l-ahhar pubblikat jew li”;

(ċ) fis-subartikolu (4) tiegħu, minflok il-kliem “Il-Kummissjoni nnifisha tista' tagħmel oppożizzjoni.” għandhom jidhlu l-kliem “Il-Kummissjoni nnifisha għandha tagħmel oppożizzjoni jekk din jidhrilha li jkun hemm xi waħda mir-raġunijiet imsemmija fis-subartikolu (3) ta' dan l-artikolu.”;

(d) is-subartikolu (5) tiegħu għandu jithassar u s-subartikolu (6) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (5) tiegħu; u

(e) minnufih wara s-subartikolu (5) kif enumerat mill-ġdid għandhom jiżdiedu dawn is-subartikoli ġodda li ġejjin.

“(6) Meta l-Kummissjoni tirċievi xi oppożizzjoni skond id-dispożizzjonijiet tas-subartikolu (3) u (4) ta' dan l-artikolu, il-Kummissjoni għandha tistabbilixxi data għas-smigh ta' dik l-oppożizzjoni, minnufih tgharraf bil-miktub

lil dak il-kandidat li tkun saret oppożizzjoni dwaru, billi tagħtih kopja ta' l-oppożizzjoni li tkun giet prezentata kontriha, u għandha tgharraf sew lil min jagħmel l-oppożizzjoni kif ukoll lill-kandidat bid-data stabbilita għas-smigh ta' dik l-oppożizzjoni. In-notifika għandha ssir b'kull mezz li l-Kummissjoni tqis li tkun xierqa sabiex tiżgura li l-partijiet involuti jaslulhom dawk l-avviżi fl-inqas żmien possibbli.

(7) Kull oppożizzjoni għandha tiġi deċiża mill-Kummissjoni mhux iktar tard minn jumejn wara l-iskadenza taż-żmien mogħti b'dan l-Att għall-għemil ta' kull oppożizzjoni, u sew min jagħmel l-oppożizzjoni kif ukoll il-kandidat ikollhom jedd jidhru quddiem il-Kummissjoni msehbin minn xi persuna oħra li jidhrilhom li tkun adatta biex tassistihom fis-sottomissjonijiet tagħhom lill-Kummissjoni.

(8) Il-Kummissjoni għandha mill-anqas jumejn qabel ma tagħti d-deċiżjoni tagħha tħabbar pubblikament il-hin u d-data meta tkun se tagħti d-deċiżjoni tagħha. Id-deċiżjoni tingħata bil-miktub u għandu jkun fiha r-raġunijiet li tkun imsejsa fuqhom. Il-Kummissjoni għandha tara li dik id-deċiżjoni titwahaħhal f'post pubbliku fl-uffiċċju tagħha fejn kull persuna li jkollha interess tkun tista' taraha.

(9) Meta d-deċiżjoni tal-Kummissjoni ma tkunx wahda favur l-oppożizzjoni, din tkun finali. Meta d-deċiżjoni tkun wahda favur l-oppożizzjoni, il-kandidat jista' jikkontestaha billi jippreżenta rikors ta' kontestazzjoni mal-Kummissjoni quddiem il-Qorti ta' l-Appell fi żmien erbgħa u għoxrin siegħa mill-għoti tad-deċiżjoni mill-Kummissjoni. Il-Qorti ta' l-Appell għandha tisma' dawk ir-rikorsi bl-urgenza u għandha tiddeċidihom qabel iż-żmien meta skond l-artikolu 49 ta' dan l-Att il-Kummissjoni tkun se tagħti bidu għall-istampar tal-poloż tal-votazzjoni.”.

Emenda ta'
l-artikolu 53 ta'
l-Att prinċipali.

27. Fl-artikolu 53 ta' l-Att prinċipali l-kliem “tax-xogħol” għandhom jithassru.

Emenda ta'
l-artikolu 55 ta'
l-Att prinċipali.

28. Fl-artikolu 55 ta' l-Att prinċipali minflok il-kliem “fiż-żmien stabbilit għan-nomina, iżda mhux iżjed tard minn sitt sigħat qabel ma jagħlaq iż-żmien hawn fuq imsemmi,” għandhom jidhlu l-kliem “f'kull żmien sakemm il-poloż tal-votazzjoni ta' dak id-distrett li jkun qiegħed jikkontesta jkun ingħata bidu għall-istampar tagħhom skond ma hemm fl-artikolu 49 ta' dan l-Att,”.

29. L-artikolu 57 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 57 ta' l-Att prinċipali.

(a) is-subartikoli (2), (3) u (4) tiegħu għandhom jiġu enumerati mill-ġdid rispettivament bhala s-subartikoli (4), (5) u (3) tiegħu, u għandhom jitqiegħdu fl-ordni numerika sewwa hekk kif ġew enumerati mill-ġdid;

(b) minnufih wara s-subartikolu (1) tiegħu għandu jidhol dan is-subartikolu ġdid li ġej:

“(2) Meta l-partiti politiċi jkunu qiegħdin jissottomettu dawk il-listi huma jistgħu jiddistingwu bejn dawk il-persuni li jkunu jixtiquhom jintbagħtu f' post ta' votazzjoni u dawk il-persuni li jkunu jixtiquhom jinżammu b'riserva, u jkollhom iktar minn hekk id-dritt li jindikaw minn dawk il-persuni li jkunu ġew nominati minnhom għandhom jintbagħtu f' postijiet ta' votazzjoni fi djar ta' mistrieh u fi sptarijiet. Il-partiti politiċi jistgħu, jekk ikun hekk jippreferu, jissottomettu dawk il-listi f' għamla elettro-manjetika. Minkejja li n-nomina ssir minn partit politiku kull min jiġi hekk nominat għandu xorta waħda jippreżenta kull applikazzjoni li l-Kummissjoni tkun soltu tehtieg minn kull persuna oħra li tkun tixtieq taqdi d-mirijiet ta' Assistent Kummissjonarju.”; u

(c) minnufih wara s-subartikolu (5) tiegħu kif enumerat mill-ġdid, għandhom jiżdiedu dawn is-subartikoli (6) u (7) ġodda li ġejjin:

“(6) L-Assistent Kummissjonarju li jkun ġie nominat mill-Kummissjoni għandu jagħmilha ta' *Chairperson* fil-kamra tal-votazzjoni li fiha jintbagħat kull grupp ta' Assistenti Kummissjonarji u filwaqt tal-votazzjoni jkun iċ-*Chairperson* biss, meta jkun hekk mehtieg, li jikkomunika ma' l-eletturi.

“(7) Il-Kummissjoni għandha tghaddi, mill-inqas hamest ijiem qabel ma tibda l-votazzjoni, lil kull Assistent Kummissjonarju jew lill-partit f' isimhom biljett li jintlibes minnhom fil-post ta' votazzjoni li jkun juri l-kariga tagħhom ta' Assistenti Kummissjonarji u ismijiethom.”.

30. Is-subartikolu (1) ta' l-artikolu 58 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 58 ta' l-Att prinċipali.

(a) minnufih wara l-kliem “ta' xi kandidat għall-elezzjoni,” għandhom jidhlu l-kliem “jew ma jkunx registrat bhala elettur fir-Registru Elettorali li jkun ġie l-aħhar pubblikat,”; u

(b) minnufih wara l-kliem “mhux idoneju” ghandhom jidhlu l-kliem “jew mhux biż-żejjed kwalifikat”.

Emenda ta’
l-artikolu 59 ta’
l-Att prinċipali.

31. Fis-subartikolu (1) ta’ l-artikolu 59 ta’ l-Att prinċipali, minflok il-kelma “jumejn” ghandhom jidhlu l-kliem “erbat ijiem”.

Emenda ta’
l-artikolu 60 ta’
l-Att prinċipali.

32. Fl-artikolu 60 ta’ l-Att prinċipali, minflok il-kliem “aġent elettorali” kull fejn jinsabu ghandhom jidhlu l-kliem “aġent ta’ kandidat”, u minflok in-nota marginali li hemm ma’ dak l-artikolu ghandha tidhol in-nota marginali “Hatra ta’ aġent ta’ kandidat.”.

Emenda ta’
l-artikolu 61 ta’
l-Att prinċipali.

33. L-artikolu 61 ta’ l-Att prinċipali ghandu jiġi emendat kif ġej:—

(a) minnufih fi tmiem is-subartikolu (1) tiegħu, ghandhom jiżdiedu dawn il-kliem li ġejjin:

“Partit politiku jista’ jahtar bhala aġent ta’ partit lil persuna li tkun ġiet diġà nominata minnu bhala Assistent Kummissjonarju f’liema każ dik il-persuna tkun tista’ tagħmilha sew ta’ Assistent Kummissjonarju sew ta’ aġent ta’ partit.”; u

(b) fis-subartikolu (3) tiegħu minnufih wara l-kliem “li jkun fiha l-ismijiet” ghandhom jidhlu l-kliem”, l-indirizzi u n-numri tal-karta ta’ l-identità”.

Żieda ta’ l-artikolu
61A ġdid ma’
l-Att prinċipali.

34. Minnufih wara l-artikolu 61 ta’ l-Att prinċipali ghandu jidhol dan l-artikolu 61A ġdid:

“Aġenti
distrettwali.

61A. (1) Kull partit politiku jista’ jinnomina għadd ta’ persuni daqsinsaw l-għadd ta’ distretti elettorali sabiex jagħmluha ta’ ko-ordinaturi distrettwali għall-partit u dawk il-persuni f’dan l-Att jissejju aġenti distrettwali.

(2) L-aġenti distrettwali jkunu jirrapeżentaw lill-partit li jinnominahom mal-Kummissjoni fid-distrett li jinhatru għalih u għal dan l-ghan ikollhom aċċess għal għand l-Kummissjonarji f’kull żmien u jkollhom il-jedd, minkejja kull dispożizzjoni oħra ta’ dan l-Att li ma tghidx hekk, li jakkumpanjaw Kummissjonarju f’xi post ta’ votazzjoni jew kamra ta’ votazzjoni bil-ghan li jistabbilixxu kull kwistjoni li jista’ jkun hemm waqt il-votazzjoni:

Iżda aġent distrettwali ma jistax jakkumpanja Kummissjonarju b’dan il-mod hlief meta jkun hemm ukoll l-aġent distrettwali ta’ partit ieħor.

(3) Hlief meta jkun hekk eċċezzjonalment awtorizzat li jagħmel minn xi Kummissjonarju, f'ebda każ ma jista' aġent distrettwali jinterroga lil xi persuna li tkun giet legittimament imqabba mill-Kummissjoni biex twettaq xi dmir matul l-elezzjonijiet jew ifittex li jikseb xi tagħrif minn xi persuna bħal dik u lanqas ma jista' mingħajr ma jkollu dik l-awtorizzazzjoni jinterroga lil xi elettur.

(4) Dawk il-partiti politiċi li jwettqu l-jedd mogħti lilhom bis-subartikolu (1) ta' dan l-artikolu għandhom jgħaddu lista lill-Kummissjoni li jkun fiha l-ismijiet, l-indirizzi u n-numri tal-karta ta' l-identità tal-persuni nominati minnhom bħala aġenti distrettwali mhux iktar tard mill-jum stabbilit għan-nomina ta' Assistenti Kummissjonarji skond ma hemm fl-artikolu 57 ta' dan l-Att.”.

35. Fl-artikolu 62 ta' l-Att prinċipali, minnufih wara l-kliem “Ebda persuna ma tista' tinhatar” għandhom jidhlu l-kliem “aġent distrettwali,” u minnufih wara l-kliem “jew aġent ta' partit” għandhom jidhlu l-kliem “jekk ma tkunx registrata bħala elettur fir-Registru Elettorali li jkun gie l-aħhar pubblikat jew”.

Emenda ta' l-artikolu 62 ta' l-Att prinċipali.

36. L-artikolu 63 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) minflok in-nota margjinali li hemm ma' l-artikolu għandha tidhol in-nota margjinali “Identifikazzjoni ta' aġenti.”;

(b) fis-subartikolu (1) tiegħu, minflok il-kliem minn “Flinmien ma' l-isem, l-indirizz” sal-kliem “ritratt tal-passaport, u l-Kummissjonarju” għandhom jidhlu l-kliem “Il-Kummissjonarji”, u l-kliem “u minn min ikun gie nominat” għandhom jithassru; u

(ċ) minflok is-subartikolu (2) tiegħu għandu jidhol dan is-subartikolu ġdid li ġej:

“(2) Il-Kummissjoni għandha tghaddi lil kull partit politiku l-listi ta' l-aġenti kollha preżentati mill-partiti politiċi l-oħra kollha kif ukoll l-aġenti ta' kandidati preżentati mill-kandidati fi żmien jumejn minn meta jaslulha l-listi u l-pariti politiċi jistgħu jagħmlu l-oppożizzjoni tagħhom dwar dan fi żmien erbat ijiem minn dak inhar.”.

37. Is-subartikolu (1) ta' l-artikolu 64 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) fil-paragrafu (b) tiegħu wara l-kliem “lill-partiti politiċi kollha li jkunu qeghdin jikkontestaw l-elezzjoni” għandhom jiżiedu l-kliem “li jitolbu bil-miktub li jkollhom dawk il-listi,”; u

(b) il-paragrafu (ċ) tiegħu għandu jiġi enumerat mill-ġdid bhala l-paragrafu (d) tiegħu u minnufih wara l-paragrafu (b) tiegħu għandu jidhol dan il-paragrafu (ċ) ġdid li ġej:

“(c) Il-Kummissjoni għandha wkoll tghaddi lill-partiti politiċi li jirċievu dawk il-listi kull tibdil fi, żieda ma’, jew thassir minn dawk il-listi li jista’ jkun hemm ta’ kuljum sal-jum li jiġi minnufih qabel il-votazzjoni u dawk il-partiti politiċi jistgħu jivverifikaw il-korrettezza tat-tagħrif li jkollhom jew li jiksbu mal-Kummissjoni f’kull żmien.”.

Sostituzzjoni ta’
l-artikoli 68 u 69
ta’ l-Att prinċipali.

38. Minflok l-artikoli 68 u 69 ta’ l-Att prinċipali għandhom jidhlu dawn l-artikoli 68, 68A u 69 li ġejjin:

“Dispożizzjonijiet
dwar
kmamar tal-
votazzjoni u
kompartmenti tal-
votazzjoni.

68. (1) Il-Kummissjoni għandha tiżgura, skond kemm ikun possibbli, li f’kull kamra tal-votazzjoni jkun hemm distanza sew bejn il-post fejn ikunu qeghdin bil-qeghda l-Assistenti Kummissjonarji u l-kompartmenti tal-votazzjoni li ġewwa fihom jidhlu l-eletturi sabiex jimmarkaw il-poloż tal-votazzjoni tagħhom. Il-kompartmenti tal-votazzjoni għandhom jiġu kostruwiti b’mod tali li jeskludu l-possibiltà li xi hadd ikun jista’ jara kif l-elettur ikun qed jivvota u jekk, għal xi raġuni li tkun, il-Kummissjoni tiddeċiedi li jkun hemm dik il-possibiltà, il-Kummissjoni tista’ tordna, minkejja kull haġa li ma tghidx hekk f’dan l-Att, li l-kompartment tal-votazzjoni għandu jinqata’ mill-bqija tal-kamra permezz ta’ xi purtiera jew separju simili.

(2) Il-Kummissjoni għandha titlob lill-partiti politiċi biex dawn jgħaddulha għadd biżżejjed ta’ ritratti tal-kandidati relattivi sabiex il-Kummissjoni tkun tista’ twaħhal ritratt ta’ kull kandidat f’kull kamra tal-votazzjoni tad-distrett elettorali fejn il-kandidat ikun qed jikkontesta l-elezzjoni. Kull ritratt għandu jkollu isem il-kandidat u l-isem u l-*badge* tal-partit li jkun qed jirrappreżenta, jekk ikun il-każ, u r-ritratti għandhom jintwerew f’dak l-ordni kif jidhru l-ismijiet tal-kandidati fuq il-polza tal-votazzjoni. Il-Kummissjoni għandha tagħti dawk id-direttivi li tista’ tqis li jkunu xierqa dwar il-qies u l-ghamla ta’ dawk ir-ritratti.

(3) Il-Kummissjoni għandha tiżgura li f’kull kompartment tal-votazzjoni jkun hemm imwaħhal, f’post li

l-elettur ikun jista' jara sew, kopja ta' l-Istruzzjonijiet lill-eletturi stabbiliti fit-Tmien Skeda (B) li tinsab ma' dan l-Att, u li jkun hemm strumenti għall-kitba disponibbli għall-użu ta' l-eletturi.

(4) Il-Kummissjoni għandha tordna lill-Assistenti Kummissjonarji jiżguraw sew li jqeghdu l-kaxxi tal-votazzjoni kemm jista' jkun fil-qrib ta' fejn ikunu huma qeghdin bil-qeghda u b'dak il-mod li huma jkun jistgħu jaraw sew lill-elettur li jkun qiegħed jiffa' l-polza tal-votazzjoni tiegħu għewwa fiha.

(5) Il-Kummissjoni għandha thejji kamra jew kmamar f'kull post tal-votazzjoni fejn tkun tista' żżomm, sal-jum tal-votazzjoni, il-kaxex tal-votazzjoni, il-listi tal-persuni bil-jedd li jivvotaw, il-poloż tal-votazzjoni u kull dokument u materjal ieħor relevanti li jkollu jintuża f'dak il-post tal-votazzjoni fil-jum tal-votazzjoni. Il-kamra għandu jkollha faċilitajiet adegwati ta' dawl u għandu jkun hemm fetha żgħira fil-bieb li tkun tippermetti 'l wieħed jara x'ikun hemm f'dik il-kamra.

(6) Il-partiti politiċi għandhom jingħataw kull faċilità biex jispezzjonaw il-postijiet tal-votazzjoni kollha żmien sew qabel il-jum tal-votazzjoni u li jagħmlu suggerimenti lill-Kummissjoni dwar l-użu tagħhom.

(7) Il-kaxex tal-votazzjoni għandu jkollhom dawk il-qisien u jinħadmu minn dak il-materjal li l-Kummissjoni tiddeċiedi dwaru iżda l-Kummissjoni għandha tiżgura li l-kaxxa tkun tista' tiġi sigillata waqt il-votazzjoni u li ma jkunx jista' jsir tbaġħbis magħha mingħajr ma wieħed jinduna u b'dan ukoll illi jekk il-kaxxa tkun magħmula minn materjal li wieħed ikun jista' jara minn għewwa fih, il-Kummissjoni tipprovdi *envelopes* lill-eletturi sabiex iqegħdu għewwa fihom il-poloż tal-votazzjoni tagħhom qabel ma jitfghuhom fil-kaxxa tal-votazzjoni.

Kaxex tal-votazzjoni u dokumenti għall-kmamar tal-votazzjoni.

68A. (1) F'xi jum li jkun kemm jista' prattikament qrib tal-jum tal-votazzjoni iżda mhux qabel tlett ijiem minn dak il-jum, il-Kummissjoni għandha tikkonsenja f'kull post tal-votazzjoni, il-kaxex tal-votazzjoni, il-lista ta' persuni li jkollhom jedd jivvotaw f'dak il-post, il-poloż tal-votazzjoni u kull dokument u materjal relevanti ieħor li jkun se jintuża f'dak il-post tal-votazzjoni fil-jum tal-votazzjoni u għandha tissigilla dawk id-dokumenti u materjal fil-kamra stabbilita għal dan il-ghan skond ma hemm fl-artikolu ta' qabel ta' dan l-Att. Il-kamra għandha tinzamm mixgħula f'kull hin.

(2) Il-partiti politiċi jkollhom il-jedd li jissorveljaw dak it-trasport, li jaghmlu s-sigilli taghhom mal-kamra u ma' kull apertura li taghti ghalha u li jivverifikaw x'hemm fil-kamra billi jharsu minn ġol-fetha li jkun hemm fil-bieb f'kull hin.

Trasferiment tal-kaxxa tal-votazzjoni għal ġol-kmamar tal-votazzjoni.

69. (1) Fil-jum stabbilit għall-votazzjoni u tletin minuta qabel ma din tibda, il-kamra fil-post tal-votazzjoni fejn il-kaxxa tal-votazzjoni u dokumenti oħra jkunu nhażnu mill-Kummissjoni għandha tinfetħa u l-kaxxa, id-dokumenti u l-materjal jiġu trasferiti għal ġo kull kamra tal-votazzjoni mill-Assistenti Kummissjonarji relattivi.

(2) Qabel ma tibda l-votazzjoni l-Assistenti Kummissjonarji, quddiem kull kandidat jew aġent li jista' jkun hemm, għandhom jifthu l-kaxxa tal-votazzjoni li tkun ġiet konsenjata lilhom u jiżguraw li din tkun vojta qabel ma jissigillawha u jibdew il-votazzjoni. Jekk ma jkun hemm ebda kandidat jew aġent preżenti l-Assistenti Kummissjonarji jistaqsu lil min ikun hemm preżenti sabiex jidhol fil-kamra tal-votazzjoni u jkun xhud tas-sigillar tal-kaxxa tal-votazzjoni.

(3) Wara li jiżguraw ruhhom li l-kaxxa tal-votazzjoni tkun vojta, jekk dan jenhtieg ukoll billi jnehhu kull materjal żejjed minn ġewwa fiha, iċ-*Chairperson* minn fost l-Assistenti Kummissjonarji jgħaddi biex jissigilla l-kaxxa tal-votazzjoni bil-mod u bis-sigill lilu provdut mill-Kummissjoni filwaqt li jiżgura li ma jissigillax il-fetha li minnha jkollhom jintefghu l-poloż tal-votazzjoni mill-eletturi.

(4) Jista' aġent wiehed jew kandidat wiehed għal kull wiehed mill-partiti politiċi preżenti waqt dak l-issigillar jaghmel is-sigill tal-partit tiegħu mal-kaxxa tal-votazzjoni.

(5) Wara li l-kaxxa tal-votazzjoni tkun ġiet sigillata, iċ-*Chairperson* ta' l-Assistenti Kummissjonarji għandu jaghti xiehda ta' dan fuq il-formula provduta mill-Kummissjoni filwaqt li jitlob lil kull min kien preżenti waqt l-issigillar sabiex jiffirma bħala xhud, u ma' dan kulhadd jitlaq 'il barra mill-kamra hlief l-Assistenti Kummissjonarji u hekk tibda l-votazzjoni.

(6) Fil-każ li jinqala' xi nuqqas ta' qbil li ma jkunx jista' jitranga bejn dawk preżenti, iċ-*Chairperson* ta' l-Assistenti Kummissjonarji jitlob lill-Kummissjonarju li jaghti kull direttiva mehtieġa."

39. L-artikolu 70 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) fi tmiem is-subartikolu (3) tiegħu għandhom jiżdiedu l-kliem, "Kull komunikazzjoni bejn l-Assistenti Kummissjonarji u l-elettur filwaqt li l-elettur ikun għadu fil-kamra tal-votazzjoni għandha ssir permezz ta' *Chairperson* ta' l-Assistenti Kummissjonarji"; u

(b) fis-subartikolu (4) tiegħu, minflok il-kliem minn "Għall-finijiet ta' dan l-Att" sal-kliem "għall-validità tal-polza tal-votazzjoni" għandhom jidhlu l-kliem "Ikun it-timbru uffiċjali tal-Kummissjoni biss li jkun mehtieg għall-validità tal-polza tal-votazzjoni".

40. L-artikolu 71 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) fil-paragrafu (f) tas-subartikolu (3) tiegħu minflok il-kliem "kif imfisser fis-subartikolu (4) ta' l-artikolu 70" għandhom jidhlu l-kliem "tal-Kummissjoni"; u

(b) fis-subartikolu (4) tiegħu, minflok il-kliem minn "għewwa kompartiment" sal-kliem "filwaqt li jkun qieghed jikteb fuq il-polza tal-votazzjoni tiegħu" għandhom jidhlu l-kliem "għewwa kompartiment tal-votazzjoni".

41. Minflok il-paragrafu (d) tas-subartikolu (4) ta' l-artikolu 72 ta' l-Att prinċipali għandu jidhol dan li ġej:

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

"(d) Sabiex jassistu lil dak l-elettur jindika l-preferenzi tiegħu, l-Assistenti Kummissjonarji jistgħu jirreferu lill-elettur għar-ritratti tal-kandidati murijin fil-kamra tal-votazzjoni skond l-artikolu 68 ta' dan l-Att."

42. Minflok l-artikolu 77 ta' l-Att prinċipali għandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 77 ta' l-Att prinċipali.

"Postijiet tal-votazzjoni mhallta.

77. (1) Minkejja kull haġa oħra li tmur kontra dak li jinsab f'dan l-Att, il-Kummissjoni għandha tipprovdi postijiet tal-votazzjoni mhallta għall-ghanijiet u bil-mod kif provdut b'dan l-artikolu.

(2) Post tal-votazzjoni mhallat huwa post tal-votazzjoni fejn ikun hemm kaxxa tal-votazzjoni għal kull distrett elettorali u fejn l-eletturi li jkollhom jedd li jivvotaw f'dak il-post, skond ma hemm is-subartikoli ta' dan l-artikolu li ġejjin, jistgħu jagħmlu hekk indipendentement mid-distrett

elettorali fejn jistghu jkunu registrati fir-Registru Elettorali li jkun gie l-ahhar pubblikat, billi jitfghu l-vot taghhom fil-kaxxa tal-votazzjoni korrispondenti ghad-distrett elettorali fejn ikunu registrati.

(3) Il-Kummissjoni ghandha biss tipprovdi postijiet tal-votazzjoni mhallta f'dawn l-imkejjen:

(a) fil-post fejn ikun se jsir l-ghadd tal-voti skond ma hemm fl-artikolu 45 ta' dan l-Att;

(b) f'post wiehed f'Ghawdex li ma jkunx xi wiehed mill-postijiet imsemmija fil-paragrafi li għejjin ta' dan is-subartikolu;

(c) f'kull dar ta' l-anzjani kif imfissra bl-artikolu 80 ta' dan l-Att;

(d) fl-isptarijiet kollha;

(e) fil-Habs Ċivili;

(4) Il-persuni msemmija f'dan is-subartikolu bil-kunsens bil-quddiem tal-Kummissjoni moghti bil-mod provdut f'dan l-artikolu, ikollhom jedd jivvotaw f'xi wiehed mill-postijiet tal-votazzjoni mhallta li hemm provdut dwarhom fis-subartikolu ta' qabel ta' dan l-artikolu. Dawk il-persuni jitfghu l-vot taghhom fil-post u fil-hin indikat mill-Kummissjoni:

(a) il-Kummissjonarji, l-Assistenti Kummissjonarji, ufficjali tal-Pulizija u kull persuna ohra li legittimament ikollha xi dmir ufficjali xi twettaq fil-jum tal-votazzjoni tista' tivvota f'xi wiehed mill-postijiet tal-votazzjoni mhallta ndikati fil-paragrafi (a) u (b) tas-subartikolu ta' qabel ta' dan l-artikolu, indipendentement minn fejn dawn jistghu jkunu registrati fir-Registru Elettorali li jkun gie l-ahhar pubblikat, u dawn ghandhom jitfghu l-vot taghhom fil-jum ta' qabel il-jum tal-votazzjoni bejn is-7.00 a.m. u l-10.00 p.m.

(b) kull elettur li jkun residenti f'dar ta' l-anzjani kif imfissra fl-artikolu 80 ta' dan l-Att, jista' jivvota fil-post tal-votazzjoni mhallta stabbilit skond ma hawn fil-paragrafu (c) tas-subartikolu ta' qabel ta' dan l-artikolu, indipendentement minn fejn dan jista' jkun registrat fir-Registru Elettorali li jkun gie l-ahhar pubblikat, u huwa ghandu jitfa' l-vot tieghu fil-jum tal-votazzjoni;

(ċ) kull elettur li jkun jinsab fl-isptar f'jum il-votazzjoni jista' jivvota fil-post tal-votazzjoni mhallta stabbilit skond ma hemm fil-paragrafu (d) tas-subartikolu ta' qabel ta' dan l-antikolu, indipendentement minn fejn dan jista' jkun registrat fir-Registru Elettorali li jkun ġie l-ahhar pubblikat, u huwa ghandu jitfa' l-vot tiegħu fil-jum tal-votazzjoni;

(d) kull elettur li jkun jinsab fil-ħabs fil-jum tal-votazzjoni ghandu jivvota fil-post tal-votazzjoni mhallta stabbilit skond ma hemm fil-paragrafu (e) tas-subartikolu ta' qabel ta' dan l-antikolu, indipendentement minn fejn dan jista' jkun registrat fir-Registru Elettorali li jkun ġie l-ahhar pubblikat, u huwa ghandu jitfa' l-vot tiegħu fil-jum tal-votazzjoni;

(5) (a) Il-Kummissjoni ghandha tagħmel dak l-istħarriġ kollu li jista' jkun mehtieg sabiex jiġi stabbilit darba għal dejjem min ikunu dawk l-eletturi li għandhom jivvotaw f'postijiet tal-votazzjoni mhallta u għandha, tliet ijiem qabel il-votazzjoni telenka listi ta' eletturi għal kull kamra tal-votazzjoni mhallta wara li tkun hassret l-ismijiet ta' dawk l-eletturi mil-listi ta' eletturi tal-kmamar tal-votazzjoni fejn kellhom originarjament jivvotaw;

(b) Il-Kummissjoni ghandha tgharraf bil-miktub lil kull elettur li jista' jagħzel li jivvota f'post tal-votazzjoni mhallta skond ma hemm fis-subartikolu ta' qabel ta' dan l-antikolu, u elettur li jkun jixtieq jivvota f'post tal-votazzjoni mhallta għandu jgharraf lill-Kummissjoni bil-miktub dwar dan mill-anqas hamest ijiem qabel il-jum tal-votazzjoni;

(ċ) dawk l-eletturi li jivvotaw fi kmamar tal-votazzjoni mhallta għandhom jużaw id-dokument għall-votazzjoni li jkun ġie originarjament mahruġ lilhom minkejja li t-tagħrif li jkun fih dwar il-post tal-votazzjoni u l-kamra tal-votazzjoni ma jkun jagħmel ebda riferenza għall-post tal-votazzjoni mhallta.”.

43. Fl-antikolu 78 ta' l-Att prinċipali minflok il-kliem “aġent elettorali” kull fejn jinsabu, għandhom jidhlu l-kliem “aġent ta' kandidat”.

Emenda ta' l-antikolu 78 ta' l-Att prinċipali.

44. Fit-Taqsima XII ta' l-Att prinċipali, minflok il-kliem “dar ta' l-anzjani” kull fejn tinsab għandhom f'kull każ jidhlu l-kliem “sptarijiet u djar ta' l-anzjani”.

Emenda ġenerali għat-Taqsima XII ta' l-Att prinċipali.

Sostituzzjoni ta' l-artikolu 80 ta' l-Att prinċipali.

45. Minflok l-artikolu 80 ta' l-Att prinċipali għandu jidhol dan li ġej:

“Sptarijiet u djar ta' l-anzjani.

80. (1) Għall-għanijiet ta' din it-Taqsima ta' l-Att:

“sptar” tfisser kull post li prinċipalment jintuża għar-rikoveru ta' persuni morda u li fih mill-inqas hamsin elettur reġistrat, indipendentement minn fejn ikunu reġistrati, x'aktarx ikunu qegħdin hemm bhala *in patients* f'jum il-votazzjoni;

“dar ta' l-anzjani” tfisser kull post li prinċipalment jintuża għall-abitazzjoni ta' nies anzjani u li fih mill-inqas hamsin elettur reġistrat, indipendentement minn jekk dawn ikunux reġistrati fid-dar ta' l-anzjani jew le, x'aktarx ikunu qegħdin hemm f'jum il-votazzjoni.

(2) Id-dispożizzjonijiet tal-paragrafu (a) tas-subartikolu (3) ta' l-artikolu 81, tal-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 82 u ta' l-artikolu 83 ta' dan l-Att ma għandhomx ikunu japplikaw għal djar ta' l-anzjani li ma jkunux immexxija jew amministrati mill-Gvern.”.

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

46. Fis-subartikolu (2) ta' l-artikolu 81 ta' l-Att prinċipali minflok il-kliem “fi djar għan-nies avvanzati” għandhom jidhlu l-kliem “sptarijiet u djar ta' l-anzjani”.

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

47. L-artikolu 83 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minflok il-kliem “lill-amministratur tad-dar” għandhom jidhlu l-kliem “liċ-Chairperson tas-sotto-kumitat” u minflok il-kliem “dak l-amministratur” għandhom jidhlu l-kliem “dak iċ-Chairperson”;

(b) minnufih fi tmiem is-subartikolu (2) tiegħu għandhom jiżdiedu dawn il-kliem li ġejjin:

“Is-sotto-kumitat għandu jara xi tkun l-għażla magħmula minn kull elettur kemm jista' jkun malajr wara l-kunsinna tad-dokumenti għall-votazzjoni lill-eletturi u għandu jgħarraf bil-miktub lid-delegati tal-partit b'dik l-għażla li kull elettur ikun għamel.”;

(ċ) is-subartikoli (3), (4), (5) u (6) tiegħu, għandhom jiġu enumerati mill-ġdid bhala s-subartikoli (5), (6), (7) u (8) rispettivament;

(d) minnufih wara s-subartikolu (2) tiegħu għandhom jidhlu dawn is-subartikoli (3) u (4) godda li ġejjin:

“(3) Il-Kummissjoni ghandha ttiprovdi postijiet għall-votazzjoni mhallta skond ma hemm fl-artikolu 77 ta’ dan l-Att gewwa sptarijiet u djar ta’ l-anzjani sabiex kull elettur li jkun hemm residenti jkun jista’ jitfa’ l-vot tiegħu fil-post fejn ikun qiegħed residenti indipendentement mill-post fejn dan jista’ jkun registrat skond ir-Registru Elettorali li jkun gie l-aħhar pubblikat.

(4) Konsulent mediku li jkollu b’pazjent tiegħu xi elettur li jkun residenti f’xi sptar jew dar ta’ l-anzjani jista’, bil-hruġ ta’ ċertifikat mediku li jkun jgħid dan, jiġbed l-attenzjoni tal-Kummissjoni għal kull periklu li jkun hemm għas-saħha tal-pazjent tiegħu li kieku dan kellu jitharrek minn postu sabiex imur jivvota. Dak iċ-ċertifikat, madankollu, ma għandu b’ebda mod jolqot il-jedd ta’ dak l-elettur, jew ta’ min jiġi l-eqreb minnu meta jkun il-każ, li ma jagħtix każ ta’ l-avviż mediku u jiddeċiedi li jitfa’ l-vot tiegħu.”; u

(e) minflok is-subartikolu (7) tiegħu kif enumerat mill-ġdid għandu jidhol dan li ġej:

“(7) (a) Matul il-jum stabbilit għall-votazzjoni hadd ma għandu jithalla jidhol, mingħajr l-aworità tal-Kummissjoni, fi sptarijiet u djar ta’ l-anzjani;

(b) id-dispożizzjonijiet tal-paragrafu (a) ta’ dan is-subartikolu ma għandhomx ikunu japplikaw għall-membri tas-sotto-kumitat, membri tal-persunal u qraba ta’ pazjenti li jkunu ġew awtorizzati minn qabel jakkumpanjaw lill-eletturi biex jivvotaw:

Izda dawk il-qraba għandhom f’kull hin jilbsu biljetti ta’ identità li jinħargulhom għaldaqshekk mill-Kummissjoni.”.

48. Fit-Taqsima XIII ta’ l-Att prinċipali minflok il-kelma “voti” kull fejn tinsab għandhom jidhlu l-kliem “poloz tal-votazzjoni”.

Emenda ġenerali għat-Taqsima XIII ta’ l-Att prinċipali.

49. Fl-artikolu 85 ta’ l-Att prinċipali minflok il-kliem minn “l-għadd ma għandux jibda” sa tmiem l-artikolu għandhom jidhlu l-kliem “Il-klassifika tal-poloz tal-votazzjoni ma għandhiex tibda qabel ma jkunu twettqu l-proċeduri kollha stabbiliti fit-Taqsimiet XIII u XIV ta’ dan l-Att u l-Kummissjoni tiddikjara li tkun sodisfatta li ma kienx hemm tbaġħbis. Il-klassifika tal-poloz tal-votazzjoni kollha għandha tibda fl-istess hin fid-distretti elettorali kollha.”.

Emenda ta’ l-artikolu 85 ta’ l-Att prinċipali.

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

50. L-artikolu 86 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) minnufih fi tmiem is-subartikolu (8) tiegħu ghandhom jiżdiedu dawn il-kliem li ġejjin: "Il-kaxex tal-voti ghandhom jiġu trasferiti minn dik il-kamra għal gol-parti fejn jingħaddu l-poloż kemm jista' jkun prattikament malajr bil-għan li jsir il-proċess ta' Rikonċiljazzjoni tar-Rendikont ta' Poloż tal-Votazzjoni msemmi fit-Taqsima li tmiss ta' dan l-Att."; u

(b) fis-subartikolu (9) tiegħu minflok il-kliem "l-proċess tal-ghadd" ghandhom jidhlu l-kliem "l-proċess ta' klassifika".

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

51. Fis-subartikolu (4) ta' l-artikolu 87 ta' l-Att prinċipali minflok il-kliem "aġenti elettorali u ta' partit" ghandhom jidhlu l-kliem "aġenti ta' kandidati u ta' partit".

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

52. L-artikolu 89 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minflok il-kliem "aġenti elettorali" ghandhom jidhlu l-kliem "aġenti ta' kandidati"; u

(b) fis-subartikolu (2) tiegħu minflok il-kliem "l-ghadd ta' kandidati" ghandhom jidhlu l-kliem "għaxra iktar mill-ghadd ta' kandidati" u l-kliem minn "Il-lista ta' dawk l-aġenti ghandha tingħata sa tmiem is-subartikolu" ghandha tithassar.

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

53. Fil-paragrafu (m) ta' l-artikolu 90 ta' l-Att prinċipali minnufih wara l-kliem "f'kull zona ta' l-imkien" ghandhom jidhlu l-kliem "inkluża kull zona ristretta".

Sostituzzjoni ta' l-artikolu 92 ta' l-Att prinċipali.

54. Minflok l-artikolu 92 ta' l-Att prinċipali ghandu jidhol dan li ġej:—

"Hatra ta' persuni biex jiżguraw it-tmexxija sew tal-bini eċċ.

92. (1) Il-Kummissjoni ghandha tahtar lil dawk il-persuni li tqis li jkunu adatti sabiex jiżguraw it-tmexxija u l-manutenzjoni sew tal-bini stabbilit għall-ħażna tal-kaxex tal-voti u għall-ghadd tal-voti u lista ta' dawn il-persuni ghandha tintbagħat lill-partiti politiċi mill-inqas sitt ijiem qabel il-votazzjoni.

Ċirkostanzi straordinarji.

(2) F'ċirkostanzi straordinarji, il-Kummissjoni ghandha thalli jidhlu fil-bini stabbilit għall-ħażna tal-kaxex tal-voti u għall-ghadd tal-votazzjoni kull persuna oħra li tqis meħtieġa b'dan illi f'ebda każ ma ghandha thalli li jidhol il-pubbliku in ġenerali.

Biljetti ta' identità.

(3) Hlief għall-uffiċjali tal-Pulizija u għall-membri tal-Forzi Armati ta' Malta, kull min jithalla jidhol fil-bini stabbilit għall-ħażna tal-kaxex tal-voti u għall-ghadd

tal-poloż tal-votazzjoni għandu jingħata mill-Kummissjoni biljett ta' identità li jkun juri d-dettalji mehtieġa dwar l-aġent għall-għadd u għandu jilbes dak il-biljett ta' identità f'kull waqt meta jkun ġewwa dak il-bini jew fil-viċinanzi tiegħu.”.

55. Fl-artikolu 93 ta' l-Att prinċipali minflok il-kliem “l-aġenti għall-għadd” għandhom jidhlu l-kliem “l-aġenti ta' kandidati”.

Emenda ta' l-artikolu 93 ta' l-Att prinċipali.

56. Minflok l-artikolu 95 ta' l-Att prinċipali għandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 95 ta' l-Att prinċipali.

“Rikonċiljazzjoni tar-rendikont ta' poloż tal-votazzjoni.

95. Kemm jista' jkun prattikament malajr wara li l-kaxx tal-voti jibdw jigu depożitati fil-kamra stabbilita mill-Kummissjoni għall-ħażna tal-kaxx tal-voti skond ma hemm fl-artikolu 45 ta' dan l-Att, il-Kummissjoni għandha tgħaddi biex tirrikoncilja r-Rendikont ta' Poloż tal-Votazzjoni ta' kull kaxxa konsenjata mill-Assistenti Kummissjonarji ma' l-għadd attwali ta' poloż tal-votazzjoni li jkunu jinsabu f'dik il-kaxxa u għal dak l-għan għandhom jirrilaxxjaw minn dik il-kamra (kemm jista' jkun malajr wara li jaslu fiha sakemm ma tinholoqx konfużjoni fuq l-imwejjed fejn isir l-għadd) il-kaxx tal-voti sabiex jittiehdu fuq l-imwejjed fejn isir l-għadd ta' kull distrett elettorali relattiv bil-għan li ssir dik ir-rikonċiljazzjoni.”.

57. Fl-artikolu 97 ta' l-Att prinċipali minflok il-kliem “Il-kaxx tal-votazzjoni għandhom jinfethu wahda wahda għal kull distrett” għandhom jidhlu l-kliem “Il-Kummissjoni tista' tordna li jinfethu flimkien f'kull distrett elettorali dak l-għadd ta' kaxx tal-votazzjoni li trid sakemm jittiehdu prekawzjonijiet adegwati sabiex jiġi żgurat li l-poloż tal-votazzjoni li jinħarġu minn kaxx tal-votazzjoni differenti jibqgħu mifrudin”.

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

58. Fl-artikolu 99 ta' l-Att prinċipali minflok il-kliem “li n-numru ta' voti” għandhom jidhlu l-kliem “li l-għadd tal-poloż tal-votazzjoni”.

Emenda ta' l-artikolu 99 ta' l-Att prinċipali.

59. Fl-artikolu 101 ta' l-Att prinċipali minflok il-kliem “il-voti” għandhom jidhlu l-kliem “il-poloż tal-votazzjoni”.

Emenda ta' l-artikolu 101 ta' l-Att prinċipali.

60. Fis-subartikolu (4) ta' l-artikolu 107 ta' l-Att prinċipali minflok il-kliem “aġenti elettorali” għandhom jidhlu l-kliem “aġenti ta' kandidati”.

Emenda ta' l-artikolu 107 ta' l-Att prinċipali.

61. Is-subartikolu (1) ta' l-artikolu 112 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) fil-paragrafu (h) tiegħu minflok il-kliem “għall-elezzjoni,” għandhom jidhlu l-kliem “għall-elezzjoni; jew”; u

(b) minnufih wara l-paragrafu (h) tiegħu għandu jidhol dan li ġej:

“(i) jaċċetta dokument għall-votazzjoni, sew jekk dan ikun jappartjeni lil jew lil xi persuna oħra, meta huwa jkun jaf li hu jew il-persuna l-oħra li lilha jkun jappartjeni d-dokument għall-votazzjoni jkunu tilfu l-jedd li jivvotaw; jew

(j) jivvota mentri jkun jaf li tilef il-jedd tiegħu li jivvota,”.

Sostituzzjoni
tat-Tmien Skeda
li tinsab ma'
l-Att prinċipali.

62. Minflok it-Tmien Skeda li tinsab ma' l-Att prinċipali għandhom jidhlu t-Tmien Skeda u t-Tmien Skeda B li jidhru fl-Iskeda li tinsab ma' dan l-Att.

Emenda tat-
Tlettax-il Skeda
li tinsab ma'
l-Att prinċipali.

63. Ir-Regolamenti ta' l-1991 dwar l-Elezzjonijiet Ġenerali (Klassifika tal-Poloz tal-Votazzjoni, Elezzjonijiet Każwali u b'Għażla), li hemm fit-Tlettax-il Skeda li tinsab ma' l-Att prinċipali għandhom jiġu emendati kif ġej:

(1) Minnufih wara l-paragrafu (9) fir-regolament 2, għandhom jidhlu dawn il-paragrafi li ġejjin:

“(10) Il-frazi “tragward” tfisser l-inqas għadd ta' voti li għandu jkiseb partit politiku sabiex dak il-partit ikun rappreżentat fil-Kamra tad-Deputati.

It-tragward jintlaħaq minn partit politiku meta jew:

(a) wara li jingħaddu flimkien il-voti mitfughin għall-kandidati kollha tiegħu fid-distretti elettorali kollha, il-partit ikun kiseb mill-inqas hamsa fil-mija tal-voti validi mitfughin fl-ewwel għadd; jew

(b) wara li jingħaddu flimkien il-voti mitfughin għall-kandidati kollha tiegħu f'distrett elettorali wiehed, il-partit ikun kiseb għadd ta' voti mitfughin fl-ewwel għadd daqskemm tkun il-kwota f'dak id-distrett stabbilita skond ma hemm fir-regolament 8 ta' dawn ir-regolamenti.

(11) Il-frazi “partit politiku eskluż” tfisser partit politiku li ma jkunx lahaq it-tragward.

(12) Il-frazi “partit politiku li għadda” tfisser partit politiku li jkun lahaq it-tragward.

(13) Il-frazi “Metodu Diviżorju ta' D'Hondt (Sistema Proporzjonali Nazzjonali)” tfisser il-proċess matematiku li

jintuża sabiex tiġi stabbilita, fuq livell nazzjonali, xi tkun ir-rappreżentanza proporzjonali fil-Kamra tad-Deputati, liema proċess għandu jkun jikkonsisti f'dawn l-istadji li ġejjin:

(a) l-għadd totali ta' voti akkreditati, skond id-dispożizzjonijiet ta' dawn ir-regolamenti, lil kull partit politiku li għadda fid-distrett elettoral kollha għandhom l-ewwel jiġu diviżi b'1; in-numru li tiddividi bih (id-diviżur) għandu mbagħad jiżjed għal 2, 3 u tibqa' sejjer hekk u ta' kull darba l-għadd totali tal-voti akkreditati kif imsemmi qabel lil kull partit politiku fid-distretti elettoral kollha għandu jiġi diviż bid-diviżur kif hekk miżjud. Dan il-proċess għandu jitkompla sakemm ir-riżultati jkunu suffiċjenti sabiex jiġu assenjati lill-partit politiku li għadda s-siġġijiet kollha fil-Kamra tad-Deputati;

(b) mbagħad jitqiesu r-riżultati li johorġu mid-diviżjonijiet li jinkisbu skond ma hemm fil-paragrafu (a) hawn qabel imsemmi. Dak il-partit politiku li jkollu l-oghla riżultat miktub b'dawk id-diviżjonijiet (sew jekk id-diviżur ikun 1, 2, 3 jew xi numru ikbar minn dawn) jinghata l-ewwel siġġu. Ir-riżultat li jintuża biex jinghata l-ewwel siġġu mbagħad jiġi eskluż u dak il-partit politiku li jkollu l-oghla riżultat li jmiss miksub b'dawk id-diviżjonijiet (sew jekk id-diviżur ikun 1, 2, 3 jew xi numru ikbar minn dawn kif imsemmi qabel) jinghata t-tieni siġġu, u r-riżultat li jintuża biex jinghata t-tieni siġġu mbagħad jiġi eskluż. Il-proċess jitkompla biex jinghataw it-tielet, ir-raba' u siġġijiet oħra sussegwenti sakemm jinghata għadd ta' siġġijiet li jkun ekwivalenti għall-għadd ta' membri li jkollhom jiġu eletti fil-Kamra tad-Deputati;

(ċ) l-għadd totali ta' siġġijiet li jinghataw lil kull partit politiku li għadda għandu jkun l-għadd totali ta' membri li bih dak il-partit għandu jkun rappreżentat fil-Kamra tad-Deputati.

(14) Il-frazi "Metodu Diviżorju ta' D'Hondt (Sistema Proporzjonali Distrettwali)" tfisser il-proċess matematiku li jintuża sabiex jiġi stabbilit l-għadd totali ta' siġġijiet li għandhom jinghataw lil kull partit politiku li għadda f'kull distrett, sabiex tiġi stabbilita, fuq livell nazzjonali, xi tkun ir-rappreżentanza proporzjonali fil-Kamra tad-Deputati, liema proċess għandu jkun jikkonsisti f'dawn l-istadji li ġejjin:

(a) l-ghadd totali ta' voti akkreditati, skond ma hemm fid-dispożizzjonijiet ta' dawn ir-regolamenti, lil kull partit politiku f'kull wiehed mid-distretti elettorali ghandu jitqies sabiex jiġi stabbilit x'ikun is-sehem perċentwali tal-voti miksubin minn kull partit politiku li għadda f'kull distrett elettorali. Il-perċentwali għandhom jinghataw b'żewġ numri wara l-punt deċimali, u t-tieni numru wara dak il-punt għandu jitgholla jew jitbaxxa b'ghadd wiehed skond kemm ikun kbir jew żgħir il-bqija tan-numru li jifdal mit-tielet numru deċimali 'l hemm sa total ta' 100 fil-mija f'kull distrett elettorali;

(b) il-partiti politiċi li għaddew għandhom jitqassmu skond il-kobor ta' l-ghadd totali tal-voti lilhom akkreditati fid-distretti elettorali kollha skond id-dispożizzjonijiet ta' dawn ir-regolamenti. Meta żewġ partiti politiċi li għaddew, jew iktar, ikunu ġew akkreditati bl-istess għadd ta' voti l-ordni ta' min jiġi l-ewwel bejniethom għandu jiġi stabbilit bix-xorti;

(ċ) mbagħad għandu jitqies l-ewwel partit politiku li għadda skond il-kobor tal-perċentwali li jkun ġab:

(i) il-perċentwali stabbilita għal dak il-partit politiku li għadda għal kull distrett elettorali skond ma hemm fil-paragrafu (a) msemmi qabel għandu jiġi multiplikat b'mija u r-riżultat li hekk jinkiseb għandu jkun "il-perċentwali ta' partit għal distrett" għal dak il-partit f'kull distrett elettorali;

(ii) il-perċentwali ta' partit għal distrett f'kull distrett elettorali għandu l-ewwel jiġi diviż b'1; id-diviżur għandu mbagħad jiżdied għal 2, 3 u tibqa' sejjer hekk sa l-ghadd ta' membri li jridu jiġu eletti minn kull distrett għall-Kamra tad-Deputati. Kull fdal li jibqa' wara kull diviżjoni ma għandux jinghata każ tiegħu;

(iii) mbagħad jitqiesu r-riżultati miksuba fid-distretti li jkunu saru skond ma hemm fis-subinċiż (ii) msemmi qabel. Jinghata mbagħad sigġu lil dak il-partit fid-distrett elettorali fejn jinkiseb l-ikbar riżultat (sew jekk id-diviżur ikun 1, 2 jew xi numru ikbar). Ir-riżultat li jintuża biex jinghata l-ewwel sigġu mbagħad jiġi eskluż u jinghata sigġu lill-partit fid-distrett elettorali fejn jinkiseb l-oghla riżultat li jmiss (sew jekk id-diviżur ikun 1, 2 jew xi numru ikbar kif imsemmi qabel) u r-riżultat li jintuża biex

jinghata t-tieni sigġu mbagħad jiġi eskluż. Il-proċess jitkompla sabiex jinghataw it-tielet, ir-raba' u sigġijiet oħra sakemm jintlahaq l-ghadd totali ta' sigġijiet li jinghata lil dak il-partit politiku permezz tal-Metodu Diviżorju ta' D'Hondt (Sistema Proporzjonali Nazzjonali), u s-sigġijiet kollha li jinghataw lil dak il-partit jitqassmu bejn id-diversi distretti elettorali;

(d) mbagħad għandu jitqies it-tieni partit politiku li għadda skond il-kobor tal-perċentwali li jkun ġab:

(i) jiġu segwiti l-proċessi mfissrin fis-subinċ iži (i), (ii) u (iii) tal-paragrafu (ċ), b'dan illi meta s-sigġijiet kollha f'distrett elettorali jkunu diġà inghataw, kull riżultat li jinkiseb billi jintuża xi diviżur f'dak id-distrett elettorali għandu jiġi eskluż minkejja li daww ir-riżultati jistgħu jkunu ikbar minn daww li jinkisbu f'xi distrett elettorali ieħor;

(ii) jiġi mbagħad segwit il-proċess fil-każ ta' partiti politiċi li għaddew sussegwenti skond il-kobor tal-perċentwali li jkunu ġabu, sakemm jitqies l-aħħar partit politiku li għadda, f'liema każ is-sigġijiet li jinghatawlu jkunu daww li jkunu baqgħu ma ngħataw wara li jkunu tqiesu l-partiti politiċi li għaddew kollha ta' qabel.”.

(2) Minflok it-testatura “TAQSIMA II Klassifika tal-voti” li tidher minnufih wara tmiem ir-regolament 2 għandu jidhol dan li ġej:

“TAQSIMA II

Kif jinghataw is-sigġijiet lill-Partiti Politiċi”.

(3) Minflok ir-regolamenti 3 u 4 għandu jidhol dan li ġej:

“Klassifika ta' poloz tal-votazzjoni.

3. F'elezzjoni ġenerali u wara li jkunu twettqu l-proċeduri stabbiliti fit-Taqsima XIV ta' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali, il-Kummissjoni għandha tordna li l-poloż tal-votazzjoni jiġu klassifikati f'pakketti skond l-ewwel preferenza kif tkun ġiet reġistrata għal kull partit politiku, filwaqt li jiġu skartati daww il-poloż li jkunu invalidi. Għall-ghanijiet ta' din it-Taqsima ta' dawn ir-regolamenti l-ewwel preferenza għal kandidat għandha titqies li tkun l-ewwel preferenza għall-partit politiku li għalih ikun jappartjeni dak il-kandidat skond l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali.

Kif issir il-klassifika.

4. Il-klassifika tal-poloż tal-votazzjoni msemmija fl-artikolu ta' qabel għandha ssir b'dan il-mod li ġej:

(1) Il-persuna li tissorvelja kull mejda fejn isir l-ghadd ghandu jiehu l-oghla mazz ta' poloz tal-votazzjoni minn kull garzella u, b'mod li jkun jidher sew mill-kandidati u mill-aġenti, iquieghed il-mazzi fuq xkaffa sabiex jghaddihom lill-persuni li jghoddu;

(2) meta jkun ittiehed pakkett poloz tal-votazzjoni minn kull garzella u tqieghed fuq l-ixkaffa kif provdut fil-paragrafu ta' qabel ta' dan ir-regolament, il-persuna li tissorvelja ghandha tghaddi lil kull persuna li tghodd pakkett wiehed kull darba sabiex il-poloz tal-votazzjoni jkunu jistghu jigu klassifikati;

(3) il-persuni li jghoddu ghandhom jifthu kull pakkett li jkun fih il-poloz tal-votazzjoni u jiżguraw jekk kull polza tkunx wahda valida jew invalida;

(4) jekk il-persuni li jghoddu jiżguraw li hemm possibiltà illi, ghal xi raġuni li tohrog mill-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali, polza tal-votazzjoni tista' tkun invalida, jew jekk ikun hemm xi kandidat jew aġent li jghid l-istess haġa, il-persuna li tghodd ghandha tqieghed dik il-polza tal-votazzjoni f'kontenitur markat bil-kelma "dubjużi";

(5) jekk il-polza tal-votazzjoni titqies li tkun valida l-persuna li tghodd ghandha tqieghed il-polza tal-votazzjoni f'kontenitur li jkun hemm ghal kull partit politiku tal-kandidat li jkun inghatalu l-ewwel preferenza fuq dik il-polza tal-votazzjoni."

(4) Fil-paragrafu (1) tar-regolament 5 minflok il-kliem "fl-artikolu" ghandhom jidhlu l-kliem "fir-regolament".

(5) Minflok ir-regolament 7 ghandu jdhol dan li ġej:

"Ghadd tal-poloz.

7. (1) Meta l-poloz kollha jkunu ġew klassifikati, il-Kummissjoni ghandha tghodd, f'kull distrett elettorali, l-ghadd ta' poloz tal-votazzjoni li jkun hemm fil-kontenitur ta' kull partit politiku u taghti lil kull partit politiku għadd ta' voti daqsinsaw l-ghadd totali ta' poloz tal-votazzjoni validi li fuqhom tkun inghatat l-ewwel preferenza lil xi kandidat ta' dak il-partit.

(2) Fil-ghadd tal-poloz tal-votazzjoni mqeghdin fil-kontenitur ta' kull partit politiku, il-persuna li tissorvelja ghandha tordna li daww il-poloz jingabru f'mazzi ta' hamsin polza kull wiehed, li kull pakkett jingħadd mill-anqas darbtejn minn żewġ persuni li jghoddu differenti u li kull mazz ta' hamsin polza tal-votazzjoni jitqieghed fuq l-ixkafef tal-persuni li jissorveljaw minnufih hekk kif ikunu ġew verifikati.

(3) Il-persuni li jissorveljaw ghandhom jaraw li dak l-ghadd isir fl-istess hin ghall-partiti politiċi kollha li jkunu qeghdin jikkontestaw xi distrett elettorali sakemm huma jiżguraw li l-poloż tal-votazzjoni li jappartjenu lil partiti politiċi differenti jinżammu mifrudin.

(4) Fi tmiem l-ghadd f'distrett elettorali partikolari l-Kummissjoni ghandha tiddikjara xi jkun l-ghadd totali ta' poloż tal-votazzjoni validi f'dak id-distrett u xi jkun l-ghadd totali ta' voti validi akkreditati lil kull partit politiku f'dak id-distrett elettorali.”.

(6) Ir-regolamenti 9 sa 22 ghandhom jiġu enumerati mill-ġdid rispettivament bhala r-regolamenti 17 sa 30.

(7) Minnufih wara r-regolament 8 ghandu jidhol dan li ġej:

“Ghadd totali nazzjonali ta' voti ghal kull partit politiku.

9. Il-Kummissjoni ghandha tghodd flimkien l-ghadd ta' voti validi akkreditati lil kull partit politiku f'kull wiehed mid-distretti elettorali skond ir-regolament 7 ta' dawn ir-regolamenti u tiddikjara xi jkun l-ghadd totali nazzjonali ta' voti validi li jiġu akkreditati lil kull partit politiku.

Tragward.

10. Il-Kummissjoni ghandha tistabbilixxi ghar-rigward ta' kull partit politiku jekk dak il-partit ikollux jew le għadd ta' voti ta' l-ewwel preferenza validi li jkun daqs it-tragward jew iktar minnu.

Trasferiment ta' poloż ta' partiti politiċi esklużi.

11. Jekk mit-thaddim tar-regolament ta' qabel jirriżulta li xi partit politiku ghandu jitqies bhala partit politiku eskluż, il-Kummissjoni tghaddi biex taħdem xi jkun l-ghadd totali nazzjonali ġdid ta' voti li ghandhom jiġu akkreditati lill-partiti politiċi li għaddew billi timxi kif ġej:

(1) Il-kandidati kollha li jappartjenu ghall-partiti politiċi esklużi kollha fid-distretti elettorali kollha ghandhom jiġu esklużi mill-votazzjoni u l-poloż tal-votazzjoni li fuqhom tkun ġiet markata l-ewwel preferenza favur tagħhom ghandha tiġi trasferita lill-partit politiku li għadda tal-kandidat li jkollu l-preferenza disponibbli li jmiss fuq dik il-polza ta' votazzjoni.

(2) Il-poloż tal-votazzjoni tal-partit politiku eskluż akkreditat bl-inqas għadd ta' voti fuq livell nazzjonali ghandhom jiġu trasferiti l-ewwel u meta jkunu qeghdin isiru dawk it-trasferimenti ghandhom jiġu osservati r-regolamenti li jirrigwardaw il-poloż mhux trasferibbli.

(3) Meta jkunu ġew trasferiti l-poloż tal-votazzjoni kollha fid-distretti elettorali kollha li jappartjenu lil partit politiku eskluż partikolari, il-Kummissjoni tiddikjara l-ġhadd totali ta' voti li jiġu trasferiti, l-ġhadd totali ta' poloż mhux trasferibbli u l-ġhadd totali ta' trasferimenti ta' poloż subdiviż skond il-partit politiku li jġhaddi filwaqt li r-riżultati kollha jinghataw sew fuq livell nazzjonali sew fuq livell distrettwali.

(4) Il-proċess għandu jitkompla b'dan il-mod sakemm il-poloż tal-votazzjoni kollha tal-partiti politiċi esklużi jkunu ġew trasferiti fid-distretti elettorali kollha.

(5) Meta l-poloż tal-votazzjoni kollha li jappartjenu għall-partiti politiċi esklużi kollha jkunu ġew hekk trasferiti, il-Kummissjoni għandha tghodd, għal kull distrett elettorali, l-ġhadd ta' poloż tal-votazzjoni fil-kontenitur ta' kull partit politiku li għadda u takkredita lil kull partit politiku li għadda b'ġhadd ta' voti daqsinsaw l-ġhadd totali ta' poloż tal-votazzjoni validi li fuqhom tkun ġiet markata l-preferenza disponibbli li jmiss għal xi hadd mill-kandidati tiegħu.

(6) Meta jkun qed isir l-ġhadd ta' poloż tal-votazzjoni li jkunu qeghdin fil-kontenitur ta' kull partit politiku li għadda, il-persuna li tissorvelja għandha tara li daww il-poloż jingabru f'pakketti ta' hamsin polza kull wiehed, li kull pakkett jinghadd mill-inqas darbtejn minn żewġ persuni li jghoddu differenti u li kull mazz ta' hamsin polza tal-votazzjoni jitqiegħed fil-kontenituri tal-persuni li jissorveljaw hekk kif dawn ikunu ġew verifikati.

(7) Il-persuni li jissorveljaw għandhom jaraw li dak l-ġhadd isir fl-istess hin għall-partiti politiċi li għaddew kollha li jkunu qeghdin jikkontestaw distrett elettorali sakemm jiżguraw li l-poloż tal-votazzjoni li jappartjenu lil partiti politiċi differenti jinżammu mifrudin.

Għadd totali
nazzjonali
ġdid.

12. Il-Kummissjoni għandha tghodd flimkien l-ġhadd ta' poloż tal-votazzjoni trasferiti akkreditati lil kull partit politiku li għadda għal kull wiehed mid-distretti elettorali skond ir-regolament ta' qabel ta' dawn ir-regolamenti ma' l-ġhadd ta' poloż tal-votazzjoni akkreditati lil dak il-partit politiku skond ir-regolament 9 ta' dawn ir-regolamenti u għandha tiddikjara xi jkun l-ġhadd totali nazzjonali ta' voti validi akkreditat lil kull partit politiku li għadda.

Tqassim ta' siggijiet fil-kamra u f'kull distrett elettorali.

13. Il-Kummissjoni tghaddi biex tqassam lil kull partit politiku l-ghadd ta' siggijiet li jkun se jkollu fil-Kamra tad-Deputati billi tapplika l-Metodu Diviżorju ta' D'Hondt (Sistema Proporzjonali Nazzjonali) u tistabbilixxi l-mod kif is-siggijiet li jkunu hekk tqassmu lil kull partit ghandhom jigu subdivizi bejn id-diversi distretti elettorali billi tapplika l-Metodu Diviżorju ta' D'Hondt (Sistema Proporzjonali Distrettwali).

TAQSIMA III

Elezżjoni ta' Deputati Parlamentari

Elezżjoni ta' deputati individwali.

14. Wara li tistabbilixxi xi jkun l-ghadd ta' siggijiet li ghandu jitqassam lil kull partit politiku li ghadha u kif dawk is-siggijiet kellhom jigu subdivizi fid-distretti elettorali skond it-Taqsima ta' qabel ta' dawn ir-regolamenti, il-Kummissjoni tghaddi biex telegi d-Deputati Parlamentari individwali billi tikklassifika l-poloż tal-votazzjoni skond l-ewwel preferenzi li jkunu gew markati ghal kull kandidat.

Klassifika ta' poloż tal-votazzjoni ghal-preferenza bejn il-kandidati.

15. Il-klassifika tal-poloż tal-votazzjoni msemmija fir-regolament ta' qabel ghandha ssir b'dan il-mod kif ġej:

(1) Il-persuna li tissorvelja kull mejda fejn isir l-ghadd ghandha tiehu l-oghla mazz ta' poloż tal-votazzjoni minn kull garzella u, quddiem il-kandidati u l-agenta li jkunu jistghu jaraw kollox, tqiegħed il-mazzi gewwa kontenitur sabiex dawn jigu mghoddijin lill-persuni li jghoddu.

(2) Meta jkun ittieħed minn kull garzella differenti pakkett ta' poloż tal-votazzjoni u dan ikun tqiegħed fil-kontenitur kif hemm provdut fil-paragrafu ta' qabel ta' dan ir-regolament, il-persuna li tissorvelja ghandha tghaddi lil kull persuna li tghodd pakkett kull darba sabiex ikunu jistghu jigu klassifikati l-poloż tal-votazzjoni.

(3) Il-persuni li jghoddu ghandhom jifthu kull pakkett li jkun fih il-poloż tal-votazzjoni u jqiegħed il-polza tal-votazzjoni f'kontenitur li jkun juri l-kandidat li lili tkun inghatat l-ewwel preferenza fuq dik il-polza tal-votazzjoni.

(4) Il-proċess imsemmi fir-regolament 5 ta' dawn ir-regolamenti għandu jiġi applikat sakemm il-poloż tal-votazzjoni kollha jkunu tnehhew, f'tit f'tit, mill-garżelli, tqegħdu fil-kontenitur u ġew klassifikati skond l-ewwel preferenza markata għal kull kandidat.

L-ghadd
tal-voti
akkreditati
lil kull
kandidat.

16. (1) Meta l-poloż tal-votazzjoni kollha jkunu ġew klassifikati, il-kummissjoni għandha tghodd, f'kull distrett elettorali, l-ghadd ta' poloż tal-votazzjoni li jkun hemm fil-kontenitur ta' kull kandidat u takkredita lil kandidat b'ghadd ta' voti li jkun daqsinsaw l-ghadd totali tal-poloż tal-votazzjoni validi li fuqhom tkun giet markata l-ewwel preferenza għal-dak il-kandidat.

(2) Meta tkun qed tghodd l-ghadd ta' poloż tal-votazzjoni mqegħdin fil-kontenitur ta' kull kandidat, il-persuna li tissorvelja għandha tara li dawk il-poloż jingabru f'pakketti ta' hamsin kull wiehed, li kull pakkett jingħadd mill-inqas darbtejn minn żewġ persuni li jghoddu differenti u li kull mazz ta' hamsin polza tal-votazzjoni jitqieghed fil-kontenituri tal-persuni li jissorveljaw hekk kif dawn jiġu verifikati.

(3) Il-persuni li jissorveljaw għandhom jaraw li l-poloż tal-votazzjoni ta' aktar minn kandidat wiehed għandhom jingħaddu fl-istess hin b'dan illi jekk ikun hemm kandidati li jappartjenu għal partiti politiċi differenti, il-persuni li jissorveljaw għandhom jiżguraw li l-poloż tal-votazzjoni ta' kandidati li jkunu jappartjenu lil partiti differenti għandhom jingħaddu fl-istess hin u b'dan li jiżguraw li l-poloż tal-votazzjoni li jkunu jappartjenu lill-kandidati differenti jibqgħu mifrudin.”.

(8) Fil-paragrafu (7) tar-regolament 18 kif enumerat mill-ġdid minflok il-kliem “frazzjonijiet” u “frazzjoni” għandhom jidhlu l-kliem “partijiet decimali” u “parti decimali”.

(9) minnufih wara l-paragrafu (3) tar-regolament 21 kif enumerat mill-ġdid, għandhom jiżdiedu dawn il-paragrafi li ġejjin:

“(4) Jekk skond ma hemm f'dawn ir-regolamenti partit politiku li għadda ma jingħatax sigġijiet f'xi distrett elettorali, il-kandidati kollha tiegħu għandhom minnufih jiġu esklużi mill-elezzjoni ma' l-ewwel għadd u l-poloż tagħhom jiġu trasferiti lill-kandidati li għaddew tal-partiti politiċi l-oħra li għaddew f'dak id-distrett elettorali u meta jkun qed isir it-trasferiment ta' dawk il-poloż il-Kummissjoni għandha ssegwi l-proċeduri stabbiliti fir-regolament 11 ta' dawn ir-regolamenti. Kull polza li tiġi hekk trasferita lil-kandidati li għaddew għandha titqies bhala vot oriġinali għall-ghanijiet u

finijiet kollha ta' dawn ir-regolamenti dwar dak li jibqa' żejjed (*surpluses*).

(5) Jekk fi tmiem ta' xi għadd partit politiku li għadda jkun eleġġa f' distrett elettorali għadd ta' kandidati li jkun daqs l-għadd ta' sigġijiet mogħti lill dak il-partit f' dak id-distrett elettorali skond ma hemm fir-regolament ta' dawn ir-regolamenti, il-kandidati li għaddew l-oħra kollha ta' dak il-partit politiku għandhom jiġu minnufih esklużi mill-elezzjoni qabel ma jiġi eskluż xi kandidat ieħor u jkollu l-poloż tiegħu trasferiti lill-kandidati li għaddew ta' partiti politiċi oħra li għaddew f' dak id-distrett elettorali u meta tkun qegħda tagħmel it-trasferiment ta' dawk il-poloż il-Kummissjoni għandha ssegwi l-proċeduri stabbiliti fir-regolament 11 ta' dawn ir-regolamenti.”.

(10) Minflok l-intestatura “Taqsimi III Postijiet ta' Membri li jitbattlu” minnufih wara r-regolament 25 kif enumerat mill-ġdid għandu jidhol dan li ġej:

“TAQSIMA IV

Postijiet ta' Membri li jitbattlu”;

u

(11) L-Iskeda li tinsab mar-regolamenti għandha tithassar.

64. L-Att ta' 1-1993 dwar Kunsilli Lokali għandu jiġi emendat kif ġej:

Emendi
konsegwenzjali.
Att Nru. XV
ta' 1-1993.

(a) fl-artikolu (2) tiegħu t-tifsira ta' “Registru Elettorali tal-Kunsilli Lokali” għandha tithassar;

(b) l-artikolu 5 tiegħu għandu jithassar;

(c) l-artikolu 6 tiegħu għandu jiġi enumerat mill-ġdid bhala l-artikolu 5 u għandu jiġi emendat kif ġej:

(i) minflok in-nota marginali għandha tidhol din in-nota marginali li ġejja: “Persuni bil-jedd li jivvotaw.”;

(ii) fis-subartikolu (1) tiegħu minflok il-kliem “għandu jkun registrat bhala votant fir-Registru Elettorali għall-Kunsilli Lokali” għandhom jidhlu l-kliem “ikollu l-jedd jivvota fl-elezzjonijiet tal-Kunsilli Lokali”;

(iii) fi s-subartikolu (2) tiegħu minflok il-kliem “ikollhom jedd li jkunu registrati bhala votanti fir-Registru Elettorali għall-Kunsilli Lokali” għandhom jidhlu l-kliem “jkollhom jedd li jivvotaw fl-elezzjonijiet tal-Kunsilli Lokali”; u minnufih wara l-paragrafu (d) tiegħu għandu jidhol dan il-paragrafu (e) ġdid li ġej:

“(e) ikunu reġistrati bhala votanti fir-Registru Speċjali msemmi fl-artikolu li ġej ta’ dan l-Att”;

(d) minnufih wara l-artikolu 5 tiegħu kif enumerat mill-ġdid għandu jidhol dan l-artikolu 6 ġdid li ġej:

“Registru speċjali.

6. Il-Kummissjoni għandha tippubblika, flimkien mar-Registru Elettorali, fl-istess għamla kif provdut għar-Registru Elettorali, Registru Speċjali li jkun juri fih lil dawk il-persuni li ma jkunux ċittadini ta’ Malta u li jkollhom jedd jivvotaw fl-elezzjonijiet tal-Kunsilli Lokali skond id-dispożizzjonijiet ta’ dan l-Att kif ukoll dawk il-persuni li, għalkemm reġistrati bhala votanti, ikunu tilfu l-jedd tagħhom li jivvutaw fl-elezzjonijiet tal-Kunsilli Lokali wara li jkunu nstabu hatja ta’ reat li jkollu x’jaqsam ma’ l-elezzjoni tal-membri tal-Kunsilli Lokali, Id-dispożizzjonijiet kollha li hemm fuq ir-Registru Elettorali għandhom, *mutatis mutandis*, ikunu japplikaw għar-Registru Speċjali.”;

(e) fl-artikolu 7 tiegħu minflok il-kliem “tar-Registru Elettorali għall-Kunsilli Lokali” għandhom jidhlu l-kliem “tar-Registru Elettorali jew tar-Registru Speċjali”;

(f) fl-artikolu 11 tiegħu minflok il-kliem “fir-Registru Elettorali għall-Kunsilli Lokali” għandhom jidhlu l-kliem “fir-Registru Elettorali jew fir-Registru Speċjali”; u














(g) fil-paragrafu (j) ta’ l-artikolu 12 tiegħu minflok il-kliem “fir-Registru Elettorali għall-Kunsilli Lokali” għandhom jidhlu l-kliem “fir-Registru Elettorali jew fir-Registru Speċjali”.

(Artikolu 62)

"IT-TMIEN SKEDA

(Artikolu 49)

Formula tal-Polza

Ghadd ta' Deputati li ghandhom jligu eletti		Distrett
Isem tal-Kandidati	Badge tal-Kandidat	Immarka skond il-preferenzi li taghti
PARTIT TAL-FJURI		
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 Street, Żabbar, Driver)		
VELLA , (James Vella, of 5, Republic Street, St. Julians, Architect)		
WILLIAMS , (Francis Williams, of 85, Genuis Street, Żurrieq, Chemist)		
PARTIT TAL-GHASFUR		
AZZOPARDI , (Spiro Azzopardi, of 13, Marina Street, Żejtun, Printer)		
BORG , (Assuero Borg, of 69, Barbara Street, Mellieħa, Clerk)		
CASSAR , (Lela Cassar, of "Doiores", Main Street, Cospicua, Housewife)		
MIZZI , (Glormu Mizzi, of 70, Two Gates Street, Lija, Lawyer)		
ZARB , (Fortunat Zarb, of 15, Strait Street, Luqa, Clerk)		
PARTIT TAS-SIĠAR		
AZZOPARDI , (Reginald Azzopardi, of 165, St. Domenic Street, Qormi, Clerk)		
ZAMMIT , (Lawrence Zammit, of "Josdor", 188, Bwieraq Street, Hamrun, Chemist)		
KANDIDATI INDIPENDENTI		
BUHAGIAR , (Louis Buhagiar, of 55, Republic Street, Żabbar, Merchant)		
GALEA , (Ninu Galea, of 67, B'Kara Lane, Qrendi, Worker)		

(Artikolu 68 (3))

**REGOLI LI FUQHOM JISTA' JIMXI L-ELETTUR
META JIVVOTA**

1. Ivvota billi tikteb in-numru 1 quddiem l-isem tal-kandidat li inti tixtieq tarah elett l-ewwel wiehed
2. Inti mitlub (u tajjeb taghmlu) sabiex tikteb in-numru 2 quddiem l-isem tat-tieni għażla tiegħek (jew tat-tieni preferenza) u tikteb in-numru 3 quddiem l-isem tat-tielet għażla tiegħek (jew tat-tielet preferenza) u hekk tibqa' tikteb in-numri ta' wara, skond il-preferenza li tagħti lil wiehed fuq l-iehor.
3. Hija haġa tajba li inti tibqa' timmarka bin-numri dawk il-kandidati skond il-preferenza li trid tagħti lil wiehed fuq l-iehor, sakemm tasal għal isem ta' dawk il-kandidati li ma jinteressawkx.
4. Jekk fuq il-polza tiegħek ma tiktibx in-numru 1, jew tikteb in-numru 1 quddiem iżjed minn isem wiehed jew jekk tikteb in-numru 1 (li juri l-ewwel preferenza) u miegħu xi numru ieħor quddiem l-istess isem, jew jekk tikteb in-numru 1 quddiem l-isem ta' iktar minn kandidat wiehed, il-polza tiegħek ma tkunx tiswa u ma tinghaddx.
5. Timmarkax il-vot tiegħek bis-sinjal X.
6. Jekk bi żball għarraqt il-polza tiegħek inti tkun tista' terġa' tagħtiha lura lill-Assistent Kummissjonarju, illi, jekk jara li inti hadt dan l-iżball mingħajr ma ridt, jerga' jagħtik polza oħra.

Għanijiet u Raġunijiet

L-għan ewlieni ta' l-Abbozz hu sabiex jintroduci sistema li biha tinkiseb proporzjonalità aħjar ta' rappreżentanza fil-Parlament, filwaqt li tinżamm is-sistema tal-vot wiehed trasferibbli.

A BILL
entitled

AN ACT to amend the General Elections Act, 1991.

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:—

1. (1) This Act may be cited as the General Elections (Amendment) Act, 1995 and shall be read and construed as one with the General Elections Act, 1991, hereinafter referred to as the “principal Act”. Short title and commencement.
Act XXI of 1991.

(2) This Act shall come into force on such date as the Prime Minister may by order in the Gazette establish and different dates may be so established for different provisions and different purposes of this Act.

2. In subsection (1) of section 2 of the principal Act: Amendment of section 2 of the principal Act.

(a) immediately before the definition of “Commission” there shall be inserted the following:

“ “ballot box” means a box wherein voters place their marked ballot papers;”;

(b) immediately after the definition of “identity card” there shall be inserted the following definition:

“official mark” means the stamp which the Commission and the political parties direct the Assistant Commissioners to use on the ballot paper prior to giving such ballot paper to the voter and may be of such form as each of them may determine provided that it may not in any way constitute any form of propaganda and the marks of the political parties shall not be necessary for the validity of the ballot paper. Political parties opting to use official marks shall deposit an imprint of the stamp to be so used at least one hour before the start of the poll;”;

(c) immediately after the definition of “polling place” there shall be added the following definition:

“voting compartment” means such part of a polling booth wherein voters are to mark their ballot papers, and which is to be furnished with an adequate writing surface and instruments for such purpose;” and

(d) the definition of “voting document” shall be placed after the definition of “voting compartment”.

Amendment of
section 5
of the
principal Act.

3. Subsections (2) and (3) of section 5 of the principal Act shall be deleted, and subsection (1) thereof shall be renumbered and constitute the whole section.

Amendment of
section 6
of the
principal Act.

4. Section 6 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof, immediately after the words “be delivered to the Electoral Office” there shall be inserted the words “or to the Local Council office wherein the voter resides”;

(b) in subsection (2) thereof, the words “Every police officer” shall be substituted by the words “Every Local Council secretary and every police officer”;

(c) immediately at the end of subsection (4) thereof there shall be added the following proviso:

“Provided that any notice or written communication sent by the Commission to any person regarding his rights as a voter shall be sent by registered post.”; and

(d) immediately after subsection (4) thereof, there shall be added the following new subsection:

“(5) It shall be the duty of the Electoral Commission to ensure that an adequate supply of forms is available at all times at Local Council offices and at police stations.”.

5. Immediately after subsection (2) of section 7 of the principal Act there shall be added the following new subsections:

Amendment of section 7 of the principal Act.

“(3) The Electoral Commission shall be a body corporate having a distinct legal personality and shall be capable, subject to the provisions of this Act, of entering into contracts, of acquiring, holding and disposing of any kind of property for the purposes of its functions, of suing and being sued, and of doing all such things and entering into all such transactions as are incidental or conducive to the exercise of its functions under this Act.

(4) The legal representation of the Commission shall vest in the Chairman.”.

6. Section 10 of the principal Act shall be amended as follows:

Amendment of section 10 of the principal Act.

(a) in subsection (2) thereof immediately after the words “the right in general to be informed”, there shall be added the words “in writing at least once a month”;

(b) in subsection (6) thereof, the words “or written or 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 words “or written, printed or electronic format as the delegates may require and the Commission is technically able to provide”.

7. Section 13 of the principal Act shall be amended as follows:

Amendment of section 13 of the principal Act.

(a) in subsection (2) thereof for the words “in any police station or other place” there shall be substituted the words “in any Court or in any Local Council office”;

(b) in subsection (3) thereof, for the words “or by an advocate or legal procurator or by any person on behalf of and authorised by the applicant or appellant”, there shall be substituted the words “or by any person on behalf of and authorised by the applicant or appellant or by an advocate or legal procurator”;

(c) for subsections (4), (5) and (6) thereof, there shall be substituted the following:

“(4) The Revising Officer shall appoint a day for the hearing of the application or appeal and shall direct that a copy of the application or appeal together with the day fixed for the hearing shall be served on the applicant or appellant, on the Commission and on any other person whom such application or appeal concerns.

(5) Service shall be effected by registered post. Where any of the persons to be served with the application or appeal by registered post is not found, the Revising Officer shall direct that the person shall be served by an officer of the Court. Where the person is not found by such officer of the Court, the Revising Officer shall, on the report of the officer of the Court direct that the application or appeal be posted on the notice board of the police station and the Local Council office of the locality in which the person concerned resides and to be published twice in all local daily newspapers and where necessary, shall appoint another day for the hearing.

(6) Service on all the persons concerned shall be effected at least three days before the day fixed for the hearing of the application or appeal.”;

(d) subsection (9) thereof shall be renumbered as subsection (11); and

(e) immediately after subsection (8) thereof, there shall be inserted the following new subsections (9) and (10):

“(9) In the case of an application or appeal based on the grounds of mental infirmity the Revising Officer shall, notwithstanding the absence of the applicant or appellant or of an advocate, legal procurator or other person representing him, refer the application or appeal to the Medical Board for determination.

(10) In determining the application the Revising Officer shall state the reasons for his decision and the applicant or appellant, the Commission or the voter concerned shall have the right to appeal to the Court of Appeal on any point of law by means of an application filed within seven days of the delivery of the decision by the Revising Officer.”.

8. Section 19 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof after the words “or to remain so registered” there shall be added the following words, “or where he is to be registered”; and

(b) for subsection (2) thereof there shall be substituted the following:

“(2) The Electoral Commission shall ensure that adequate staff are deployed for the specific purpose of verifying voter qualifications and registration and shall carry out such verification both with the voter and other persons who may provide the necessary information as well as with any government departments which may have relevant information.”.

9. Section 20 of the principal Act shall be amended as follows: Amendment of section 20 of the principal Act.

(a) in subsection (3) thereof:

(i) the words “over eighteen years of age” shall be deleted; and

(ii) immediately after the words “in the preceding month” there shall be added the words “as well as a list containing similar particulars of all persons who have contracted marriage in the preceding month and a list containing similar particulars of all persons who have reached the age of eighteen years in the preceding month”;

(b) in subsection (4) thereof:

(i) immediately after the words “Registrar of the Courts of Gozo” there shall be inserted the words “or other persons having such function”; and

(ii) immediately after the words “by a competent Court” there shall be added the words “as well as a list containing similar particulars of all persons who have been sentenced by any Court in Malta to imprisonment (by whatever name called) for a term exceeding twelve months or to such a sentence of imprisonment the execution of which has been suspended.”;

(c) immediately after subsection (4) thereof, there shall be added the following subsections:

“(5) Any public officer or other person responsible for any prison in Malta shall within the first five days of each month forward to the Commission a list containing the name, surname, identity card number, if any, and other particulars of any person who has been released from prison in the preceding month.

(6) The public officer or other person responsible for the office responsible for the grant or withdrawal of citizenship shall within the first five days of each month, forward to the Commission a list containing the name, surname, identity card number, if any, and other particulars of any person who has been granted citizenship or whose citizenship has been withdrawn in the preceding month.

(7) The Commission shall forward to the party delegates a copy of such lists within five days of the receipt thereof.”.

Amendment of
section 26
of the
principal Act.

10. Immediately after subsection (3) of section 26 of the principal Act, there shall be added the following subsection:

“(4) Where the Commission decides to expunge the name of a voter from the Electoral Register, it shall inform the voter accordingly by means of a letter addressed to him and shall copy such letter to the party delegates.”.

Amendment of
section 28
of the
principal Act.

11. In section 28 of the principal Act, immediately after the words “and the reason for effecting any change” there shall be inserted the words “as well as a list showing any change effected to street names and all the particulars of voters effected by any such change”.

Amendment of
section 31
of the
principal Act.

12. Section 31 of the principal Act shall be amended as follows:

(a) for subsection (1) thereof there shall be substituted the following:

“(1) The Electoral Register shall consist of as many parts as there are localities, one for each locality, and each locality may be subdivided into as many parts as the Commission may deem necessary or convenient. For the purposes of this Part of the Act, the word “locality” shall have the same meaning assigned to it in the Local Councils Act, 1993.”; and

(b) in subsection (2) thereof, for the words “, in each section”, there shall be substituted the words “in each locality”.

Amendment of
section 33
of the
principal Act.

13. Section 33 of the principal Act shall be amended as follows:

(a) subsections (2) and (3) shall be renumbered as subsections (5) and (6) thereof, respectively; and

(b) immediately after subsection (1) thereof there shall be inserted the following subsections:

“(2) The Electoral Register shall be published in two distinct formats. The first format shall be divided into as many parts as there are localities whilst the second format shall be divided into as many parts as there are divisions.

For all the purposes of this Act the Electoral Register published in the first format shall be considered to be the Electoral Register required by this Act and changes relative to the registration of voters in the said register appearing in the said first format shall also be made and published by the Commission in the register published in the second format.

(3) Each format of the Electoral Register shall indicate the total number of voters registered in each locality or division as the case may be subdivided by street, part of locality or locality as the case may be, as well as the total number of voters for each locality and division, as the case may be, that have been added, deleted, transferred from one locality or division, as the case may be, to another and shall indicate by a distinguishing mark the names of all voters who have been registered for the first time or who have been added to the register after their registration had been previously cancelled by the Commission. Such information shall be given in such format as the Commission may deem makes it most comprehensible to the public.

(4) Where the Commission in exercise of its powers under subsection (1) of section 31 of this Act, subdivides any locality it shall show such information for each part of that locality so subdivided.”.

14. In section 36 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.

Amendment of section 36 of the principal Act.

15. In section 37 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.

Amendment of section 37 of the principal Act.

16. In section 38 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.

Amendment of section 38 of the principal Act.

17. In subsection (1) of section 40 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.

Amendment of section 40 of the principal Act.

Amendment of section 41 of the principal Act.

18. In subsection (4) of section 41 of the principal Act for the words "shall be referred to the Revising Officer" there shall be substituted the words "shall be signed by all the members of the Medical Board and its Chairman shall refer it to the Revising Officer".

Amendment of section 42 of the principal Act.

19. In section 42 of the principal Act, immediately after the words "Revising Officers" there shall be inserted the words "and the Court of Appeal".

Amendment of section 43 of the principal Act.

20. In section 43 of the principal Act, immediately after the words "shall revise the Electoral Register accordingly.", there shall be added the words "Copies of such certificates shall be sent by the Commission to the party delegates within five days of their receipt."

Amendment of section 45 of the principal Act.

21. Section 45 of the principal Act shall be amended as follows:

(a) for the words "eight days" there shall be substituted the words "three days"; and

(b) in paragraph (a) thereof, the word "working" shall be deleted.

Amendment of section 46 of the principal Act.

22. Section 46 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof, for the words "fifteen days" there shall be substituted the words "nineteen days" and immediately after the words "and made of such" there shall be inserted the words "security paper and";

(b) in paragraph (i) of the proviso to subsection (1) thereof, for the words "seven days" there shall be substituted the words "three days";

(c) immediately at the end of subsection (2) thereof, there shall be added the following words:

"The Commission shall also print on the voting document such reasonable security code as requested by the political parties and as the Commission may think fit, provided that the political parties shall deliver such security code to the Commission not later than twenty four hours prior to the start of printing of the voting documents.";

(d) in subsection (5) thereof, for the words "fifteen days" there shall be substituted with the words "nineteen days";

(e) in subsection (6) thereof immediately after the words "before one of the Commissioners" there shall be inserted the words "or other person appointed by the Commission to act on behalf of the Commissioners";

(f) in subsection (7) thereof for the word "Commissioner" wherever it appears there shall be substituted the words "Commissioner or other person appointed by the Commission to act on behalf of the Commissioners";

(g) immediately after subsection (7) thereof, there shall be added the following subsections:

"(8) The Commission shall publish the place and times when voters may take delivery of their voting documents in terms of subsection (6) of this section. The Commission may designate any place for the collection of undelivered voting documents provided that the Commission shall allow a sufficient period for the collection of documents from each locality and a further period of time for collection from its office.

(9) Notwithstanding anything contained in subsections (6), (7) and (8) of this section, where the Commission is aware that any person whose name appears on the list mentioned in subsection (5) of this section is registered in a retirement home, or is in a hospital, or suffers from a disability or is bed-ridden or is otherwise physically unable to appear at one of the places designated by the Commission in terms of subsection (8) of this section to claim delivery of his voting document, it shall be the duty of the Commission to effect service of such document on the person concerned either through one of the Commissioners or by any person appointed for the purpose by the Commission in their stead. The Commissioner or person appointed as aforesaid may examine such person on oath for the purpose of establishing his identity and of establishing the claim to receive the document. The document aforesaid shall not be delivered to such person unless he produces his identity card to the Commissioner or person appointed as aforesaid, as the case may be.

(10) If for any reason whatsoever other than any of the reasons mentioned in section 47 of this Act, the Commission decides that it is necessary to reprint any voting document or documents it shall immediately inform the political parties accordingly giving them all relative

information thereto. Any documents so reprinted shall bear the mark 'REPRINT' which mark shall not in any way obscure any of the information contained in the document."

Amendment of
section 47
of the
principal Act.

23. Section 47 of the principal Act shall be amended as follows:

(a) for the words "6.00pm" there shall be substituted by the words "9.00pm"; and

(b) for the words from "issued specifically for the purpose" to the words "to be struck off such list; and (iii)" there shall be substituted the words "which shall bear the mark "SPECIAL", which mark shall not in any way obscure any of the information contained in the document. The word "SPECIAL" shall also be entered against the name of such voter in the list mentioned in subsection (1) of section 64 of this Act and".

Amendment of
section 48
of the
principal Act.

24. In subsection (1) of section 48 of the principal Act, the words "the polling booth where such persons were originally supposed to vote and the polling booth where they are now to cast their vote," shall be deleted.

Amendment of
section 49
of the
principal Act.

25. Section 49 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof, for the words "Not later than three days prior to" there shall be substituted the words "The Commission shall as near as practically possible to the day of the poll print such number of ballot papers as may be necessary for the poll in such form and on such material as may be provided for in this Act and not later than two days prior to"; and

(b) in subsection (6) thereof, for the word "may" there shall be substituted the word "shall".

Amendment of
section 51
of the
principal Act.

26. Section 51 of the principal Act shall be amended as follows:

(a) immediately at the end of subsection (2) thereof, there shall be added the following words "Delivery of the nomination paper to the Commission and acceptance of delivery by the Commission shall not of itself indicate the validity of the nomination and the Commission shall not make any statement thereon other than inform the candidate accordingly and to take delivery of the form and deposit, if any, and give due receipt.";

(b) in subsection (3) thereof, immediately after the words "on the ground" there shall be inserted the words "the candidate is not registered as a voter in the last published Electoral Register or";

(c) in subsection (4) thereof, for the words "The Commission itself may lodge an objection", there shall be substituted the words "The Commission itself shall raise an objection if it believes that any of the grounds mentioned in subsection (3) of this section exist";

(d) subsection (5) thereof shall be deleted and subsection (6) thereof shall be renumbered as subsection (5) thereof; and

(e) immediately after subsection (5) as renumbered there shall be added the following new subsections:

"(6) On receipt of any objection in terms of subsections (3) and (4) of this section, the Commission shall fix a date for the hearing of the objection, shall immediately inform in writing the candidate objected to, giving him a copy of the objection filed against him, and shall inform both the objector as well as the candidate of the day appointed for the hearing of the objection. Service shall be effected by any means which the Commission deems proper to ensure receipt by the parties concerned of the said notices in the least possible time.

(7) All objections shall be determined by the Commission not later than two days after the expiration of the time allowed for the making of objections by this Act and both the objector as well as the candidate shall have the right to appear before the Commission accompanied by any other person they may think fit to assist them in their representations to the Commission.

(8) The Commission shall at least two days before delivering its decision publicly announce the time and date when its decision shall be delivered. The decision shall be delivered in writing and shall contain the grounds upon which it is based. The Commission shall cause such decision to be posted up in a public place at its office where any person interested may view it.

(9) Where the decision of the Commission does not uphold the objection, it shall be final. Where the decision upholds the objection the candidate may contest the decision by filing an application in contestation with the Commission before the Court of Appeal within twenty four hours of the delivery of the decision by the Commission. The Court of Appeal shall hear such applications with urgency and shall determine the same before the time when in terms of section

49 of this Act the Commission is to start printing the ballot papers.”.

Amendment of section 53 of the principal Act.

27. In section 53 of the principal Act the word “working” shall be deleted.

Amendment of section 55 of the principal Act.

28. In section 55 of the principal Act for the words “during the time prescribed for the nomination, but not later than six hours before the expiration of the said time,” there shall be substituted the words “at any time until the ballot papers for the district he is contesting have started to be printed in terms of section 49 of this Act,”.

Amendment of section 57 of the principal Act.

29. Section 57 of the principal Act shall be amended as follows:

(a) subsections (2), (3) and (4) thereof shall be renumbered respectively as subsections (4), (5) and (3) thereof, and shall be placed in proper numerical order as so renumbered;

(b) immediately after subsection (1) thereof there shall be inserted the following new subsection:

“(2) In submitting such lists the political parties may distinguish between those persons whom they wish to see appointed to a polling place and those persons whom they wish to be held in reserve and shall moreover have the right to indicate who of the persons nominated by them should be assigned to polling places in retirement homes and hospitals. The political parties may, if they so prefer, submit such lists in electro-magnetic format. Notwithstanding the nomination by a political party each person so nominated shall still file any application required by the Commission from any other person wishing to serve as Assistant Commissioner.”; and

(c) immediately after subsection (5) thereof as renumbered, there shall be added the following new subsections (6) and (7):

“(6) The Assistant Commissioner nominated by the Commission shall act as Chairperson at the polling booth to which each group of Assistant Commissioners are assigned and during voting only the Chairperson shall, when required, communicate with the voters.

(7) The Commission shall, at least five days prior to the start of the poll, forward to each Assistant Commissioner or to the party on their behalf a tag to be worn by them in the polling place indicating their office as Assistant Commissioners and their names.”.

30. Subsection (1) of section 58 of the principal Act shall be amended as follows: Amendment of section 58 of the principal Act.

(a) immediately after the words “to any candidate for election,” there shall be inserted the words “or is not registered as a voter in the last published Electoral Register”; and

(b) immediately after the word “unsuitable” there shall be inserted the words “or not sufficiently qualified”.

31. In subsection (1) of section 59 of the principal Act, for the words “two days” there shall be substituted the words “four days”. Amendment of section 59 of the principal Act.

32. In section 60 of the principal Act, for the words “election agent” wherever they occur there shall be substituted the words “candidate’s agent”, and for marginal note to the said section there shall be substituted the following marginal note “Appointment of candidate’s agent.”. Amendment of section 60 of the principal Act.

33. Section 61 of the principal Act shall be amended as follows: Amendment of section 61 of the principal Act.

(a) immediately at the end of subsection (1) thereof, there shall be added the following words:

“A political party may designate as a party agent, a person already nominated by it as Assistant Commissioner in which case such person may act both as Assistant Commissioner and party agent.”; and

(b) in subsection (3) thereof immediately after the words “containing the names” there shall be inserted the words “, addresses and identity card numbers”.

34. Immediately after section 61 of the principal Act there shall be inserted the following new section 61A: Addition of new section 61A to the principal Act.

“District agents.

61A. (1) Each political party may nominate a number of persons equal to the number of electoral divisions to act as district co-ordinators for it and such persons are in this Act referred to as district agents.

(2) The district agents shall represent the party nominating them with the Commission in the district to which they are appointed and for this purpose shall have access to

the Commissioners at all times and shall have the right, notwithstanding any other provision of this Act to the contrary, to accompany any Commissioner into any polling place or polling booth for the purpose of determining any matter that may arise during voting:

Provided that a district agent may not so accompany a Commissioner unless a district agent of another party is also present.

(3) Unless exceptionally authorised to do so by any Commissioner, in no case may a district agent interrogate any person lawfully entrusted by the Commission to carry out any duty during the elections or to seek information from them nor may they without such authorisation interrogate any voter.

(4) Political parties exercising the right granted to them by subsection (1) of this section shall forward a list to the Commission containing the names, addresses and identity card numbers of the persons nominated by them as district agents not later than the day appointed for the nomination of Assistant Commissioners in terms of section 57 of this Act.”.

Amendment of
section 62
of the
principal Act.

35. In section 62 of the principal Act, immediately after the words “No person shall be appointed” there shall be inserted the words “district agent,” and immediately after the words “or party agent” there shall be inserted the words “who is not registered as a voter in the last published Electoral Register or”.

Amendment of
section 63
of the
principal Act.

36. Section 63 of the principal Act shall be amended as follows:

(a) for the marginal note thereto there shall be substituted the following marginal note “Identification of agents.”;

(b) in subsection (1) thereof, for the words from “Together with the name, address” to the words “photograph of the agent and the Commissioners” there shall be substituted the words “The Commissioners”, and the words “and by whom he has been nominated” shall be deleted; and

(c) for subsection (2) thereof there shall be substituted the following new subsection:

“(2) The Commission shall forward to each political party the lists of all agents submitted by all the other political parties as well as all candidates’ agents submitted by the

candidates within two days of the receipt thereof and the political parties may make objections thereto within four days thereof.”.

37. Subsection (1) of section 64 of the principal Act shall be amended as follows:

Amendment of
section 64
of the
principal Act.

(a) in paragraph (b) thereof after the words “to all political parties contesting the election” there shall be added the words “, who ask for such lists in writing,”; and

(b) paragraph (c) thereof shall be renumbered as paragraph (d) thereof and immediately after paragraph (b) thereof there shall be inserted the following new paragraph (c):

“(c) The Commission shall also forward to political parties receiving such lists any alteration, addition or deletion to or from such lists on a daily basis up to the day immediately preceding the poll and such political parties may check the correctness of the information held or received by them with the Commission at any time”.

38. For sections 68 and 69 of the principal Act there shall be substituted the following sections 68, 68A and 69:

Substitution of
sections 68 and
69 of the
principal Act.

“Provisions
with regard
to polling
booths and
voting
compartments.

68. (1) The Commission shall ensure that, as far as possible, there is in each polling booth an adequate distance between the place where the Assistant Commissioners sit and the voting compartments within which voters are to mark their ballot papers. The voting compartments shall be constructed in such a manner as to exclude the possibility that any person may see how the voter is marking his ballot paper and if the Commission determines, for any reason whatsoever, that there is such a possibility the Commission, notwithstanding anything to the contrary contained in this Act, may direct that the voting compartment be screened off from the rest of the room by a curtain or other similar device.

(2) The Commission shall request the political parties to furnish it with a sufficient number of photographs of its candidates in order that the Commission may affix one photograph of each candidate in each polling booth of the electoral division in which the candidate is contesting. Each photograph shall have the name of the candidate and the name and badge of the party he is representing, if any, and photographs shall be displayed in the order that the candidates’

names appear on the ballot paper. The Commission shall give such directions as it may deem appropriate regarding the size and format of such photographs.

(3) The Commission shall ensure that in each voting compartment a copy of the Instructions to Voters set out in Schedule 8B to this Act are affixed in a place clearly visible to the voter and that writing instruments are available for use by voters.

(4) The Commission shall direct the Assistant Commissioners to ensure that they place the ballot boxes as near as possible to where they will be sitting and in such manner as they may clearly see the voter introducing the ballot paper into it.

(5) The Commission shall prepare a room or rooms in each polling place wherein to store until the polling day the ballot boxes, the list of persons entitled to vote, ballot papers and other relevant documents and materials to be used in that polling place on polling day. The room shall have adequate lighting facilities and shall allow the visual checking of the inside through a small opening in the door.

(6) The political parties shall be afforded all facilities to inspect all polling places well in advance of polling day and to make suggestions to the Commission on the use thereof.

(7) The ballot boxes shall be of such size and shall be manufactured of such material as the Commission shall determine provided that the Commission shall ensure that it is suitable to be sealed during voting and may not be tampered with without detection and provided further that if it is made of translucent material the Commission shall provide voters with envelopes in which to insert their ballot papers prior to casting their ballot paper in the ballot box.

Ballot boxes
and documents
for polling
booths.

68A. (1) On any day as near as practicable to the day of the poll but not earlier than three days therefrom, the Commission shall deliver to each polling place the ballot boxes, the list of persons entitled to vote thereat, ballot papers and other relevant documents and materials to be used in that polling place on polling day and shall seal such documents and materials in the room designated for the purpose in accordance with the previous section of this Act. The room shall be lit at all times.

(2) The political parties shall have the right to oversee such transportation, to affix their seals to the room and all the openings thereto and to visually check the room through the door opening at all times.

Transfer of
ballot boxes
to polling
booths.

69. (1) On the day fixed for polling and thirty minutes prior to the start thereof, the room in the polling place where the ballot boxes and other documents and materials have been stored by the Commission shall be opened and the boxes, documents and materials transferred to each polling booth by the relative Assistant Commissioners.

(2) Prior to the start of polling the Assistant Commissioners, in the presence of any candidates or agents as may be present shall open the ballot box consigned to them and ensure that it is empty prior to sealing it and opening the poll. If no candidate or agent is present the Assistant Commissioners shall ask any person present in the polling place to enter the polling booth and witness the sealing of the ballot boxes.

(3) After ascertaining that the ballot box is empty, if necessary by removing any extraneous material therein, the chairperson of the Assistant Commissioners shall proceed to seal the ballot box in the manner and with the seal provided to him by the Commission ensuring that he does not seal the opening through which the ballot papers are to be inserted by voters.

(4) One agent or candidate for each of the political parties present at such sealing may affix the party seal to the ballot box.

(5) After the ballot box has been sealed the chairperson of the Assistant Commissioners shall so attest on the form provided by the Commission and shall ask all the persons present at the sealing to sign as witnesses whereupon all shall leave the room except for the Assistant Commissioners and the poll shall start.

(6) In the event of any disagreement which cannot be resolved between those present the chairperson of the Assistant Commissioners shall ask a Commissioner to give the necessary direction.”

Amendment of section 70 of the principal Act.

39. Section 70 of the principal Act shall be amended as follows:

(a) at the end of subsection (3) thereof there shall be added the words, "All communications between the Assistant Commissioners and the voter whilst the latter is in the polling booth shall be made through the Chairperson of the Assistant Commissioners"; and

(b) in subsection (4) thereof, the words from "For the purposes of this Act" to the words "for the validity of the ballot paper" shall be substituted by the words "Only the official mark of the Commission shall be required for the validity of the ballot paper".

Amendment of section 71 of the principal Act.

40. Section 71 of the principal Act shall be amended as follows:

(a) in paragraph (f) of subsection (3) thereof for the words "as defined in subsection (4) of section 70" there shall be substituted the words "of the Commission"; and

(b) in subsection (4) thereof, for the words from "inside a cubicle" to the words "marking his ballot paper" there shall be substituted the words "inside the voting compartment".

Amendment of section 72 of the principal Act.

41. For paragraph (d) of subsection (4) of section 72 of the principal Act there shall be substituted the following:

"(d) In order to assist such voter in indicating his preferences, the Assistant Commissioners may refer the voter to the photographs of the candidates displayed in the polling booth in accordance with section 68 of this Act."

Substitution of section 77 of the principal Act.

42. For section 77 of the principal Act there shall be substituted the following:

"Mixed polling places.

77. (1) Notwithstanding anything to the contrary contained in this Act, the Commission shall provide mixed polling places for the purposes and in the manner provided for by this section.

(2) A mixed polling place is a polling place which contains a ballot box for each electoral division and where voters entitled to vote thereat in terms of the following subsections of this section may do so independently of the electoral division where they may be registered in the last published Electoral Register by casting their vote in the ballot

box appertaining to the electoral division where they are registered.

(3) The Commission shall only provide mixed polling places in the following localities:

(a) at the place where the counting of votes is to take place in terms of section 45 of this Act;

(b) at one place in Gozo not being any of the places mentioned in the following paragraphs of this subsection;

(c) at all retirement homes as defined by section 80 of this Act;

(d) at all hospitals;

(e) at the Civil Prisons.

(4) The persons mentioned in this subsection with the prior approval of the Commission given in the manner provided for in this section, shall be entitled to vote at one of the mixed polling places provided for in the previous subsection of this section. They shall cast their vote at the place and at the time indicated by the Commission:

(a) the Commissioners, the Assistant Commissioners, police officers and any other person lawfully entrusted with some official duty on polling day may vote in either of the mixed polling places indicated in paragraphs (a) and (b) of the previous subsection of this section, independently of where they may be registered in the last published Electoral Register, and shall cast their vote on the day before polling day between 7.00am and 10.00pm;

(b) any voter resident in a retirement home as defined in section 80 of this Act, may vote in the mixed polling place designated in terms of paragraph (c) of the previous subsection of this section, independently of where he may be registered in the last published Electoral Register, and shall cast his vote on polling day;

(c) any voter who is in a hospital on polling day may vote in the mixed polling place designated in terms

of paragraph (d) of the previous subsection of this section, independently of where he may be registered in the last published Electoral Register, and shall cast his vote on polling day;

(d) any voter who is in a prison on polling day shall vote in the mixed polling place designated in terms of paragraph (e) of the previous subsection of this section, independently of where he may be registered in the last published Electoral Register, and shall cast his vote on polling day.

(5) (a) The Commission shall make all such enquiries as are necessary in order to definitely determine which voters shall vote in mixed polling places and shall, three days before the poll, draw up lists of voters for each mixed polling booth after having removed the names of the said voters from the lists of voters of the polling booths to which they were originally assigned;

(b) the Commission shall inform in writing every voter who may elect to vote in a mixed polling place in terms of the previous subsection of this section and a voter wishing to vote in a mixed polling place shall inform the Commission in writing at least five days prior to the day of polling;

(c) voters voting in mixed polling booths shall use the voting document originally issued to them notwithstanding that the information therein contained referring to the polling place and polling booth does not refer to the mixed polling place.”.

Amendment of section 78 of the principal Act.

43. In section 78 of the principal Act for the words “election agent” wherever they occur, there shall be substituted the words “candidate agent”.

General amendment of Part XII of the principal Act.

44. In Part XII of the principal Act, for the words “retirement home” wherever they occur there shall be substituted in each case the words “hospitals and retirement homes”.

Substitution of section 80 of the principal Act.

45. For section 80 of the principal Act there shall be substituted the following:

"Hospitals
and
retirement
homes.

80. (1) For the purposes of this Part of the Act:

"hospital" means any place principally used for the care of sick persons and at which at least fifty registered voters, independently of where they are registered, are likely to be under in-patient treatment on polling day;

"retirement home" means any place principally used for the care of elderly people and at which at least fifty registered voters independently whether they are registered in the retirement home or otherwise are likely to be resident on polling day.

(2) The provisions of paragraph (a) of subsection (3) of section 81, of paragraph (b) of subsection (1) of section 82 and section 83 of this Act shall not apply to retirement homes not run or administered by the Government."

46. In subsection (2) of section 81 of the principal Act for the words "old aged" there shall be substituted the words "hospitals and retirement".

Amendment of
section 81
of the
principal Act.

47. Section 83 of the principal Act shall be amended as follows:

Amendment of
section 83
of the
principal Act.

(a) in subsection (1) thereof for the words "administrator of the home" there shall be substituted the words "Chairperson of the Sub-Committee" and for the word "administrator" there shall be substituted the word "Chairperson";

(b) immediately at the end of subsection (2) thereof there shall be added the following words:

"The sub-committee shall ascertain the option chosen by each voter as soon as possible after the delivery of the voting documents to the voters and shall inform in writing the party delegates of the option chosen by each voter.";

(c) subsections (3), (4), (5) and (6) thereof, shall be renumbered as subsections (5), (6), (7) and (8) respectively;

(d) immediately after subsection (2) thereof there shall be inserted the following new subsections (3) and (4):

"(3) The Commission shall provide mixed polling places in accordance with section 77 of this Act in hospitals and retirement homes in order to enable all voters residing

thereat to cast their vote at the place where they are resident independently of the place where they may be registered in terms of the last published Electoral Register.

(4) A medical consultant having in his care any voter resident at a hospital or retirement home may, by issuing a medical certificate to that effect, draw the attention of the Commission to any dangers inherent to the health of his patient should he be moved for the purposes of being taken to vote. Such certificate will, however, in no way effect the right of that voter, or his next of kin where applicable, to ignore the medical warning and decide to cast his vote.”; and

(e) for subsection (7) thereof as renumbered there shall be substituted the following:

“(7) (a) During the day fixed for the voting no person shall without the authority of the Commission be allowed to enter hospitals and retirement homes;

(b) the provisions of paragraph (a) of this subsection shall not apply to members of the sub-committee, members of the staff and relatives of patients who have been previously authorised to accompany voters to vote:

Provided that such relatives shall at all times wear proper identification tags issued to them by the Commission for the purpose.”.

General amendment
to Part XIII
of the
principal Act.

48. In Part XIII of the principal Act for the word “votes” wherever it occurs there shall be substituted the words “ballot papers”.

Amendment of
section 85
of the
principal Act.

49. In section 85 of the principal Act for the words from “Counting shall not commence” to the end of the section, there shall be substituted the words “The sorting of ballot papers shall not commence until all the procedures set down in Parts XIII and XIV of this Act have been completed and the Commission declares that it is satisfied that there has been no tampering. The sorting of all ballot papers shall commence at the same time in all electoral districts.”.

Amendment of
section 86
of the
principal Act.

50. Section 86 of the principal Act shall be amended as follows:

(a) immediately at the end of subsection (8) thereof there shall be added the following words: “Ballot boxes shall be transferred from this room to the counting area as soon as

practicable for the purpose of undertaking the Ballot Paper Account Reconciliation process mentioned in the following Part of this Act.”; and

(b) in subsection (9) thereof for the words “counting process”, there shall be substituted the words “sorting process”.

51. In subsection (4) of section 87 of the principal Act for the words “election and party agents” there shall be substituted the words “candidates’ agents and party agents”. Amendment of section 87 of the principal Act.

52. Section 89 of the principal Act shall be amended as follows: Amendment of section 89 of the principal Act.

(a) in subsection (1) thereof for the words “election agents” there shall be substituted the words “candidates’ agents”; and

(b) in subsection (2) thereof for the words “number of candidates” there shall be substituted the words “ten more than the number of candidates” and the words from “The list of such agents shall be presented” to the end of the subsection shall be deleted.

53. In paragraph (m) of section 90 of the principal Act immediately after the words “to any part of the building” there shall be inserted the words “including any restricted area”. Amendment of section 90 of the principal Act.

54. For section 92 of the principal Act there shall be substituted the following: Substitution of section 92 of the principal Act.

“Appointment of persons to ensure proper running of building etc. **92.** (1) The Commission shall appoint such persons as it considers appropriate to ensure the proper running and maintenance of the building designated for the storage of ballot boxes and the counting of votes and a list of such persons shall be sent to the political parties at least six days prior to the poll.

Extraordinary circumstances. (2) In extraordinary circumstances, the Commission shall allow entry to the building designated for the storage of ballot boxes and the counting of votes to such other persons as it considers necessary provided that in no case shall it allow entry to the public generally.

Identification cards. (3) All persons, except for police officers and members of the Armed Forces of Malta, allowed entry into the building designated for the storage of the ballot boxes and the counting of votes shall be issued by the Commission

with identity cards specifying the details required for counting agents and shall wear such identification at all times when they are within the said building or the precincts thereof.”.

Amendment of section 93 of the principal Act.

55. In section 93 of the principal Act for the words “election agents” there shall be substituted the words “candidates’ agents”.

Substitution of section 95 of the principal Act.

56. For section 95 of the principal Act there shall be substituted the following:

“Reconciliation of ballot paper account.

95. As soon as practical after ballot boxes start being deposited in the room designated by the Commission to hold the ballot boxes in terms of section 45 of this Act, the Commission shall proceed to reconcile the Ballot Paper Account of each box delivered by the Assistant Commissioners with the actual number of votes in that box and for this purpose shall release from the said room (as soon as possible after they are received therein ensuring that no confusion is created on the counting tables) the ballot boxes to the counting tables of each appropriate electoral division for the purpose of effecting such reconciliation.”.

Amendment of section 97 of the principal Act.

57. In section 97 of the principal Act for the words “One ballot box at a time shall be opened in each electoral division” there shall be substituted the words “The Commission may order any number of ballot boxes to be opened simultaneously in each electoral division provided that adequate precautions are taken to ensure that the ballot papers from different ballot boxes are kept separate”.

Amendment of section 99 of the principal Act.

58. In section 99 of the principal Act for the word “votes” there shall be substituted the words “ballot papers”.

Amendment of section 101 of the principal Act.

59. In section 101 of the principal Act for the word “votes” there shall be substituted the words “ballot papers”.

Amendment of section 107 of the principal Act.

60. In subsection (4) of section 107 of the principal Act for the word “electoral” there shall be substituted the word “candidates”.

Amendment of section 112 of the principal Act.

61. Subsection (1) of section 112 of the principal Act shall be amended as follows:

(a) in paragraph (h) thereof for the words “of the election,” there shall be substituted the words “of the election; or”; and

(b) immediately after paragraph (h) thereof there shall be inserted the following:

“(i) accepts a voting document, whether belonging to him or to any other person, when he is aware that he or such other person to whom the voting document refers has lost his right to vote; or

(j) votes when he knows that he has lost the right to vote.”.

62. For the Eighth Schedule to the principal Act there shall be substituted the Eighth Schedule and Schedule Eight B appearing in the Schedule to this Act.

Substitution of Eighth Schedule to the principal Act.

63. The General Elections (Sorting of Ballot Papers, Casual Elections and Co-opting) Regulations, 1991, contained in the Thirteenth Schedule to the principal Act shall be amended as follows:

Amendment to Thirteenth Schedule to the principal Act.

(1) Immediately after paragraph (9) in regulation 2, there shall be inserted the following paragraphs:

“(10) The expression “threshold” means the minimum number of votes which a political party must poll in order for that party to be represented in the House of Representatives.

The threshold is reached by a political party when it has either:

(a) by counting together the votes polled by all its candidates in all the electoral divisions it has obtained at least five per cent of the valid votes polled at the first count; or

(b) by counting together the votes polled by all its candidates in an electoral division, it has obtained a number of first count votes equal to the quota in that division established in accordance with regulation 8 of these regulations.

(11) The expression “excluded political party” means a political party which has not achieved the threshold.

(12) The expression “continuing political party” means a political party which has achieved the threshold.

(13) The expression “D’Hondt Divisor Method (National Proportional System)” means the mathematical process utilised to establish, at a national level, proportional

representation in the House of Representatives, which process shall consist in the following steps:

(a) the total number of votes credited, in accordance with the provisions of these regulations, to each continuing political party in all the electoral divisions shall first be divided by 1; the divisor shall then be increased to 2, 3 and so forth and each time the total number of votes credited as aforesaid to each political party in all the electoral divisions shall be divided by the divisor as so increased. This process shall be continued until the results are sufficient to assign to the continuing political parties all the seats in the House of Representatives;

(b) the results obtained in the divisions made in accordance with (a) above are then considered. The political party having the highest result obtained by such divisions (whether the divisor is 1, 2, 3 or any higher number) is assigned the first seat. The result utilised to assign the first seat is then excluded and the political party having the next highest result obtained by the said divisions (whether the divisor is 1, 2, 3 or any higher number as aforesaid) is assigned the second seat, and the result utilised to assign the second seat is then excluded. The process is continued for the assignment of the third, fourth and subsequent seats until a number of seats equivalent to the number of members to be elected to the House of Representatives is assigned;

(c) the total number of seats assigned to each continuing political party shall be the total number of members by which such party shall be represented in the House of Representatives.

(14) The expression "D'Hondt Divisor Method (District Proportional System)" means the mathematical process utilised to establish the total number of seats to be assigned to each continuing political party in each district, to establish, at a national level, proportional representation in the House of Representatives which process shall consist in the following steps:

(a) the total number of votes credited, in accordance with the provisions of these regulations, to each political party in each of the electoral divisions is

taken into account in order to determine the percentage share of the votes obtained by each continuing political party in each electoral division. Percentages shall be expressed to two decimal points and rounded up or down in order of magnitude of remainder to total 100 per cent in each electoral division;

(b) the continuing political parties shall be sorted out in order of magnitude of the total number of votes credited to them in all electoral divisions in accordance with the provisions of these regulations. Where two or more continuing political parties have been credited with the same number of votes the order between them shall be established by lot;

(c) the first continuing political party in order of magnitude shall then be considered:

(i) the percentage established for that continuing political party for each electoral division in accordance with paragraph (a) above shall be multiplied by hundred and the result so obtained shall be the "party district percentage" for that party in each electoral division;

(ii) the party district percentage in each electoral division shall first be divided by 1; the divisor shall then be increased to 2, 3 and so forth up to the number of members to be returned by each district in the House of Representatives. Any remainder resulting after each division is to be ignored;

(iii) the results obtained in the divisions made in accordance with (ii) above are then considered. A seat is then assigned to that party in the electoral division where the highest result is obtained (whether the divisor is 1, 2 or any higher number). The result utilised to assign the first seat is then excluded and a seat is assigned to the party in the electoral division where the next highest result is obtained (whether the divisor is 1, 2 or any higher number as aforesaid) and the result utilised to assign the second seat is then excluded. The process is continued for the assignment of the third, fourth and subsequent seats until the total number of seats

assigned to that political party by means of the D'Hondt Divisor Method (National Proportional System) is reached, and all the seats assigned to that party are assigned between the various electoral divisions;

(d) the second continuing political party in order of magnitude is then considered:

(i) the processes described in (i), (ii) and (iii) of (c) are followed, provided that where all the seats in an electoral division have already been assigned, any results resulting from the use of any divisor in that electoral division shall be excluded notwithstanding that such results may be higher than those obtaining in any other electoral division;

(ii) the process is then followed in the case of subsequent continuing political parties in order of magnitude, until the last continuing political party is to be considered, where the seats to be assigned to it shall be those remaining unassigned after all the previous continuing political parties have been considered.”.

(2) The heading “PART II Sorting of votes” appearing immediately after the end of regulation 2 shall be substituted by the following:

“PART II

Assigning seats to Political Parties”.

(3) For regulations 3 and 4 there shall be substituted the following:

“Sorting of
ballot papers.

3. In any general election and after all the procedures set out in Part XIV of the General Elections Act, 1991 have been completed, the Commission shall cause the ballot papers to be sorted out into parcels according to the first preference recorded for each political party, rejecting any that are invalid. For the purposes of this Part of these regulations a first preference for a candidate shall be deemed to be a first preference for the political party to which that candidate belongs in terms of the General Elections Act, 1991.

Method of
Sorting.

4. The sorting of ballot papers indicated in the previous regulation shall be carried out in the following manner:

(1) the supervisor of each counting table shall take the topmost bundle of ballot papers from each pigeon hole and, in full view of the candidates and agents, place the bundles on a rack to pass on to the counters;

(2) when a parcel of ballot papers has been taken from each different pigeon hole and placed on the rack as provided in the previous paragraph of this regulation, the supervisor shall pass to each counter one parcel at a time in order that the ballot papers may be sorted;

(3) the counters shall open each parcel of ballot papers and ascertain whether each paper is valid or invalid;

(4) if the counters ascertain that there is a possibility that, for any reason according to the General Elections Act, 1991 a ballot paper may be invalid or if any candidate or agent so claims, the counter shall place such ballot paper in a tray marked "dubious";

(5) if a ballot paper is considered as valid the counter shall place the ballot paper in a tray indicating the political party of the candidate to which the first preference has been given on that ballot paper."

(4) In paragraph (1) of regulation 5 for the word "section" there shall be substituted the word "regulation".

(5) For regulation 7 there shall be substituted the following:

"Counting
of papers.

7. (1) When all ballot papers have been sorted, the Commission shall, in each electoral division, count the number of ballot papers in the tray of each political party and credit each political party with a number of votes equal to the total number of valid ballot papers on which a first preference has been recorded for any of its candidates.

(2) When counting the number of ballot papers placed in the tray of each political party, the supervisor shall direct that such papers be bundled in packets of fifty each, that each packet is counted at least twice by two different counters and that each bundle of fifty ballot papers is placed on the racks of the supervisors as soon as it has been checked.

(3) The supervisors shall direct that such counting shall be done contemporaneously for all the political parties contesting an electoral division provided that they ensure that the ballot papers belonging to different political parties are kept separate.

(4) At the end of the count in a particular electoral division the Commission shall declare the total number of valid ballot papers in that division and the total number of valid votes credited to each political party in that electoral division.”.

(6) Regulations 9 to 22 shall be renumbered respectively as regulations 17 to 30.

(7) Immediately after regulation 8 there shall be inserted the following:

“National total of votes for each political party.

9. The Commission shall add together the number of valid votes credited to each political party in each of the electoral divisions in terms of regulation 7 of these regulations and declare the national total of valid votes credited to each political party.

Threshold.

10. The Commission shall determine, for each political party, whether or not such party has a number of valid first preference votes equal to or more than the threshold.

Transfer of papers of excluded political parties.

11. If from the application of the previous regulation it results that any political party is to be considered as an excluded political party the Commission shall proceed to work out the new national total of votes to be credited to the continuing political parties by proceeding as follows:

(1) All the candidates belonging to all the excluded political parties in all the electoral districts shall be excluded from the poll and ballot papers on which a first preference has been recorded in their favour shall be transferred to the continuing political party of the candidate having the next available preference on that ballot paper.

(2) The ballot papers of the excluded political party credited with the least number of votes on a national level shall be transferred first and in effecting transfers the regulations regarding non-transferable papers shall be observed.

(3) When all the ballot papers in all the electoral divisions belonging to a particular excluded political party have been effected, the Commission shall declare the total number of votes on transfer, the total number of non-transferable papers and the total number of paper transfers subdivided by continuing political party with all the results being given both on a national as well as on an electoral division level.

(4) The process shall continue in a similar order until all the ballot papers of all excluded political parties have been transferred in all the electoral divisions.

(5) When all ballot papers belonging to all excluded political parties have been so transferred, the Commission shall, in each electoral division, count the number of ballot papers in the tray of each continuing political party and credit each continuing political party with a number of votes equal to the total number of valid ballot papers on which the next available preference has been recorded for any of its candidates.

(6) When counting the number of ballot papers placed in the tray of each continuing political party, the supervisor shall direct that such papers be bundled in packets of fifty each, that each packet is counted at least twice by two different counters and that each bundle of fifty ballot papers is placed on the racks of the supervisors as soon as it has been checked.

(7) The supervisors shall direct that such counting shall be done contemporaneously for all the continuing political parties contesting an electoral division provided that they ensure that the ballot papers belonging to different political parties are kept separate.

New
national
total.

12. The Commission shall add together the number of transferred ballot papers credited to each continuing political party in each of the electoral divisions in terms of the previous regulation of these regulations with the number of ballot papers credited to that political party in terms of regulation 9 of these regulations and shall declare the new national total of valid votes credited to each continuing political party.

Assignment
of seats in the
House and in
each electoral
division.

13. The Commission shall proceed to assign to each continuing political party the number of seats it will have in the House of Representatives by applying the D'Hondt Divisor Method (National Proportional System) and shall determine how the seats so assigned to each party shall be subdivided

between the various electoral divisions by applying the D'Hondt Divisor Method (District Proportional System).

PART III

Election of Members of Parliament

Election of individual members.

14. After determining the number of seats to be assigned to each continuing political party and how such seats will be subdivided in the electoral divisions in accordance with the previous Part of these regulations, the Commission shall proceed to elect the individual Members of Parliament by sorting the ballot papers according to the first preferences recorded for each candidate.

Sorting of ballot papers for preference between candidates.

15. The sorting of ballot papers indicated in the previous regulation shall be carried out in the following manner:

(1) The supervisor of each counting table shall take the topmost bundle of ballot papers from each pigeon hole and, in full view of the candidates and agents, place the bundles on a rack to pass on to the counters.

(2) When a parcel of ballot papers has been taken from each different pigeon hole and placed on the rack as provided in the previous paragraph of this regulation, the supervisor shall pass to each counter one parcel at a time in order that the ballot papers may be sorted.

(3) The counters shall open each parcel with the ballot papers and shall place the ballot paper in a tray indicating the candidate to which the first preference has been given on that ballot paper.

(4) The process mentioned in regulation 5 of these regulations shall be applied until all ballot papers have, in phases, been removed from the pigeon holes, put on the rack and sorted according to the first preference recorded for each candidate.

Counting of votes credited to each candidate.

16. (1) When all ballot papers have been sorted, the Commission shall, in each electoral division, count the number of ballot papers in the tray of each candidate and credit each

candidate with a number of votes equal to the total number of valid ballot papers on which a first preference has been recorded for such candidate.

(2) When counting the number of ballot papers placed in the tray of each candidate, the supervisor shall direct that such papers be bundled in packets of fifty each, that each packet is counted at least twice by two different counters and that each bundle of fifty ballot papers is placed on the racks of the supervisors as soon as it has been checked.

(3) The supervisors shall direct that the ballot papers of more than one candidate be counted at the same time provided that if there are candidates belonging to different political parties the supervisors shall ensure that the ballot papers of candidates belonging to different parties are counted at the same time and provided that they ensure that the ballot papers belonging to different candidates are kept separate.”.

(8) In paragraph (7) of regulation 18 as renumbered for the words “fractional parts” wherever they occur, there shall be substituted the words “decimal parts”.

(9) Immediately after paragraph (3) of regulation 21 as renumbered, there shall be added the following paragraphs:

“(4) If in terms of these regulations a continuing political party is not assigned seats in any electoral division, all its candidates shall be immediately excluded from the poll at the first count and their papers transferred to the continuing candidates of other continuing political parties in that electoral division and in effecting the transfer of such papers the Commission shall follow the procedures set out in regulation 11 of these regulations. Any papers so transferred to continuing candidates shall for all intents and purposes of these regulations regarding surpluses be considered as original votes.

(5) If at the end of any count a continuing political party has elected in an electoral division a number of candidates equal to the number of seats assigned to such party in that electoral division in terms of regulation 13 of these regulations, all the other continuing candidates of such political party shall be immediately excluded from the poll before any other candidate and their papers transferred to the continuing candidates of other continuing political parties in

such electoral division and in effecting the transfer of such papers the Commission shall follow the procedures set out in regulation 11 of these regulations.”.

(10) The heading “Part III Casual Vacancies” immediately after regulation 25 as renumbered shall be substituted by the following:

“PART IV

Casual Vacancies”;

and

(11) The Schedule to the regulations shall be deleted.

Consequential
amendments,
Act XV of 1993.

64. The Local Councils Act, 1993, shall be amended as follows:

(a) in section 2 thereof the definition of “Local Councils Electoral Register” shall be deleted;

(b) section 5 thereof shall be deleted;

(c) section 6 thereof shall be renumbered as section 5 and shall be amended as follows:

(i) for the marginal note there shall be substituted the following marginal note: “Persons entitled to vote.”;

(ii) in subsection (1) thereof for the words “shall be registered as a voter in the Local Councils Electoral Register” there shall be substituted the words “shall be entitled to vote at elections of Local Councils”;

(iii) in subsection (2) thereof for the words “shall be entitled to be registered as voters in the Local Councils Electoral Register” there shall be substituted the words “shall be entitled to vote at elections of Local Councils”; and immediately after paragraph (d) thereof there shall be inserted the following new paragraph (e):

“(e) they are registered as voters in the Special Register mentioned in the following section of this Act”;

(d) immediately after section 5 thereof as renumbered there shall be inserted the following new section 6:

"Special Register.

6. The Commission shall, together with the Electoral Register, publish, in the same format as provided for the Electoral Register, a Special Register showing all persons who are not citizens of Malta who are entitled to vote at elections of Local Councils in accordance with the provisions of this Act and any persons who, although registered as voters, have lost their right to vote at elections of Local Councils following a conviction for an offence in connection with the election of members of Local Councils. All the provisions of the Electoral Register shall, *mutatis mutandis*, apply to the Special Register.”;

(e) in section 7 thereof for the words “Local Councils’ Electoral Register” there shall be substituted the words “Electoral Register or the Special Register”;














(f) in section 11 thereof for the words “Local Councils’ Electoral Register” there shall be substituted the words “Electoral Register or the Special Register”; and

(g) in paragraph (j) of section 12 thereof for the words “Local Councils’ Electoral Register” there shall be substituted the words “Electoral Register or the Special Register”.

(Section 62)

(Section 49)

SCHEDULE
"EIGHTH SCHEDULE
Form of Ballot Paper

No. of Members to be elected	Division	
Names of Candidates	Badge of Candidate	Mark order of preference in spaces below
PARTIT TAL-FJURI		
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 Street, Żabbar, Driver)		
VELLA , (James Vella, of 5, Republic Street, St. Julians, Architect)		
WILLIAMS , (Francis Williams of 85, Genuis Street, Żurrieq, Chemist)		
PARTIT TAL-GHASFUR		
AZZOPARDI , (Spiro Azzopardi, of 13, Marina Street, Żejtun, Printer)		
BORG , (Assuero Borg, of 69, Barbara Street, Mellieħa, Clerk)		
CASSAR , (Lela Cassar, of "Dolores", Main Street, Cospicua, Housewife)		
MIZZI , (Glormu Mizzi, of 70, Two Gates Street, Lija, Lawyer)		
ZARB , (Fortunat Zarb, of 15, Strait Street, Luqa, Clerk)		
PARTIT TAS-SIĠAR		
AZZOPARDI , (Reginald Azzopardi, of 165, St. Domenic Street, Qormi, Clerk)		
ZAMMIT , (Lawrence Zammit, of "Josdor", 188, Bwieraq Street, Hamrun, Chemist)		
KANDIDATI INDIPENDENTI		
BUHAGIAR , (Louis Buhagiar, of 55, Republic Street, Żabbar, Merchant)		
GALEA , (Ninu Galea, of 67, B'Kara Lane, Qrendi, Worker)		

SCHEDULE EIGHT B

(Section 68(3))

**DIRECTIONS FOR THE GUIDANCE OF THE VOTER
IN VOTING**

1. Vote by placing the figure 1 opposite the name of the candidate you most desire to see elected.
2. You are invited (and it is advisable) to place the figure 2 opposite the name of your second choice, the figure 3 opposite the name of your third choice, and so on.
3. It is advisable to go on numbering the candidates in the order of your preference until you are indifferent as to the candidates whom you have not marked.
4. If you do not place the figure 1 on your ballot paper or if you place the figure 1 (indicating a first preference) and some other figure opposite the same name, or if you place the figure 1 opposite the name of more than one candidate, your ballot paper will be invalid and will not be counted.
5. Do not vote with an X.
6. If you inadvertently spoil a ballot paper you may return it to the Assistant Commissioner, who will, if satisfied of such inadvertence, give you another paper.”

Objects and Reasons

The main object of the Bill is to introduce a system whereby a greater proportionality of representation is achieved in Parliament, and at the same time retaining the single transferable vote system.