MALTA

ATT Nru. XV ta' l-1993

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT biex jipprovdi għat-twaqqif ta' Kunsilli Lokali.

ACT No. XV of 1993

AN ACT enacted by the Parliament of Malta.

AN ACT to make provision for the setting up of Local Councils.

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Allokazzjoni finanzjarja lil Kunsilli

Nagħti l-kunsens tiegħi.

JIMMY FARRUGIA
Aġent President
30 ta' Ġunju, 1993

(L.S.)

ATT Nru. XV ta' l-1993

ATT biex jipprovdi għat-twaqqif ta' Kunsilli Lokali.

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

TAQSIMA I
Titolu, Bidu fis-seħħ u Tifsir

Titolu fil-qosor u bidu fis-seħħ.

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1993 dwar Kunsilli Lokali.

(2) Id-dispożizzjonijiet ta' dan l-Att għandhom jibdew iseħħu f'dik id-data jew f'dawk id-dati li l-Ministru jista' jistabbilixxi b'avviż fil-Gazzetta u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet differenti tiegħu.

Tifsir.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra:-

"Direttur tal-Verifika" tfisser id-Direttur tal-Verifika maħtur skond l-artikolu 108 tal-Kostituzzjoni;

"korp pubbliku" tfisser Korporazzjoni mwaqqfa b'Att tal-Parlament, kull Aġenzija li tista' titwaqqaf mill-Gvern u kull soċjetà b'responsabbiltà limitata li fiha l-Gvern ikollu kontroll;

"Kummissarju għall-Ġustizzja" tfisser kull persuna maħtura f'dik il-kariga skond l-artikolu 3 ta' l-"Att dwar il-Kummissarju għall-Ġustizzja;

"Kummissjoni Elettorali" tfisser il-Kummissjoni Elettorali mwaqqfa bl-artikolu 60 tal-Kostituzzjoni;

"Kunsill" tfisser Kunsill Lokali mwaqqaf taħt dan l-Att;

"Kunsillier" tfisser membru elett għall-Kunsill taħt id-dispożizzjonijiet ta' dan l-Att;

"lokalità" tfisser kull area b'konfini stabbilita kif imsemmi fit-Tieni Skeda li tinsab ma' dan l-Att;

"Malta" għandha l-istess tifsir kif mogħti lilha bl-artikolu 124 tal-Kostituzzjoni;

"Ministru" tfisser il-Ministru responsabbli għall-Gvern Lokali;

"popolazzjoni ta' lokalità" tfisser in-numru totali ta' persuni b'Karti ta' l-Identità maħruġa skond l-Att dwar il-Karta ta' l-Identità li turihom bħala residenti fil-lokalità flimkien man-numru ta' tfal taħt l-età preskritta skond is-subartikolu (1) ta' l-artikolu 3 ta' l-Att dwar il-Karta ta' l-Identità li dwarhom titħallas *allowance* tat-tfal fil-lokalità;

"pjan ta' struttura" għandha l-istess tifsira kif mogħti lilha bl-artikoli 18 u 22 ta' l-Att I ta' l-1992 dwar il-Pjan ta' Żvilupp;

"Reġistru Elettorali" tfisser ir-Reġistru Elettorali pubblikat skond id-dispożizzjonijiet ta' l-Att XXI ta' l-1991 dwar l-Elezzjonijiet Ġenerali;

"Reġistru Elettorali tal-Kunsilli Lokali" tfisser ir-Reġistru miġbur mill-Kummissjoni Elettorali skond l-artikolu 5 ta' dan l-Att;

"reklam" tfisser kull kelma, ittra, mudell, sinjal, plakka, tabella, avviż, mezz jew rappreżentazzjoni, sew jekk mixgħula sew jekk le, li fin-natura tagħha tkun u użata għal kollox jew f'parti għall-finijiet ta' reklam, avviż jew struzzjoni, magħduda kull tabella jew struttura simili użata jew adattata għall-użu ta' wiri ta' reklami;

"segretarju" tfisser il-persuna li tokkupa l-kariga ta' segretarju tal-Kunsill skond dan l-Att;

"sena finanzjarja" tfisser perijodu ta' tnax-il xahar li jagħlaq fil-31 ta' Marzu ta' kull sena;

"servizz pubbliku" għandha l-istess tifsira kif mogħti lilha bl-artikolu 124 tal-Kostituzzjoni;

"Sindku" tfisser is-Sindku ta' Kunsill elett skond l-artikolu 25 ta' dan l-Att;

"Triq" tinkludi kull triq, sqaq, misraħ, pont, xatt il-baħar, moll, jew post ieħor ta' passaġġ jew aċċess pubbliku;

"Uffiċjal pubbliku" għandha l-istess tifsir kif mogħti lilha bl-artikolu 124 tal-Kostituzzjoni

TAQSIMA II
Kostituzzjoni ta' Kunsilli

Twaqqif ta' Kunsilli Lokali.

3. (1) Kull lokalità għandu jkollha Kunsill li jkollu dawk il-funzjonijiet kollha li jingħataw lilu b'dan l-Att.

(2) Il-Kunsill huwa korp statutorju ta' gvern lokali b'personalità legali distinta bis-setgħa li jagħmel kuntratti, li jħarrek u li jkun imħarrek, u li jagħmel kull ħaġ'oħra u li jidħol f'dawk it-transazzjonijiet li huma inċidentali jew li jwasslu għall-eżerċizzju u għall-qadi tal-funzjonijiet tiegħu skond dan l-Att:

Iżda Kunsill ma għandux setgħa li:

(a) jissellef jew jislef xi flus ħlief bl-awtorità bil-miktub tal-Ministru bi ftehim mal-Ministru responsabbli għall-finanzi;

(b) jidħol f'xi forma ta' soċjetà kummerċjali sew għall-qadi ta' dmirijietu jew xort'oħra;

(ċ) jiddelega xi waħda mill-funzjonijiet tiegħu b'xi mod li ma jkunx stabbilit b'dan l-Att jew taħtu.

(3) Tibdil fil-konfini ta' lokalitajiet għandu jsir biss f'ċirkostanzi eċċezzjonali u biss mill-Kummissjoni Elettorali, wara konsultazzjoni mal-Ministru, il-Kunsilli Lokali konċernati u, fejn hu possibbli, mar-residenti lokali. Il-Kummissjoni Elettorali għandha tagħmel dan it-tibdil permezz ta' avviż legali fil-Gazzetta.

Kostituzzjoni tal-Kunsilli.

4. (1) In-numru ta' Kunsillieri għal kull lokalità jkun stabbilit skond il-kriterji li ġejjin:

(a) fil-każ fejn il-popolazzjoni ta' lokalità tkun inqas minn ħamest elef, in-numru ta' Kunsillieri għandu jkun ħamsa;

(b) fil-każ fejn il-popolazzjoni ta' lokalità tkun ħamest elef jew iżjed iżda inqas minn għaxart elef, in-numru ta' Kunsillieri jkun sebgħa;

(ċ) fil-każ fejn il-popolazzjoni ta' lokalità tkun għaxart elef jew iżjed, iżda inqas minn ħmistax-il elf, in-numru ta' Kunsillieri jkun disgħa;

(d) fil-każ fejn il-popolazzjoni ta' lokalità tkun ħmistax-il elf jew iżjed, iżda inqas minn għoxrin elf, in-numru ta' Kunsillieri jkun ħdax; u

(e) fil-każ fejn il-popolazzjoni ta' lokalità tkun għoxrin elf jew iżjed, in-numru ta' Kunsillieri jkun tlettax.

(2) Għall-finijiet tas-subartikolu (1) ta' dan l-artikolu, il-popolazzjoni ta' lokalità tkun kif imfisser fl-artikolu 2 ta' dan l-Att u kif pubblikat qabel l-elezzjoni tal-Kunsilli Lokali.

(3) Il-Kunsill ikun presedut minn Sindku li jkun elett fost il-Kunsillieri skond is-Seba' Skeda li tinsab ma' dan l-Att.

(4) F'lokalitajiet fejn ikunu eletti seba' membri jew iktar, għandu jkun ukoll elett Viċi Sindku skond is-seba' Skeda li tinsab ma' dan l-Att. Il-Viċi Sindku jippresjedi fin-nuqqas tas-Sindku.

(5) Għall-finijiet tas-subartikolu (1) ta' dan l-artikolu kemm is-Sindku kif ukoll il-Viċi Sindku jitqiesu li huma Kunsillieri.

Għemil u pubblikazzjoni tar-Reġistru Elettorali għall-Kunsilli Lokali.

5. (1) Il-Kummissjoni Elettorali għandha tagħmel Reġistru Elettorali għall-Kunsilli Lokali li jkun jiġbor fih il-persuni kollha li għandhom jedd ikunu reġistrati bħala votanti għall-elezzjonijiet ta' Kunsilli Lokali skond dan l-Att.

(2) Il-Kummissjoni Elettorali għandha tinkludi fir-Reġistru Elettorali għall-Kunsilli Lokali l-persuni kollha li jkollhom jedd sew jekk tkun saret applikazzjoni għar-reġistrazzjoni sew jekk le.

(3) Il-Kummissjoni Elettorali għandha tieħu ħsieb li tippubblika Reġistru Elettorali għall-Kunsilli Lokali fil-Gazzetta darba fis-sena fix-xahar ta' Novembru f'dik il-forma provduta fit-Tielet Skeda li tinsab ma' dan l-Att u dak ir-Reġistru Elettorali għall-Kunsilli Lokali jkun fih il-persuni kollha li jkollhom jedd li jivvotaw fl-aħħar jum ta' Ottubru ta' dik is-sena:

Iżda l-Kummissjoni għandha b'żieda tippubblika r-Reġistru Elettorali għall-Kunsilli Lokali b'mezzi elettroniċi:

Iżda wkoll l-ewwel Reġistru Elettorali għall-Kunsilli Lokali għandu jkun pubblikat mhux iktar tard mill-31 ta' Awissu 1993 u dak ir-Reġistru għandu jkun fih il-persuni kollha li jkollhom jedd li jivvotaw fil-31 ta' Lulju 1993.

Persuni li għandhom jedd ikunu reġistrati bħala votanti.

6. (1) Kull ċittadin ta' Malta li ismu jkun jidher fl-aħħar Reġistru Elettorali pubblikat u li ma jkunx instab ħati ta' xi reat li għandu x'jaqsam ma' l-elezzjoni ta' membri ta' Kunsilli Lokali għandu jkun reġistrat bħala votant fir-Reġistru Elettorali għall-Kunsilli Lokali.

(2) Persuni li ma humiex ċittadini ta' Malta jkollhom jedd li jkunu reġistrati bħala votanti fir-Reġistru Elettorali għall-Kunsilli Lokali kemm-il darba:

(a) ikunu meħtieġa skond l-Att dwar il-Karta ta' l-Identità li jkollhom karta ta' l-identità u li, fil-fatt tkun inħarġitilhom waħda; Kap. 258

(b) ikunu ċittadini ta' pajjiż li hu membru tal-Kunsill ta' l-Ewropa u li hu mniżżel fid-Disa' Skeda li tinsab ma' dan l-Att;

(ċ) ikunu jħarsu l-ħtiġiet tal-paragrafi (b) u (ċ) ta' l-artikolu 57 tal-Kostituzzjoni; u

(d) ma jkunux skwalifikati għar-raġunijiet murija fl-artikolu 58 tal-Kostituzzjoni lanqas ma jkunu nstabu ħatja ta' xi reat li għandu x'jaqsam ma' l-elezzjoni tal-membri tal-Kunsilli Lokali.

Persuni li għandhom jedd li jivvutaw f'lokalità partikolari.

7. Il-persuni li għandhom jedd li jivvotaw f'elezzjoni ta' Kunsilli Lokali huma dawk il-persuni li jkunu reġistrati bħala votanti f'dik it-taqsima tar-Reġistru Elettorali għall-Kunsilli Lokali li tirreferi għal-lokalità li għaliha se jkunu eletti Kunsillieri lokali.

Elezzjoni ta' Kunsillieri.

8. (1) L-elezzjonijiet ta' Kunsillieri jsiru kull tliet snin bil-mezz tas-sistema tar-rappreżentanza proporzjonali bl-użu ta' vot wieħed trasferibbli.

(2) It-tmexxija ta' l-elezzjonijiet tkun biss ir-responsabbiltà tal-Kummissjoni Elettorali li għandha tmexxi dik l-elezzjoni u tgħodd il-voti mogħtija skond id-dispożizzjonijiet tat-Tielet Skeda li tinsab ma' dan l-Att.

(3) Jekk ebda kandidati ma jkunu nominati biex jikkontestaw l-elezzjoni għall-Kunsill Lokali skond it-Tielet Skeda li tinsab ma' dan l-Att, il-Ministru għandu jaħtar Kumitat ta' Tmexxija li għandu jaqdi dawk id-dmirijiet kollha li jkunu fil-kompetenza tal-Kunsill sakemm ikun elett Kunsill ġdid:

Iżda l-Kummissjoni Elettorali għandha, f'data stabbilita mill-Ministru, iżda f'kull każ fi żmien tnax-il xahar mid-data li fiha l-elezzjoni kellha ssir, tagħmel elezzjoni għal Kunsill ġdid;

Iżda wkoll kull Kunsill ġdid għandu jservi għal dak iż-żmien fil-kariga li kien ikun servut minn xi Kunsillier li kien ikun elett fl-elezzjoni li fiha ebda kandidati ma kienu nominati.

(4) Meta, skond it-Tielet Skeda li tinsab ma' dan l-Att, ikollha ssir għażla, dik l-għażla għandha ssir mill-Kunsillieri eletti fl-ewwel laqgħa u, jekk applikabbli minnufih wara li jkunu eliġġew lis-Sindku u lill-Viċi Sindku.

(5) Jekk ikollhom isiru elezzjonijiet għal Kunsillieri fi żmien tliet xhur qabel ma jkunu se jsiru Elezzjonijiet Ġenerali jew Referendi, l-elezzjoni tal-Kunsillieri tista' titħalla għal data stabbilita mill-Ministru, iżda f'kull każ mhux iktar tard minn tliet xhur wara li jsiru dawk l-Elezzjonijiet Ġenerali jew ir-Referendi:

Iżda, jekk l-elezzjonijiet hekk jitħallew għal wara, iż-żmien tal-kariga tal-Kunsillieri li f'dak iż-żmien ikunu fil-kariga għandu jitwal bl-istess żmien bħall-elezzjonijiet u ż-żmien tal-Kunsillieri li wara jkunu eletti għandu jitnaqqas bl-istess żmien li jkun ittawwal iż-żmien tal-kariga tal-Kunsillieri ta' qabel.

(6) L-elezzjonijiet għandhom isiru fit-tieni Sibt ta' Marzu, iżda:

(a) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda bil-Belt Valletta, għandha ssir fl-għoxrin ta' Novembru 1993;

(b) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda bl-Imdina, għandha ssir fit-tnejn u għoxrin ta' Jannar 1994;

(ċ) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda bil-Birgu, għandha ssir fid-dsatax ta' Frar 1994;

(d) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda bl-Isla, għandha ssir fid-dsatax ta' Marzu 1994;

(e) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda b'Bormla, għandha ssir fis-sittax ta' April 1994;

(f) l-ewwel elezzjoni għal kull sitt Kunsill imniżżel fit-Tieni Skeda, tibda b'Qormi, għandha ssir fl-erbatax ta' Mejju 1994;

Iżda wkoll il-Ministru jista' b'ordni fil-Gazzetta jistabbilixxi li elezzjoni tista' ssir qabel jew issir wara d-data hawn fuq stabbilita sa ġimgħatejn;

Iżda wkoll it-tieni elezzjoni ta':

(a) kull tielet Kunsill imniżżel fit-Tieni Skeda, tibda bil-Belt Valletta, għandha ssir fit-tieni Sibt ta' Marzu 1996;

(b) kull tielet Kunsill imniżżel fit-Tieni Skeda, tibda bl-Imdina, għandha ssir fit-tieni Sibt ta' Marzu 1997;

(ċ) kull tielet Kunsill imniżżel fit-Tieni Skeda, tibda mill-Birgu, għandha ssir fit-tieni Sibt ta' Marzu 1998.

Vakanzi każwali.

9. Meta tinħoloq vakanza każwali fost il-membri tal-Kunsill Lokali, għandu jintbagħat avviż bil-miktub ta' dik il-vakanza lill-Ministru u lill-Kummissjonarju Elettorali Prinċipali mis-Segretarju fi żmien sitt ijiem wara li tkun inħolqot il-vakanza, u għandha ssir elezzjoni każwali biex timtela dik il-vakanza skond id-dispożizzjonijiet tat-Tielet Skeda li tinsab ma' dan l-Att f'jum li jkun stabbilit mill-Kummissjoni Elettorali li ma jkunx iktar minn tletin jum wara d-data li fiha tkun inħolqot il-vakanza:

Iżda jekk vakanza każwali tinħoloq kif intqal qabel fi żmien tliet xhur qabel ma jagħlaq iż-żmien tal-kariga tal-Kunsill, ma ssir ebda elezzjoni każwali u l-Kunsill għandu jitqies li jkun debitament kostitwit għall-finijiet ta' dan l-Att.

Iżda wkoll ma għandhiex issir elezzjoni oħra jekk iż-żmien ta' kariga tal-Kunsill ikun ittawwal skond is-subartikolu (5) ta' l-artikolu 8.

Vakanzi ma jannullawx proċeduri

10. Tul iż-żmien sakemm timtela vakanza każwali, il-Kunsill jitqies li hu debitament kostitwit għall-finijiet ta' dan l-Att u kull proċeduri, għemejjel u deċiżjonijiet tal-Kunsill huma meqjusa validi.

Kwalifika għall-Elezzjoni bħala Kunsillieri.

11. Persuna hija kwalifikata biex tkun eletta bħala membru tal-Kunsill tal-lokalità tagħha jekk dik il-persuna tkun reġistrata bħala votant fir-Reġistru Elettorali għall-Kunsilli Lokali għall-lokalità li dik il-persuna tkun qed tikkontesta:

Iżda fil-każ ta' uffiċjali pubbliċi, l-Estacode jista' minn żmien għal żmien jirrestrinġi xi klassi jew klassijiet ta' uffiċjali pubbliċi milli jikkontestaw l-elezzjonijiet għall-Kunsillieri u li għall-finijiet ta' dan il-proviso "Estacode" tfisser il-korp ta' regolamenti li minn żmien għal

żmien japplikaw fis-servizz pubbliku.

Persuni li ma jistgħux joħorġu għall-Kunsill.

12. Ebda persuna ma tista' tikkontesta elezzjoni bħala membru ta' Kunsill jew tibqa' membru tiegħu jekk:

(a) tkun membru tal-Kamra tad-Deputati;

(b) tkun membru ta' korp dixxiplinat kif imfisser fis-subartikolu (1) ta' l-artikolu 47 tal-Kostituzzjoni ta' Malta;

(ċ) tkun persuna mpjegata mal-Kunsill li għalih ikunu se jsiru l-elezzjonijiet;

(d) tkun persuna li jkollha xi kariga li l-funzjonijiet tagħha jinkludu xi responsabbiltà għat-tmexxija jew dwar it-tmexxija ta' xi elezzjoni ta' membri tal-Kunsill jew il-ġbir jew ir-reviżjoni ta' xi reġistru elettorali;

(e) tkun falluta mhux rijabilitata wara li tkun iġġudikata jew xort'oħra dikjarata falluta skond xi liġijiet fis-seħħ f'Malta;

(f) tkun interdetta jew inabilitata minħabba xi infirmità mentali jew minħabba prodigalità minn Qorti f'Malta, jew tkun xort'oħra dikjarata li hi nieqsa minn kapaċità mentali;

(ġ) tkun qed tiskonta sentenza ta' priġunerija (tkun xi tkun imsejħa) ta' aktar minn tnax-il xahar mogħtija minn xi Qorti f'Malta jew li tkun taħt dik is-sentenza ta' priġunerija li l-eżekuzzjoni tagħha tkun sospiża;

(ħ) tkun membru tal-Ġudikatura;

(i) tkun skwalifikata milli tkun membru tal-Kunsill b'dan l-Att jew taħtu jew b'xi liġi oħra li tkun isseħħ fiż-żmien f'Malta;

(j) isimha ma jkunx għadu jidher fir-Reġistru Elettorali għall-Kunsilli Lokali.

Kunsillier li ma jibqax kwalifikat biex joqgħod fil-Kunsill.

13. (1) Ebda Kunsillier li jkun elett kif imiss ma għandu, mingħajr il-kunsens tiegħu, ikun trasferit mill-Gvern jew xort'oħra jitqiegħed f'pożizzjoni li tiskwalifikah milli jżomm il-kariga ta' Kunsillier, Sindku jew Viċi Sindku.

(2) Jekk Kunsillier ma jibqax kwalifikat minħabba xi dispożizzjoni ta' dan l-Att, huwa ma jibqax membru u d-dispożizzjonijiet ta' l-artikolu 9 għandhom japplikaw.

Żmien ta' kariga ta' Kunsillier.

14. (1) Kunsillieri eletti għandhom iżommu l-kariga mill-ewwel

jum tax-xahar ta' wara l-ħatra tagħhom u għandhom jibqgħu f'dik il-kariga sa tmiem iż-żmien tal-Kunsill jew sa dak iż-żmien li l-Kunsillier jirreżenja jew ikun tneħħa mill-kariga qabel ma jintemm iż-żmien skond dan l-Att.

(2) Wara li jagħlaq iż-żmien tal-ħatra tagħhom, Kunsillieri eletti, jekk xort'oħra kwalifikati, ikunu eliġibbli għal elezzjoni oħra.

(3) Iż-żmien tal-kariga ta' kull persuna:

(a) eletta jew magħżula biex timla vakanza f'Kunsill; jew

(b) eletta jew magħżula f'Kunsill meta l-elezzjoni ta' dak il-Kunsill tkun għal xi raġuni differita għal kollox jew f'parti,

ikun iż-żmien li jifdal miż-żmien tal-kariga skond l-artikolu 8.

Piena għall-persuni skwalifikati li jaġixxu ta' Kunsillieri.

15. (1) Kunsillier jista' jeħel ammenda ta' ħamsin lira Maltin għal kull darba li jattendi laqgħa tal-Kunsill meta jkun jaf jew ikollu raġunijiet xierqa jaħseb li hu skwalifikat jew jekk jaġixxi ta' Kunsillier meta l-post tiegħu jkun sar vakanti:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'ebda każ ma jkunu iżjed minn ammenda ta' elf lira Maltin għal kull darba.

(2) L-ammenda msemmija fis-subartikolu (1) ta' dan l-artikolu tingabar mill-Gvern bħala dejn ċivili u titqiegħed fil-Fond ta' Dħul Konsolidat.

(3) Kunsillier li jaġixxi bil-mod imsemmi fis-subartikolu (1) ta' dan l-artikolu jkun soġġett li jrodd lura kull somma ta' flus li l-Kunsill jew xi korp ieħor ikun nefaq minħabba fih, jew xi benefiċċji li jkun kiseb dwar il-kariga tiegħu minn meta tinħoloq ir-raġuni għall-iskwalifika tiegħu.

(4) Is-subartikoli ta' qabel ta' dan l-artikolu għandhom ikunu applikati u għandhom jiftiehmu bla ħsara għal kull azzjoni kriminali li tista' tittieħed mill-awtoritajiet kompetenti.

Validità ta' għemil minn Kunsillier skwalifikat.

16. (1) Kull għemil u proċeduri magħmula minn persuna mhux kwalifikata li jkollha l-kariga ta' Kunsillier kif provdut fl-artikoli ta' qabel dan u kull obbligazzjoni li torbot lill-Kunsill minħabba f'hekk għandhom ikunu onorati mill-Kunsill meta l-persuna li favur tagħha tkun saret dik l-obbligazzjoni tkun in *bona fede*.

(2) Il-Kunsill ikollu l-jedd li jħarrek lil dik il-persuna li ma tkunx kwalifikata għal kull danni li jinqalgħu minn xi transazzjoni li

jkollha tonora kemm-il darba dak il-Kunsillier ma jipprovax li jkun aġixxa in *bona fede*.

Riżenja minn membru ta' Kunsill.

17. (1) Membru tal-Kunsill jista' f'kull żmien jirriżenja mill-kariga tiegħu b'avviż bil-miktub iffirmat minnu u mwassal lis-Segretarju u r-riżenja tiegħu tibda sseħħ mid-data li fiha s-Segretarju jkun irċieva l-avviż u l-kariga tiegħu ssir vakanti minn dik id-data.

(2) Is-Segretarju għandu jaġixxi skond id-dispożizzjonijiet ta' l-artikolu 9 ta' dan l-Att.

Kunsillieri għandhom jattendu l-laqgħat kollha.

18. Il-Kunsillieri għandhom jattendu l-laqgħat kollha kif provdut taħt dan l-Att u l-Ministru għandu, wara li jkun mgħarraf mis-Segretarju, b'avviż iffirmat minnu u indirizzat lis-Segretarju, jiddikjara li post ikun vakanti jekk Kunsillier jonqos li jattendi għal sitt laqgħat konsekuttivi tal-Kunsill jew b'kollox ikun naqas għal iktar minn terz tal-laqgħat imsejħa fi żmien sitt xhur:

Iżda meta n-nuqqas ta' attendenza jkun għal raġuni ġusta, is-Segretarju, meta jgħarraf lill-Ministru bin-nuqqas tal-Kunsillier, jista' wkoll jagħtih ir-rakkomandazzjoni tal-Kunsill biex il-Ministru ma jiddikjarax dak il-post vakanti.

Interess pekunjarju.

19. (1) Ikun id-dmir ta' kull Kunsillier li jkollu xi nteress pekunjarju, dirett jew indirett, f'xi kuntratt jew f'xi proposta ta' kuntratt jew ħaġ'oħra u jkun preżenti f'xi laqgħa tal-Kunsill li fiha dak il-kuntratt, proposta ta' kuntratt jew ħaġ'oħra tkun, jew tkun waslet biex tkun, kunsidrata, li jiddikjara bil-miftuħ fil-laqgħa u kemm jista' jkun malajr wara li tkun bdiet l-interess tiegħu u:–

(a) dan m'għandux jippresjedi jew jieħu sehem fil-konsiderazzjoni jew fid-diskussjoni ta', jew jivvota fuq xi mistoqsija dwar, dak il-kuntratt jew proposta ta' kuntratt jew ħaġ'oħra; u

(b) kemm-il darba l-kuntratt jew proposta ta' kuntratt jew ħaġ'oħra ma tkunx qed tiġi kunsidrata mill-Kunsill biss bħala parti minn rapport ta' kumitat jew ta' sotto-kumitat tiegħu u ma tkunx hi s-suġġett ta' dibattitu separat, dan għandu jirtira mil-laqgħa fil-waqt li l-kwistjoni tkun qed tiġi kunsidrata.

(2) Ikun id-dmir ta' kull Kunsill li jirreġistra fil-minuti ta' laqgħa partikolaritajiet ta' dikjarazzjoni bil-miftuħ li ssir f'dik il-laqgħa taħt is-subartikolu (1) u ta' kull irtir mil-laqgħa li jsir wara.

(3) Kull persuna li xjentement taġixxi bi ksur tas-subartikolu (1) tkun ħatja ta' reat u tista' teħel priġunerija għal żmien ta' mhux

iżjed minn sena jew multa ta' mhux iżjed minn elf lira Maltin jew ħamsin fil-mija tal-kuntratt jew proposta ta' kuntratt jew ħaġ'oħra, skond liema tkun l-ikbar, jew dik il-multa u priġunerija flimkien, u kull persuna li tinsab ħatja ta' reat bħal dan ma tibqax kwalifikata li jkollha kariga ta' Kunsillier għal perijodu ta' ħames snin minn meta tinsab ħatja.

(4) Għall-finijiet tas-subartikolu (1) il-kelma "indirett" tinkludi kull interess pekunjarju li Kunsillier jista' jkollu permezz ta' martu jew żewġha, ta' l-ulied, ġenituri, aħwa jew permezz ta' xi Kumpannija (li ma tkunx Kumpannija Pubblika) li hu jew wieħed jew uħud mill-oħrajn imsemmija jkollhom sehem minnha jew permezz ta' xi Kumpannija li hu jew wieħed jew uħud mill-oħrajn ikunu diretturi tagħha.

Qraba ta' Kunsillieri.

20. (1) Kull Kunsillier għandu bil-miktub jikxef lill-Kunsill kull relazzjoni familjari rilevanti li hu jkun jaf li teżisti bejnu u bejn kull persuna oħra li hu jkun jaf li jkollha, jew tkun kandidat għal ħatra ta', kariga taħt il-Kunsill.

(2) Il-kxif kollu magħmul taħt is-subartikolu (1) għandu kemm jista' jkun malajr ikun mgħarraf mis-Segretarju lill-Kunsill u:-

(a) ikun id-dmir tal-Kunsill li jirreġistra fil-minuti partikolaritajiet tal-kxif; u

(b) jekk il-Kunsillier meħtieġ li jagħmel il-kxif ikun preżenti f'xi laqgħa tal-Kunsill li fiha tkun qed tiġi diskussa xi kwistjoni dwar jew li tolqot il-ħatra, ir-rimunerazzjoni, iż-żmien jew il-kondizzjonijiet tas-servizz, il-promozzjoni, il-grad, il-kondotta, it-tkeċċija, is-sospensjoni, l-irtir jew is-superanwazzjoni tal-persuna li magħha jkollu r-relazzjoni familjari rilevanti, dan għandu jirtira mil-laqgħa fil-waqt li l-kwistjoni tkun qed tiġi kunsidrata u l-irtir tiegħu għandu jiġi reġistrat fil-minuti tal-proċeduri tal-laqgħa.

(3) Kull Kunsillier li jaġixxi bi ksur tas-subartikolu (1) jew tas-subartikolu (2) (b) ikun ħati ta' reat u jeħel meta jinsab ħati sommarjament multa ta' mhux iżjed minn tliet mitt lira Maltin u, barra minn hekk, kull persuna misjuba ħatja ta' dak ir-reat teħel skwalifika milli jkollha kariga ta' Kunsillier għal perijodu ta' ħames snin minn meta hekk tinsab ħatja:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'ebda każ ma jkunu iżjed minn multa ta' tlett elef lira Maltin.

(4) Għall-finijiet ta' dan l-artikolu, relazzjoni familjari rilevanti titqies li teżisti bejn Kunsillier u uffiċjal jew kandidat jekk ikunu raġel u mara miżżewġin jew jekk l-uffiċjal jew il-kandidat, jew żewġ jew mart l-uffiċjal jew il-kandidat, ikunu

(a) ġenituri

(b) nanniet;

(ċ) ulied l-ulied;

(d) ulied;

(e) ħut;

(f) zijiet; jew

(ġ) neputijiet;

tal-Kunsillieri jew ta' żewġ jew mart il-Kunsillieri.

Immunità minn proċeduri legali f'ċerti każi.

21. Meta Kunsill jissuplixxi lil xi membru tal-pubbliku li jkun qed jattendi laqgħa tal-Kunsill, jew jissuplixxi għall-benefiċċju tal-*media*, kopji ta' l-aġenda, stqarrijiet, partikolaritajiet u kopji ta' dokumenti oħra, il-pubblikazzjoni ta' kull materja defamatorja fl-aġenda, stqarrijiet, partikolaritajiet jew dokumenti hekk suppliti għandhom ikunu privileġġjati sakemm ma jiġix pruvat li l-pubblikazzjoni tagħhom tkun saret b'malizzja.

Xoljiment ta' Kunsill.

22. Il-President għandu, b'Ordni fil-Gazzetta fuq il-parir tal-Prim Ministru, ixolji Kunsill fuq:

(a) rapport tad-Direttur tal-Verifika għal ksur persistenti ta' responsabbiltajiet finanzjarji; jew

(b) nuqqas kontinwu ta' tħaris tad-dispożizzjonijiet ta' dan l-Att wara li jkun ingħata avviż formali mill-Ministru; jew

(ċ) nuqqas ta' qbil dwar l-elezzjoni ta' Sindku; jew

(d) nuqqas ta' qbil mill-Kunsill fl-approvazzjoni ta' l-estimi ta' kull sena tiegħu; jew

(e) rakkomandazzjoni f'dak is-sens f'rapport minn bord maħtur taħt l-Att dwar l-Inkjesti.

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Elezzjonijiet wara xoljiment ta' Kunsill.

23. (1) Max-xoljiment tal-Kunsill skond l-artikolu 22, jew jekk il-Kunsillieri eletti kollha jirriżenjaw u ebda Kunsillieri oħra ma jistgħu jkunu eletti skond it-Tielet Skeda li tinsab ma' dan l-Att, il-Kummissjoni Elettorali għandha, fi żmien tletin jum, tagħmel elezzjoni għal Kunsill ġdid:

Iżda ma ssir ebda elezzjoni jekk iż-żmien tal-ħatra li jkun fadal tal-Kunsill xolt ikun inqas minn tliet xhur.

(2) Il-Ministru jista' jaħtar Kumitat ta' Tmexxija li għandu jaqdi dawk id-dmirijiet kollha fil-kompetenza tal-Kunsill sakemm ikun elett Kunsill ġdid:

Iżda jekk Kumitat ta' Tmexxija ma jkunx hekk maħtur, is-Segretarju għandu jaqdi dawk id-dmirijiet kollha fil-kompetenza tal-Kunsill.

(3) Il-Kunsill li jkun elett ġdid għandu jżomm il-kariga għall-bqija taż-żmien applikabbli għall-Kunsill xolt.

Ġurament tal-ħatra.

24. (1) Il-Kunsillieri eletti skond l-artikolu 8, u s-Sindki u/jew il-Viċi Sindki eletti skond l-artikolu 25 ta' dan l-Att għandhom jieħdu u jissottoskrivu għall-ġurament tal-ħatra fil-forma stabbilita fil-Ħames Skeda li tinsab ma' dan l-Att quddiem xi Kummissarju għall-Ġustizzja li jkollu s-setgħa li jagħti dak il-ġurament.

(2) Kull Sindku, Viċi Sindku jew Kunsillieri li jagħmel xi funzjoni li ma tkunx kompatibbli mal-ġurament tal-ħatra tiegħu jitneħħa mill-President, li jaġixxi fuq il-parir tal-Prim Ministru, kemm-il darba fi żmien tletin jum minn meta jirċievi avviż bil-miktub mill-Ministru, dak il-membru ma jirrinunzjax għall-funzjoni li ma tkunx kompatibbli.

TAQSIMA III
Il-Kariga ta' Sindku

Ħatra ta' Sindku u ta' Viċi Sindku.

25. (1) Fl-ewwel laqgħa wara li jkunu ttieħdu l-ġuramenti tal-ħatra l-Kunsill jeleġi s-Sindku u, meta jkun il-każ, il-Viċi Sindku tal-Kunsill minn fost il-membri tiegħu skond is-Seba' Skeda li tinsab ma' dan l-Att.

(2) L-ewwel laqgħa ta' kull Kunsill għandha ssir mhux iktar tard minn ġimgħa mill-ewwel jum meta l-Kunsillieri jkunu jistgħu jżommu l-kariga skond l-artikolu 14 ta' dan l-Att.

Is-Sindku jirrappreżenta lill-Kunsill u jippresjedi l-laqgħat.

26. (1) Is-Sindku jkun ir-rappreżentant tal-Kunsill għall-finijiet kollha taħt dan l-Att u għandu jippresjedi l-laqgħat kollha tal-Kunsill u jissorvelja l-funzjonijiet kollha tal-Kunsill.

(2) Is-Sindku jkun responsabbli sabiex jitwettqu l-għanijiet u d-dispożizzjonijiet ta' dan l-Att u s-Sindki għandhom jikkoperaw bejniethom għall-ġid tal-lokalitajiet li huma jirrappreżentaw.

Rappreżentanza legali u ġuridika.

27. Ir-rappreżentanza legali u ġuridika tal-Kunsill tkun vestita fis-Sindku flimkien mas-Segretarju li jistgħu jħarrku u jkunu mħarrka f'isem il-Kunsill ukoll meta l-każ jirreferi għal atti magħmula qabel iż-żmien tal-kariga jew ħatra tagħhom skond il-każ.

Żmien tal-kariga.

28. Is-Sindku u l-Viċi Sindku għandhom iżommu l-kariga mill-ewwel jum ta' l-elezzjoni tagħhom u jibqgħu f'dik il-kariga sa tmiem iż-żmien tal-Kunsill jew sa dak iż-żmien li s-Sindku jew il-Viċi Sindku jkun irriżenja jew ikunu tneħħew mill-kariga qabel jintemm iż-żmien tagħhom skond dan l-Att.

Vot ta' sfiduċja.

29. (1) Is-Sindku u l-Viċi Sindku ma jibqgħux fil-kariga tagħhom wara vot ta' sfiduċja mgħoddi b'maġġoranza tal-Kunsillieri.

(2) Il-mozzjoni għall-vot ta' sfiduċja għandha tkun avżata lill-Kunsillieri kollha bil-mezz ta' aġenda fuq talba bil-miktub għal dik il-mozzjoni minn għall-anqas terz tal-Kunsillieri.

(3) Il-mozzjoni għandha tkun diskussa wara li jgħaddu mhux inqas minn ħamest ijiem minn meta tkun preżentata skond is-subartikolu (2) ta' dan l-artikolu iżda mhux aktar tard minn għaxart ijiem minn dik id-data.

Vot ta' sfiduċja notifikat lill-Ministru.

30. Is-Segretarju għandu mingħajr dewmien jinnotifika lill-Ministru bil-vot ta' sfiduċja mgħoddi skond l-artikolu 29.

Vakanza każwali fil-kariga ta' Sindku jew ta' Viċi Sindku.

31. (1) F'każ ta' vakanza fil-kariga ta' Sindku, jew meta s-Sindku ma jkunx jista' għal xi raġuni jaqdi l-funzjonijiet tal-kariga tiegħu, il-Viċi Sindku, meta tkun teżisti l-kariga, għandu jaqdi dawk il-funzjonijiet kollha sakemm ikun elett Sindku ieħor minn fost il-Kunsillieri fl-ewwel laqgħa tal-Kunsill li ssir wara l-vakanza.

(2) F'każ ta' vakanza fil-kariga ta' Viċi Sindku għandha ssir elezzjoni minn fost il-Kunsillieri fl-ewwel laqgħa tal-Kunsill li ssir wara dik il-vakanza, u s-Sindku għandu hu wkoll jivvota.

(3) F'lokalitajiet fejn ma teżistix il-kariga ta' Viċi Sindku, u l-kariga ta' Sindku tkun vakanti, il-funzjonijiet tas-Sindku għandhom temporanjament jittieħdu mill-akbar wieħed mill-età fost il-membri tal-Kunsill.

Rimunerazzjoni tas-Sindku.

32. (1) Is-Sindku jkun uffiċjal *part-time* u l-Kunsill għandu jħallas lis-Sindku dik l-*allowance* li l-Kunsill jikkunsidra xierqa hekk iżda li l-*allowance* ma għandha f'ebda każ tkun iżjed minn tlieta u

tletin fil-mija ta' l-onorarju li minn żmien għal żmien jitħallas lil Membri tal-Kamra tad-Deputati.

(2) Bla ħsara għas-subartikolu (1) ta' dan l-artikolu l-Kunsillieri kollha jservu fuq bażi onorarja iżda jingħataw dik l-għajnuna kollha mill-prinċipali tagħhom li tkun xierqa biex ikunu jistgħu jaqdu l-funzjonijiet tagħhom.

TAQSIMA IV

Funzjonijiet ta' Kunsill Lokali, Proċedura u Laqgħat

Funzjonijiet tal-Kunsilli Lokali.

33. (1) Bla ħsara għas-subartikolu (2) ta' dan l-artikolu u għad-dispożizzjonijiet ta' kull liġi oħra li tkun isseħħ fiż-żmien, il-funzjonijiet ta' kull Kunsill Lokali jkunu:

(a) li jipprovdi biex tinżamm fi stat tajjeb u għall-manutenzjoni ta', jew titjib fi, kull triq jew mogħdija, li ma tkunx proprjetà privata;

(b) li jipprovdi għall-ġbir u ġarr ta'żibel minn kull post pubbliku jew privat, għaż-żamma ta' l-indafa u biex isiru, jinżammu fi stat tajjeb u manutenzjoni tal-latrini kollha, laned taż-żibel u reċipjenti oħra għad-depożitu temporanju u ġarr ta' żibel, u tara li dawn ikunu aċċessibbli għal kulħadd, inklużi persuni li jużaw siġġu tar-roti;

(ċ) li jipprovdi li jsiru, jinżammu fi stat tajjeb u manutenzjoni ta' *playgrounds* tat-tfal, ġonna pubbliċi u ċentri oħra, ta' sport, kultura jew divertiment ieħor, u tara li dawn ikunu, sa fejn hu possibbli, aċċessibbli għal kulħadd, inklużi persuni li jużaw siġġu tar-roti;

(d) li jipprovdi u jżomm fi stat tajjeb sinjali tat-toroq u marki tat-toroq xierqa, skond livelli nazzjonali u internazzjonali, li jistabbilixxi u jżomm fi stat tajjeb postijiet għal nies bil-mixi u għall-ipparkeġġjar u biex jipprovdi għall-ħarsien tat-tfal ta' l-iskola qrib l-iskejjel;

(e) biex jipproponi lil u, meta applikabbli, ikun konsultat minn kull awtorità kompetenti qabel ma l-awtorità kompetenti tagħmel xi tibdil fi skemi tat-traffiku li jolqtu direttament il-lokalità;

(f) li jagħmel rakkomandazzjonijiet lil kull awtorità kompetenti għal jew dwar xi skema ta' ppjanar jew bini u li jieħu

sehem sħiħ f'kull deċiżjonijiet dwar l-għoti jew l-għoti mill-ġdid ta' ismijiet lit-toroq;

(ġ) fil-konfini ta' kull pjan nazzjonali, li joħroġ linji ta' gwida li għandhom jitħarsu biex tinżamm fi stat tajjeb, tkun restawrata, iddisinjata jew mibdula l-faċċata ta' kull bini jew bini ieħor jew kull parti minn bini li normalment tkun tidher mit-triq u l-materjal użat, reklami u faċċati ta' ħwienet, u fil-każ ta' bini miftuħ għall-pubbliku, tara li dawn ikunu, sa fejn hu possibbli, aċċessibbli għal kulħadd, inklużi persuni li jużaw siġġu tar-roti;

(ħ) li jgħin liċ-ċittadini billi jipprovdi, meta applikabbli flimkien ma' xi awtorità kompetenti, tagħrif dwar il-jeddijiet taċ-ċittadini b'mod ġenerali, magħdud tagħrif dwar jeddijiet tal-konsumatur, trasport, komunikazzjonijiet, faċilitajiet ta' turiżmu, taxxi, sigurtà soċjali, saħħa pubblika u ħwejjeġ oħra ta' siwi u interess pubbliku;

(i) li jagħti pariri lil kull awtorità li jkollha s-setgħa li tieħu xi deċiżjonijiet li direttament jew indirettament jolqtu l-Kunsill u lir-residenti li jkun responsabbli għalihom;

(j) bħala parti minn skema nazzjonali, li jipprovdi flimkien ma' kull awtorità kompetenti, għat-twaqqif, żamma fi stat tajjeb u manutenzjoni ta' *creches*, kindergartens u servizzi oħra jew bini ieħor edukattiv;

(k) bħala parti minn skema nazzjonali, li jipprovdi flimkien ma' kull awtorità kompetenti għat-twaqqif, żamma fi stat tajjeb u manutenzjoni ta' ċentri ta' saħħa u rijabilitazzjoni, spiżeriji tal-gvern, uffiċċji distrettwali tas-saħħa u djar għall-anzjani;

(l) li jipproponi lill-Ministru responsabbli għall-edukazzjoni, persuni biex jinħatru bħala presidenti ta' Kunsilli ta' skejjel primarji;

(m) li jagħmel ftehim ma' kull korp pubbliku jew Dipartiment tal-Gvern għad-delega lill-Kunsill ta' xi whud mill-funzjonijiet ta' dak il-korp pubbliku jew Dipartiment:

Iżda kull delega bħal dik tibda sseħħ biss wara li l-Ministru jkun għamel ordni dwar dan fil-Gazzetta;

(n) li jaqdi kull funzjoni oħra li tkun delegata lilu mill-Gvern permezz tal-Ministru bil-pubblikazzjoni ta' ordni fil-Gazzetta;

(o) li jipprovdi għal dawk ix-xogħlijiet, oġġetti, ħwejjeġ u

servizzi l-oħra kollha li m'humiex eskluži mill-kompetenza ta' Kunsill b'xi liġi li tkun fiż-żmien is-seħħ u li ma jkunux mogħtija lil xi awtorità oħra.

(2) Toroq arterji u distributorji stabbiliti bil-Pjan ta' Struttura, monumenti nazzjonali, *parks* jew ġonna nazzjonali, *estates* industrijali, portijiet, ajruporti u territorji oħra nazzjonali, stabbilimenti, bini u oġġetti oħra mniżżla fir-Raba' Skeda li tinsab ma' dan l-Att huma responsabbiltà tal-Gvern u huma għal kollox eskluži mill-kompetenza ta' Kunsilli Lokali.

Kunsill jagħmel *bye-laws*.

34. Kunsill jista' jagħmel, jemenda jew jirrevoka *bye-laws* sabiex jaqdi l-funzjonijiet tiegħu u sabiex iħares u jnaqqas inkonvenjenzi fil-lokalità tiegħu.

Proċedura għall-għemil ta' *bye-laws*.

35. (1) Għall-anqas ġimgħa qabel Kunsill ikun se jiddiskuti *bye-laws* proposti, għandu jingħata avviż tal-ħsieb tal-Kunsill darbtejn fil-gazzetti kollha ta' kuljum u darba fil-Gazzetta. Kopja tal-*bye-laws* proposti għandha titqiegħed fl-uffiċċji tal-Kunsill li jkun qed jipproponihom u din għandha għall-anqas għal darba siegħa kuljum waqt il-ħinijiet ta' l-uffiċċju tkun għad-dispożizzjoni ta' min ikun irid jispezzjonaha mingħajr ħlas.

(2) Il-Kunsill għandu jagħti lil kull persuna li tapplika għaliha, kopja tal-*bye-laws* proposti, jew ta' kull parti minnha, bi ħlas ta' somma xierqa li ma tkunx iżjed mill-prezz tal-Gazzetta.

(3) Is-Segretarju għandu jgħarraf lill-Ministru b'kull *bye-laws* li l-Kunsill ikun qed jipproponi li jintroduċi u għandu jibgħat kopja tal-*bye-laws* proposti lill-Ministru erba' ġimgħat qabel ma l-Kunsill ikun se jiddiskutihom.

(4) Il-Ministru jista' jgħarraf lill-Kunsill jekk ikunx bi ħsiebu jipproponi xi emendi għall-*bye-laws* fi żmien ġimgħa mill-jum li fih ikun irċieva l-*bye-laws* proposti.

(5) Il-Ministru għandu jibgħat lill-Kunsill kull emendi għall-*bye-laws* proposti fi żmien tliet ġimgħat mill-jum li fih ikun irċieva l-*bye-laws* proposti mill-Kunsill.

(6) Il-Kunsill għandu jiddiskuti kull *bye-laws* kemm jista' jkun malajr u għandu jibgħat il-*bye-laws* approvati minnu lill-Ministru.

(7) Il-Ministru jkollu jedd joġġezzjona għal kull *bye-law* approvata minn xi Kunsill u għandu juri dik l-oġġezzjoni u l-ġustifikazzjoni tagħha bil-miktub lill-Kunsill fi żmien ġimgħatejn minn meta jkun irċieva l-*bye-law* approvata skond is-subartikolu (6).

(8) Jekk il-Ministru ma joġġezzjonax għall-*bye-laws*, is-Segretarju għandu jieħu ħsieb li l-*bye-laws* ikunu pubblikati fil-Gazzetta u dawn jibdew iseħħu xahar wara l-pubblikazzjoni tagħhom jew f'dak iż-żmien iqsar li jista' jkun miftiehem bejn il-Kunsill u l-Ministru. Kull perijodu li hekk ikun iqsar għandu jkun speċifikat fil-*bye-law*.

Penalitajiet għal ksur ta' *bye-laws*.

36. (1) Ħlief kif provdut b'xi liġi oħra, persuna li tikser *bye-law* tkun ħatja ta' kontravenzjoni u teħel piena ta' ammenda ta' mhux iżjed minn tletin lira Maltin u, fil-każ ta' reat kontinwat, ammenda oħra ta' mhux iżjed minn ħames liri Maltin għal kull jum li matulu jkompli r-reat wara li tinsab ħatja:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jippreskrivi penalitajiet ogħla li f'ebda każ ma għandhom ikunu iktar minn ammenda ta' elf lira Maltin u, fil-każ ta' reat kontinwu, ammenda oħra ta' mhux iżjed minn mitejn u ħamsin lira Maltin għal kull jum.

(2) Kemm-il darba ma jkunx provdut xort'oħra b'dan l-artikolu, il-kontravenzjonijiet imsemmija fis-subartikolu (1) ta' dan l-artikolu jitqiesu li huma reati fl-iskeda għall-finijiet ta' l-Att dwar il-Kummissarji għall-Ġustizzja u d-dispożizzjonijiet ta' l-imsemmi Att dwar il-Kummissarji għall-Ġustizzja għandhom japplikaw *mutatis mutandis* għal kull proċedimenti dwar kontravenzjonijiet taħt dan l-Att.

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(3) Il-Kummissarju għall-Ġustizzja għandu, kull meta jkun se jikkunsidra akkużi ta' ksur ta' xi *bye-law*, ipoġġi fl-uffiċċji amministrattivi tal-Kunsill li jkun.

(4) Il-prosekutur f'xi smigħ bħal dan ikun is-Segretarju u dan ikollu l-istess setgħat mogħtija lill-Pulizija Eżekuttiva taħt l-Att dwar il-Kummissarji għall-Ġustizzja. In-notifika ta' kull taħrika ssir mis-Segretarju bil-mod provdut fis-subartikolu (2) ta' l-artikolu 6 ta' l-Att dwar il-Kummissarju għall-Ġustizzja jew mill-Pulizija Eżekuttiva kif provdut fis-subartikolu (1) ta' l-imsemmi artikolu.

(5) Kull ammont ta' ammenda jkun dovut lill-Kunsill tal-lokalità u għandu jitħallas lis-Segretarju.

(6) Il-Ministru jista' b'ordni fil-Gazzetta jordna li d-dispożizzjonijiet tas-subartikoli (2), (3), (4) u (5) ta' dan l-artikolu għandhom japplikaw għal xi wieħed jew aktar mill-kontravenzjonijiet imsemmija fl-Iskeda ma' l-Att dwar il-Kummissarji tal-Ġustizzja, u meta ssir ordni bħal dik il-prosekuzzjonijiet dwar l-istess infrazzjonijiet jitmexxew mis-Segretarju quddiem il-Kummissarju tal-Ġustizzja li għandu jpoġġi fl-uffiċċji amministrattivi tal-Kunsill li jkun.

Koperazzjoni ma' Kunsilli oħra.

37. (1) Żewġ Kunsilli Lokali jew iżjed jistgħu jaqdu xi waħda mill-funzjonijiet tagħhom flimkien u dawn jistgħu wkoll jagħmlu arranġamenti biex il-qadi ta' dawk il-funzjonijiet isiru minn kumitat bejniethom jew minn uffiċjal ta' xi wieħed minnhom.

(2) Kunsilli Lokali li jkollhom xi arranġament kif provdut fis-subartikolu (1) jistgħu jagħmlu laqgħa flimkien biex jiddiskutu l-qadi tal-funzjonijiet li għalihom jirreferi l-arranġament u l-Kunsillieri kollha jkollhom jedd jieħdu sehem u jivvotaw meta meħtieġ kemm-il darba l-arranġament ma jipprovdix xort'oħra.

(3) Kunsilli Lokali jistgħu jifformaw u jkunu parti minn assoċjazzjoni għat-tħaris u għall-promozzjoni ta' l-interessi komuni tagħhom kif ukoll jistgħu jkunu parti minn assoċjazzjonijiet internazzjonali ta' awtoritajiet ta' gvern lokali.

Jedd ta' Kunsill Lokali għal rimedju ġudizzjarju.

38. Il-Kunsilli Lokali jkollhom jedd li jikkontestaw fil-Qorti kull deċiżjoni li b'xi mod ittellifhom fl-eżerċizzju liberu tas-setgħat mogħtija lilhom b'dan l-Att.

Kompetizzjoni.

39. Għall-fini tal-qadi ta' xi funzjonijiet dwar xi ħaġa li taqa' taħt din it-Taqsima ta' dan l-Att, Kunsill jista jagħti b'kuntratt u joħroġ għall-kompetizzjoni kull waħda mill-funzjonijiet mogħtija lilu kemm-il darba dawk il-funzjonijiet ma jkollhomx isiru minn xi wieħed mill-membri tiegħu stess, xi persuna mpjegata skond l-artikoli 52 u 53 ta' dan l-Att jew minn xi Kunsill ieħor li jkun ħareġ jew li jkun se joħroġ il-qadi ta' dawk il-funzjonijiet għal kompetizzjoni.

Kuntratti ta' xogħol: restrizzjonijiet.

40. (1) Meta Kunsill joħroġ għall-offerti xi xogħol li jkollu x'jaqsam mal-funzjonijiet tiegħu dan għandu jagħti avviż tal-ħsieb tiegħu billi jippubblika għall-anqas darba fil-gazzetti kollha ta' kuljum, avviż li jkun fih dan li ġej:-

(a) deskrizzjoni fil-qosor tax-xogħol;

(b) dikjarazzjoni li matul perijodu speċifikat fl-avviż kull persuna tista' mingħajr ħlas tispezzjona speċifikazzjoni dettaljata tax-xogħol f'post u ħin speċifikati fl-avviż;

(ċ) dikjarazzjoni taż-żmien li matulu għandu jsir ix-xogħol;

(d) dikjarazzjoni li matul dak il-perijodu kull persuna li titlob tingħata kopja ta' l-ispeċifikazzjonijiet dettaljati bi ħlas kif ikun speċifikat fl-avviż;

(e) dikjarazzjoni li kull persuna li tkun tixtieq tagħmel ix-xogħol għandna tavża dan il-fatt lill-Kunsill fiż-żmien speċifikat fl-avviż; u

(f) id-data u l-post fejn l-offerti kollha jkunu se jinfetħu fil-pubbliku.

(2) Il-Kunsill, jew kull kumitat maħtur biex jiddeċiedi l-offerti għandu:

(a) iqiegħed għad-dispożizzjoni ta' kull persuna interessata, kopji ta' l-offerti kollha u dokumenti li jkollhom magħhom bi prezz xieraq;

(b) jaħtar data u post fejn jisma' s-sottomissjonijiet mingħand kull persuna interessata fuq l-offerti kollha li jkunu saru jew uħud minnhom;

(ċ) jippubblika d-deċiżjonijiet tiegħu flimkien mar-raġunijiet għaliex ikun ħadhom u jipprovdi lil kull persuna interessata kopja tagħhom bi prezz xieraq.

Arranġamenti għall-aġenzija.

41. Bl-approvazzjoni tal-Ministru u bla ħsara għad-dispożizzjonijiet ta' l-artikolu 39 ta' dan l-Att, Kunsill jista' jagħmel arranġamenti ma' xi korp pubbliku jew ma' dipartiment tal-gvern għall-eżerċizzju ta' xi funzjonijiet mill-korp pubbliku jew dipartiment f'isem il-Kunsill, b'dawk il-kondizzjonijiet li jistgħu jkunu provduti bl-arranġamenti.

Arranġamenti għall-provvista ta' oġġetti u servizzi jew bdil ta' *staff*.

42. Bla ħsara għad-dispożizzjonijiet ta' l-artikolu 39 Kunsill jista' jagħmel arranġamenti ma' kull Kunsill ieħor jew ma' xi korp pubbliku jew dipartiment tal-Gvern għal:

(a) provvista minn parti waħda lil oħra ta' xi oġġetti;

(b) għoti minn parti waħda lil oħra ta' xi servizzi amministrattivi, professjonali jew tekniċi;

(ċ) l-użu minn xi parti ta' xi vettura, impjant jew apparat li jkun tal-parti l-oħra u t-tqegħid għad-dispożizzjoni tal-parti l-ewwel imsemmija ta' xi persuna mpjegata dwar il-vettura, l-impjant jew l-apparat li jkun;

(d) il-provdiment jew manutenzjoni minn parti waħda ta' xi xogħlijiet, faċilità, amenità, tagħmir jew ħaġa oħra li għall-provdiment jew manutenzjoni tagħhom tkun responsabbli l-parti l-oħra;

b'dawk il-kondizzjonijiet li jistgħu jkunu provduti bl-arranġamenti.

Ordnijiet Permanenti.

43. (1) Waqt il-laqgħat il-Kunsill għandu jimxi fuq l-Ordnijiet Permanenti li hemm fis-Sitt Skeda li tinsab ma' dan l-Att.

(2) Il-laqgħat tal-Kunsill għandhom isiru mill-inqas darba fix-xahar jew f'dawk l-intervalli iqsar hekk kif jista' jiddeċiedi s-Sindku. Il-laqgħat tal-Kunsill jistgħu wkoll jissejħu fuq talba ta' l-iżgħar numru sħiħ 'il fuq minn terz tal-Kunsillieri li jkunu fil-kariga.

Dħul tal-pubbliku għal laqgħat.

44. (1) Kull laqgħa tal-Kunsill tkun miftuħa għall-pubbliku.

(2) Meta f'laqgħa ta' Kunsill il-Kunsill jirreżolvi ruħu f'kumitat, il-proċeduri fil-kumitat għandhom għall-finijiet ta' dan l-Att jitqiesu bħala parti mill-proċeduri tal-Kunsill fil-laqgħa.

(3) Ebda ħaġa f'dan l-artikolu jew fl-artikolu 46 ta' dan l-Att ma għandha tolqot jew tkun b'deroga minn xi setgħa li persuni jkunu esklużi minn laqgħa sabiex titneħħa jew tiġi evitata mġieba diżordinata jew xi nuqqas ieħor, jew disturb tal-laqgħa.

Jingħata tagħrif dwar laqgħat.

45. Il-Kunsill għandu, jekk hekk mitlub u mal-ħlas tal-pustaġġ u spejjeż oħra meħtieġa li jsiru għall-għoti ta' tagħrif bħal dak, jagħti:-

(a) kopja ta' l-aġenda kif ċirkolata lill-membri tal-Kunsill; u

(b) dawk id-dikjarazzjonijiet jew partikolaritajiet oħra u kopji ta' dawk id-dokumenti l-oħra li jkunu meħtieġa biex juru x-xorta ta' xi suġġett li jkun inkluż fil-kopja ta' l-aġenda hekk mogħtija.

Faċilitajiet għal rappreżentanti tal-medja.

46. Il-Kunsill għandu, safejn ikun prattikabbli, jieħu ħsieb li jkun hemm għad-dispożizzjoni ta' rappreżentanti tal-medja, akkreditati b'mod xieraq li jattendu sabiex jirrapportaw il-proċeduri tal-laqgħa, faċilitajiet xierqa biex jieħdu r-rapporti tal-proċeduri u, mal-ħlas minn dawk ir-rappreżentanti jew il-medja tagħhom ta' kull spejjeż li jkunu saru, biex iwasslu dawk ir-rapporti lill-medja tagħhom.

Kumitati tal-Kunsill.

47. (1) Bla ħsara għad-dispożizzjoni ta' dan l-artikolu, il-Kunsill jista' jaħtar kumitati bl-għan biss li jkun jista' jaqdi l-funzjonijiet tiegħu.

(2) Kumitati maħtura taħt is-subartikolu (1) ta' dan l-artikolu għandhom ikunu magħmula minn *Chairman* magħżul minn fost il-Kunsillieri u minn mhux iktar minn erba' persuni oħra li m'hemmx għalfejn ikunu Kunsillieri.

(3) Il-kumitati jibqgħu fil-kariga sakemm ikunu xolti mis-

Sindku jew sat-tmiem taż-żmien tal-ħatra tal-Kunsill.

(4) Membri ta' kumitati ma jkollhomx jedd għal xi paga, salarju jew rata għal attendenza.

(5) Il-laqgħat tal-kumitati jkunu reġistrati bħala minuti tal-Kunsill u jinżammu fil-kustodja tal-Kunsill.

(6) (a) Meta lokalità tkun tinkludi iżjed minn belt, raħal jew raħal żgħir wieħed, il-Kunsill għandu jaħtar kumitat għal kull belt, raħal jew raħal żgħir li jkollu popolazzjoni ta' iktar minn wieħed minn għaxra iżda inqas minn nofs il-popolazzjoni ta' dik il-lokalità sabiex jirraporta regolarment dwar il-ħtiġiet tal-belt, raħal jew raħal żgħir partikolari li għalih ikun inħatar il-kumitat.

(b) Iċ-*Chairman* tal-kumitat maħtur taħt il-paragrafu (a) ta' dan is-subartikolu għandu jkun Kunsillier u l-membri l-oħra għandhom ikunu eletturi reġistrati fir-Reġistru Elettorali għall-Kunsilli Lokali għall-belt, raħal jew raħal żgħir.

(ċ) Id-dispożizzjonijiet tas-subartikoli (3), (4) u (5) ta' dan l-artikolu għandhom jgħoddu għall-kumitati maħturin taħt dan is-subartikolu.

Post tal-Kunsill.

48. (1) Il-Kunsill ikollu l-uffiċċji amministrattivi tiegħu f'post li jkun magħżul minnu bl-approvazzjoni tal-Ministru, u li jkunu, sa fejn hu possibbli, aċċessibbli għal kulħadd, inklużi persuni li jużaw siġġu tar-roti.

(2) Kull laqgħat tal-Kunsill isiru fl-uffiċċji amministrattivi tal-Kunsill:

Iżda l-post ta' l-ewwel laqgħa ta' kull Kunsill jiġi stabbilit mill-Ministru.

TAQSIMA V
Uffiċjali u Impjegati

Ħatra ta' Segretarju.

49. (1) Kull Kunsill għandu, wara konsultazzjoni mal-Ministru, jaħtar Segretarju tal-Kunsill:

Iżda l-Ministru għandu, sakemm jiġi maħtur l-ewwel Segretarju, jinnomina persuna bħala Aġent Segretarju.

(2) Is-Segretarju jista' jkun uffiċjal pubbliku jew jista'

jinħatar minn barra s-servizz pubbliku.

(3) Jekk is-Segretarju jinħatar minn barra s-servizz pubbliku, il-ħtiġijiet tas-subartikolu (6) ta' l-artikolu 110 tal-Kostituzzjoni għandhom jitħarsu.

(4) Meta Kunsill jirrifjuta jew jonqos li jaħtar Segretarju, il-Ministru għandu jaħtar aġent Segretarju.

Ħatra ta' Deputat Segretarju.

50. Bla ħsara għad-dispożizzjonijiet ta' l-artikoli 49 u 53, Kunsill jista' jaħtar Deputat Segretarju biex jeżerċita l-funzjonijiet ta' Segretarju kull meta l-kariga ta' Segretarju tkun vakanti jew is-Segretarju għal xi raġuni ma jkunx jista' jaġixxi.

Segretarju *full-time* jew *part-time*.

51. (1) Segretarju jaħdem fuq bażi ta' *full-time* biss f'dawk il-lokalitajiet li jkollhom popolazzjoni ta' iktar minn elfejn persuna.

(2) F'kull każ ieħor, Segretarju jinħatar biss fuq bażi *part-time*.

Funzjonijiet ta' Segretarju.

52. (1) Is-Segretarju jkun il-kap eżekuttiv, amministrattiv u finanzjarju tal-Kunsill.

(2) Bla ħsara għal xi dispożizzjoni ta' dan l-Att, is-Segretarju għandu:

(a) joħroġ l-avviżi kollha, iħejji l-aġenda b'konsultazzjoni mas-Sindku u jattendi l-laqgħat kollha;

(b) jirreġistra l-minuti tal-laqgħat tal-Kunsill u tal-kumitati;

(ċ) kull sena jissottometti lis-Sindku rapport amministrattiv dettaljat;

(d) jieħu ħsieb li jingħataw lill-Kunsill estimi tad-dħul u nfiq tal-Kunsill matul is-sena finanzjarja li tkun ġejja;

(e) jaqdi dawk id-dmirijiet l-oħra li jistgħu jingħataw lu jew ikunu delegati lilu mis-Sindku jew mill-Kunsill.

Ħatra u kwalifiki ta' impjegati tal-Kunsill.

53. (1) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (6) ta' l-artikolu 110 tal-Kostituzzjoni, il-Kunsill għandu jaħtar lil dawk l-impjegati l-oħra li l-Kunsill jidhirlu meħtieġa għall-qadi effiċjenti tal-funzjonijiet tal-Kunsill hekk iżda li Kunsill ma jistax jimpjega iktar minn persuna waħda għal kull tlett elef resident, meta r-residenti ta' lokalità jfissru l-istess bħall-popolazzjoni ta' lokalità:

Iżda meta popolazzjoni ta' lokalità tkun inqas minn tlett elef,

il-Kunsill jista' jimpjega persuna fuq bażi *part-time*.

(2) Il-Ministru jista' b'regolamenti jippreskrivi l-kwalifiki li għandu jkollha, ir-rimunerazzjoni li titħallas u l-proċeduri tekniċi, amministrattivi u ta' uffiċċju li għandha timxi fuqhom —

(a) kull persuna maħtura fil-kariga ta' Segretarju jew ta' Deputat Segretarju ta' Kunsill; u

(b) kull persuna maħtura f'dik il-kariga l-oħra li tista' tiġi preskritta.

(3) It-tneħħija mill-kariga, sospensjoni jew tqegħid lura f'kariga, jew xi żamma tar-rimunerazzjoni, tas-Segretarju ta' Kunsill u ta' kull impjegat ieħor li għalihom ikunu preskritti l-kwalifiki taħt is-subartikolu (2) għandhom ikunu soġġetti għall-approvazzjoni tal-Ministru.

(4) Kunsill m'għandux, mingħajr l-approvazzjoni tal-Ministru, ineħħi mill-kariga jew jissospendi, jew iżomm ir-rimunerazzjoni ta' aġent Segretarju maħtur mill-Ministru taħt is-subartikolu (4) ta' l-artikolu 49.

(5) Is-Segretarju u l-impjegati l-oħra tal-Kunsill ikunu maħtura għal żmien ta' tliet snin u l-kuntratt tagħhom jista' jiġġedded għal perijodi oħra wara ta' tliet snin b'dawk il-pattijiet u l-kondizzjonijiet li jistgħu jiġu preskritti taħt is-subartikolu (2).

(6) Kemm-il darba ma jkunx hemm ordni kuntrarju mill-Qorti, tagħrif dwar impjegat partikolari jew detentur ta' kariga, impjegat preċedenti jew detentur ta' kariga preċedenti jew applikant għal impieg jitqies li hu konfidenzjali u ma jkunx jista' jingħata lil persuni li ma jkunux membri tal-Kunsill, membri ta' *staff* kif delegati mis-Segretarju, il-Ministru fl-eżerċizzju tal-funzjonijiet tiegħu taħt dan l-Att u l-individwu li jkun.

Stat ta' uffiċjali pubbliċi sekondati ma' Kunsilli Lokali.

54. Sabiex ikun evitat kull dubju qed jiġi b'dan dikjarat li għall-finijiet ta' superannwazzjoni servizz mogħti minn uffiċjal pubbliku li dwar it-trasferiment temporarju tiegħu jkunu jseħħu arranġamenti huwa servizz mogħti lid-dipartiment li miegħu kien impjegat qabel it-trasferiment u dan ma jitlef ebda pensjoni, gratifikazzjoni jew benefiċċju taħt l-Ordinanza dwar il-Pensjonijiet u l-Att dwar il-Pensjonijiet tar-Romol u ta' l-Iltima.

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TAQSIMA VI
Finanzi

Allokazzjoni finanzjarja lill-Kunsilli.

55. (1) Kull sena l-Ministru responsabbli għall-finanzi għandu jalloka vot taħt l-Att dwar l-Approprjazzjoni li għandu jintuża għall-eżerċizzju tal-funzjonijiet tal-Kunsilli kif jidhru taħt dan l-Att.

(2) L-ammont approprjat għandu jkun allokat lil kull Kunsill fuq il-bażi tal-formula stabbilita skond l-Għaxar Skeda li tinsab ma' dan l-Att.

Budget annwali.

56. (1) Kull Kunsill għandu mhux iktar tard minn xahrejn wara l-ewwel elezzjoni tiegħu u wara, darba matul ix-xahar ta' Jannar ta' kull sena finanzjarja jieħu ħsieb li jingħatawlu l-estimi tad-dħul u ta' l-infiq tal-Kunsill matul is-sena finanzjarja li tkun ġejja.

(2) Mhux iktar tard minn ħmistax-il jum wara x-xahrejn imsemmija fis-subartikolu (1) ta' dan l-artikolu u mhux iktar tard mill-ħmistax ta' Frar ta' kull sena finanzjarja, Kunsill:

(a) għandu jikkunsidra l-estimi għas-sena finanzjarja li tkun ġejja;

(b) jista' jirrevedi l-estimi b'dak il-mod li l-Kunsill jidhirlu xieraq;

(ċ) għandu japprova l-estimi, soġġetti għal xi reviżjoni taħt il-paragrafu (b) ta' dan is-subartikolu.

(3) L-estimi hekk approvati għandhom mhux iktar tard minn tliet xhur wara d-data ta' l-ewwel elezzjoni u mhux iktar tard mill-aħħar jum ta' Marzu f'kull sena kalendarja jintbagħtu lill-Ministru.

Mod tal-provista ta' fondi għal amministrazzjoni ordinarja.

57. L-allokazzjoni msemmija fl-artikolu 55 għandha titqiegħed għad-dispożizzjoni tal-Kunsilli mill-Ministru responsabbli għall-finanzi wara talba bil-miktub mis-Segretarju.

Mod tal-provista ta' fondi għal ħtiġijiet speċjali.

58. Ħlasijiet għal ħtiġiet speċjali ta' lokalità jew lokalitajiet għandhom isiru biss b'eċċezzjoni u wara Riżoluzzjoni għal hekk mgħoddija mill-Kamra tad-Deputati.

Pjan ta' tliet snin dwar xogħol u finanzi.

59. (1) Fi tmiem l-ewwel sena tal-kariga tiegħu, Kunsill għandu jħejji u jiddiskuti pjan ta' tliet snin dwar it-tħaddim, il-proġetti u l-finanzi tal-Kunsill sabiex jipprovdu qafas għall-*budgets* annwali tal-Kunsill.

(2) Il-Kunsill għandu jirrevedi jew jikkonferma l-pjan ta'

tliet snin kull sena fil-waqt li jkunu qed jiddiskuti l-*budget* annwali tiegħu.

(3) Kopji tal-pjanijiet tax-xogħol u tal-finanzi u r-reviżjonijiet tagħhom, għandhom jintbagħtu mis-Segretarju lill-Ministru u lill-Ministru responsabbli għall-finanzi fi żmien ġimgħatejn mill-approvazzjoni tagħhom mill-Kunsill.

Kunsilli jistgħu jiġbru fondi addizzjonali.

60. Kunsill ikollu s-setgħa li jiġbor fondi bil-mezz ta' xi skema maħsuba biex tipprovdi aktar fondi minn dawk allokati lilu taħt l-artikolu 55:

Iżda dawk l-iskemi għandhom jitwettqu bil-*bye-laws*.

Ħlasijiet b'eċċess ta' fondi vvotati.

61. Il-Kunsill ma jistax jawtorizza xi xogħlijiet li l-valur tagħhom jeċċedi l-vot annwali tiegħu għal dik is-sena finanzjarja meta jkun meqjus l-ammont maħsub għall-ħlas ta' spejjeż ta' natura ordinarja:

Iżda meta l-Kunsill jeħtieġ awtorizzazzjoni sabiex ikunu approvati xi xogħlijiet ta' valur li jeċċedi l-valur imsemmi f'dan l-artikolu, dan għandu, permezz tas-Segretarju, jagħmel it-talba meħtieġa bil-miktub lill-Ministru li għandu, bi ftehim mal-Ministru responsabbli għall-finanzi, is-setgħa li jagħti dik l-awtorizzazzjoni skond id-dispożizzjonijiet ta' dan l-Att.

Approvazzjoni ta' fondi supplimentari.

62. (1) Il-Ministru responsabbli għall-finanzi jista' japprova vot supplimentari li jitqiegħed għad-dispożizzjoni tal-Kunsilli wara konsultazzjoni mal-Ministru jekk jirriżulta li l-ammont approprijat bl-Att dwar l-Approprijazzjoni ma jkunx biżżejjed. Dak il-vot supplimentari għandu b'danakollu jkun allokat lill-Kunsilli skond id-dispożizzjonijiet ta' l-artikolu 55.

(2) Meta Kunsilli jirċievu vot supplimentari skond is-subartikolu (1) ta' dan l-artikolu, is-Segretarju għandu jħejji l-estimi supplimentari meħtieġa.

(3) Il-flus kollha li f'xi sena finanzjarja jkunu dikjarati bħala li ma ntefqux ma jkunux imnaqqsa mis-somma li tkun ivvotata fl-Att dwar l-Approprijazzjoni għas-sena finanzjarja li jmiss.

Limitazzjoni ta' investimenti u donazzjonijiet.

63. Il-Kunsill ikun responsabbli għall-ġbir tal-flejjes kollha kif meħtieġ taħt dan l-Att iżda l-Kunsill ma jkollu ebda setgħa li jkollu xi impriża kummerċjali jew li jinvesti fiha jew li jagħmel xi donazzjonijiet lil xi organizzazzjoni mhux governattiva li ma hijiex inkluża fit-Tmien Skeda li tinsab ma' dan l-Att.

Il-Ministru jista' jordna li jinġabru kotba tal-kontijiet u dokumenti oħra.

64. Bla ħsara għal kull dispożizzjoni oħra ta' dan l-Att, il-Ministru

jista', jew minn jeddu jew fuq talba tal-Ministru responsabbli għall-finanzi, b'avviż bil-miktub, jitlob lis-Segretarju jipproduċi dawk il-kotba tal-kontijiet, reġistrazzjonijiet u kull dokumenti oħra li jidhirlu meħtieġa mingħajr ma jagħti raġuni għal dik it-talba.

Ħatra ta' udituri tal-gvern lokali.

65. (1) Id-Direttur tal-Verifika għandu jaħtar persuni (li jkunu magħrufa bħala "udituri tal-gvern lokali") biex jivverifikaw il-kontijiet ta' Kunsill Lokali b'dawk il-kondizzjonijiet li jidhirlu xierqa. Il-ħatra tkun għal perijodu ta' sena, rinovabbli kull sena, għal mhux aktar minn perijodu totali ta' ħames snin konsekuttivi.

(2) Persuna ma tkunx kwalifikata għall-ħatra bħala uditur tal-gvern lokali kemm-il darba ma jkollhiex *warrant* biex taġixxi bħala uditur maħruġ jew meqjus bħala maħruġ taħt l-Att dwar il-Professjoni ta' l-*Accountancy* jew jekk ma tkunx soċjetà ta' udituri reġistrati kif imiss taħt l-imsemmi Att u–

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(a) fil-każ ta' individwu, tkun –

(i) kunsillier tal-lokalità li tagħha jkun qed jivverifika l-kotba; jew

(ii) impjegat tal-Kunsill tal-lokalità li tagħha jkun qed jagħmel il-verifika; jew

(iii) qarib bid-demm jew biż-żwieġ f'linja diretta, jew, sat-tielet grad, fil-linja kollaterali, ma' xi kunsillier ta' dik il-lokalità;

(b) fil-każ ta' soċjetà l-ebda wieħed mis-soċji li jkun individwu li ma jkunx kwalifikat għall-ħatra bħala uditur ta' Kunsill.

(3) Fl-eżerċizzju tad-dmirijiet tagħhom udituri ta' gvern lokali jkollhom aċċess għal kull kotba, *records*, prospetti u dokumenti li jkollhom x'jaqsmu mal-kontijiet ta' Kunsilli Lokali u jistgħu jeħtieġu lil kull persuna li jkollha f'idejha jew li tkun responsabbli għal xi kotba jew dokumenti bħal dawk li tidher quddiemhom waqt il-verifika.

(4) Id-Direttur tal-Verifika jista' jaħtar, jew temporanjament jew xort'oħra, persuni biex igħinu lil udituri ta' gvern lokali fil-qadi ta' dmirijiethom.

(5) Ir-rimunerazzjoni u l-ispejjeż ta' udituri ta' gvern lokali, magħduda r-rimunerazzjoni u l-ispejjez ta' persuni maħtura biex jgħinu lil udituri ta' gvern lokali, sa dak l-ammont li jkun sanzjonat mid-Direttur tal-Verifika, għandu jitħallas mill-vot annwali li jkollu d-Direttur tal-Verifika.

(6) L-udituri ta' gvern lokali għandhom jissottomettu r-rapporti tagħhom mhux aktar tard minn tnax-il ġimgħa wara l-għeluq tas-sena finanzjarja lid-Direttur tal-Verifika li għandu minnufih jibgħat kopji ta' dawk ir-rapporti lill-Ministru, lill-Ministru responsabbli għall-finanzi u lill-Kunsill rispettiv. Il-Ministru responsabbli għall-finanzi għandu jieħu ħsieb li kopja ta' kull rapport titqiegħed quddiem il-Kamra tad-Deputati bl-istess mod kif provdut fis-subartikolu (5) ta' l-artikolu 108 tal-Kostituzzjoni u jekk il-Ministru responsabbli għall-finanzi jonqos li jqiegħed xi rapport bħal dak quddiem il-Kamra tad-Deputati, id-dispożizzjonijiet tas-subartikolu (6) ta' l-artikolu 108 tal-Kostituzzjoni għandhom japplikaw.

Aktar responsabbiltajiet ta' verifika.

66. (1) Il-Ministru għandu, wara konsultazzjoni mal-Ministru responsabbli għall-finanzi, jippreskrivi indikaturi biex ikejlu kif marru servizzi ta' kunsill lokali, meta dawk l-indikaturi jkunu biex jiffaċilitaw paraguni ta' kost, ekonomija, effiċjenza u effettività bejn Kunsilli Lokali fuq medda ta' żmien.

(2) B'żieda mad-dmirijiet speċifikati skond jew taħt dan l-Att, udituri ta' gvern lokali huma meħtieġa li jkunu sodisfatti li Kunsill Lokali jkun għamel arranġamenti biex jiżgura ekonomija, effiċjenza u effettività.

Regolamenti mill-Ministru responsabbli għall-finanzi.

67. Il-Ministru responsabbli għall-finanzi jista', flimkien mal-Ministru, jagħmel regolamenti taħt din it-taqsima ta' dan l-Att sabiex jirregola l-funzjonijiet finanzjarji tal-Kunsill, magħduda x'*records* għandhom jinżammu u x'rapporti għandhom isiru.

Setgħat tal-Ministru responsabbli għall-finanzi skond il-Kostituzzjoni.

68. Id-dispożizzjonijiet ta' din it-taqsima ta' dan l-Att huma bla ħsara għas-setgħa tal-Parlament li jipprovdi Fond ta' Kontinġenzi u li jawtorizza lill-Ministru responsabbli għall-finanzi li jagħmel avvanzi mill-Fond f'każijiet urġenti u imprevvisti skond l-artikolu 105 tal-Kostituzzjoni ta' Malta.

TAQSIMA VII
Mixxellanji

Approprjazzjoni ta' flejjes meħtieġa biex isiru l-elezzjonijiet ta' Kunsilli.

69. (1) Il-Ministru responsabbli għall-finanzi għandu, minn żmien għal żmien b'*warrant* iffirmat minnu, indirizzat lill-uffiċjal pubbliku responsabbli, jawtorizza u jordna li dawk il-flejjes kollha li b'mod xieraq ikunu meħtieġa biex titħallas kull spiża leġittima għall-elezzjonijiet ta' Kunsilli Lokali jitħallsu mill-Fond Konsolidat mingħajr approprjazzjoni oħra ħlief dan l-Att.

(2) Dikjarazzjoni ta' l-ispejjeż hekk imħallsa għandha, kemm jista' jkun malajr, titqiegħed fuq il-Mejda tal-Kamra tad-Deputati.

Laqgħa tal-lokalità.

70. (1) Il-Kunsilli għandhom isejħu laqgħa tal-lokalità li għandha tinżamm qabel il-laqgħa li fiha l-Kunsill ikun ser jikkunsidra l-estimi għas-sena finanzjarja li tkun ġejja li għaliha jkunu jistgħu jattendu l-persuni li jidhru fir-Reġistru Elettorali għall-Kunsilli Lokali għal dik il-lokalità għall-anqas darba fis-sena.

(2) Il-laqgħa tal-lokalità għandha ssir f'dak il-post li l-Kunsill jistabbilixxi u li kemm jista' jkun possibbli jkun aċċessibbli għal kulħadd, inklużi persuni li jużaw siġġu tar-roti. Avviż ta' dik il-laqgħa għandu jkun pubblikat darba fil-gazzetti kollha ta' kuljum u mxandar darba fuq ir-radjijiet kollha nazzjonali.

(3) Is-Sindku jkun iċ-*Chairman* f'dik il-laqgħa u s-Segretarju għandu jagħmel lista ta' kull ilment u suġġeriment li jsiru waqt il-laqgħa sabiex ikunu diskussi mill-Kunsill.

Konsultazzjoni pubblika.

71. Kunsill għandu jagħmel konsultazzjoni pubblika dwar xi kwistjoni li taqa' taħt il-kompetenza tiegħu jew minn jeddu jew kull darba li hekk jintalab jagħmel mill-eletturi reġistrati bħala votanti għall-lokalità fl-aħħar Reġistru Elettorali għall-Kunsilli Lokali:

Iżda talba għal dik il-konsultazzjoni għandha tiġi ffirmata mill-inqas minn wieħed minn ħamsa ta' l-eletturi reġistrati bħala votanti għal dik il-lokalità fl-aħħar Reġistru Elettorali għall-Kunsilli Lokali meta l-popolazzjoni ta' votanti reġistrati tkun ta' 3,000 jew iktar, jew mill-inqas minn wieħed minn erbgħa ta' l-imsemmija eletturi meta l-popolazzjoni ta' votanti reġistrati tkun inqas minn 3,000.

Setgħa tal-Ministru l jagħmel regolamenti.

72. (1) Bla ħsara għal kull setgħa li jagħmel regolamenti mogħtija lilu b'dan l-Att, il-Ministru jista' jagħmel regolamenti li ma jkunux inkonsistenti jew kontra dan l-Att, biex jippreskrivi xi formula jew proċedura li dwarha ma tinsab ebda proċedura taħt dan l-Att, u b'mod ġenerali sabiex jitwettqu id-dispożizzjonijiet ta' dan l-Att.

(2) Bla ħsara għall-ġeneralità ta' dak li intqal qabel, il-Ministru jista' b'mod ġenerali b'regolamenti jemenda l-Ewwel Skeda li tinsab ma' dan l-Att, suġġett għad-dispożizzjonijiet ta' l-artikolu 74, u mir-Raba' sad-Disa' Skeda it-tnejn inklużi ta' dan l-Att u kull formuli li jinsabu fihom.

Pubblikazzjoni ta' popolazzjoni skond i lokalità.

73. Il-Ministru responsabbli għall-istatistika għandu jippubblika l-popolazzjoni kif imfissra f'dan l-Att għal kull lokalità darba fis-sena fix-xahar ta' April:

Iżda l-ewwel pubblikazzjoni bħal dik issir mhux iktar tard mill-31 ta' Awissu 1993.

Stemmi.

74. (1) Kull lokalità jkollha jedd tuża l-istemma mogħtija lilha taħt l-Ewwel Skeda li tinsab ma' dan l-Att.

(2) Kunsilli Lokali jkollhom jedd li jagħmlu petizzjoni lill-Ministru għal tibdil fid-disinn ta' l-istemma wara li tkun għaddiet riżoluzzjoni f'dan is-sens b'żewġ terzi maġġoranza tal-Kunsill u l-Ministru għandu jikkonsidra t-talba.

(3) Malli jiġri hekk il-Ministru għandu jaħtar kumitat *ad hoc* ta' tliet persuni, waħda mill-Kunsill Lokali li jkollu x'jaqsam, waħda biex tirrappreżenta lill-Ministru u espert fl-araldika biex jagħtih parir fuq it-tibdil propost. Id-deċiżjoni tal-Ministru tkun finali.

(4) Lokalitajiet li storikament huma magħrufa bħala bliet għandhom ikunu hekk distinti b'marka distintiva fl-istemma tagħhom kif muri fl-Ewwel Skeda li tinsab ma' dan l-Att.

(5) Lokalitajiet jistgħu jtajjru bandiera kwadra li turi l-istemma jew disinn ieħor approvat mill-Ministru.

Siġilli.

75. (1) Kull Kunsill ikollu siġill uffiċjali li jinkludi l-istemma tal-lokalità li għaliha jkun responsabbli.

(2) Kull persuna li tagħmel użu mhux awtorizzat mis-siġill tagħmel reat u teħel meta tinsab ħatja ammenda ta' ħamsin lira Maltin:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'ebda każ ma jkunu iżjed minn elf lira Maltin.

Kunsilli jistgħu jużaw ismijiet storiċi.

76. Kunsill jista' jitlob lill-Ministru biex jitħalla juża xi isem storikament użat għal rappreżentanti tal-lokalità partikolari, jew ta' belt li tkun tagħmel parti mil-lokalità.

Kunsilli ma jkollhomx faċilitajiet ta' xandir.

77. (1) Minkejja d-dispożizzjonijiet ta' kull liġi oħra, Kunsilli ma jkollhomx jedd li japplikaw għal xi liċenza biex ixandru xi programm.

(2) Għall-finijiet tas-subartikolu (1) ta' dan l-artikolu, "xandir" għandha l-istess tifsir kif mogħti lilha bl-artikolu 2 ta' l-Att ta' l-1991 dwar ix-Xandir.

Att XII ta' l-1991.

Emenda għall-Att dwar Ġieh ir-Repubblika. Kap. 251

78. L-artikolu 26 ta' l-Att dwar Ġieh ir-Repubblika għandu jiġi emendat kif ġej:

(a) fil-paragrafu (d) tiegħu minflok il-kliem "ta' dan l-Att." għandhom jidħlu l-kliem "ta' dan l-Att:"; u

(b) minnufih wara l-paragrafu (d) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(e) jippreskrivi l-insinja tal-kariga li tista' tintlibes minn uffiċjali ta' awtorità ta' gvern lokali, membri ta' xi Organu ta' l-Istat, jew minn uffiċjali tal-Gvern ta' Malta sew fis-servizz lokali jew barrani jew sew jekk ikunu membri ta' forza dixxiplinata jew xort'oħra.".

79. L-Ewwel u t-Tieni Skedi li jinsabu ma' dan l-Att għandhom jiġu pubblikati flimkien mal-Malti biss u dawn l-Iskedi għandhom igħoddu wkoll għat-test Ingliż ta' dan l-Att.

Pubblikazzjoni ta' l-Ewwel u t-Tieni Skedi li jinsabu ma' dan l-Att.

L-EWWEL SKEDA

(Artikolu 74)

Stemmi



VALLETTA
Città Umilissima



MDINA
Città Notabile



BIRGU
Città Vittoriosa



ISLA
Città Invicta



BORMLA
Città Cospicua



QORMI
Città Pinto



ŻEBBUĠ
Città Rohan



ŻABBAR
Città Hompesch



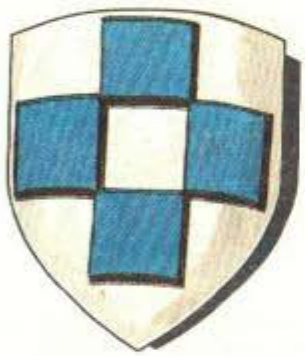
SIĠĠIEWI
Città Ferdinand



ŻEJTUN
Città Beland



RABAT
Città Vittoria



ATTARD



BALZAN



BIRKIRKARA



BIRŻEBBUĠA



DINGLI



FGURA



FLORIANA
Borgo Vilhena



FONTANA



GUDJA



GŻIRA



GĦAJNSIELEM



GĦARB



GĦARGĦUR



GĦASRI



GĦAXAQ



HAMRUN



IKLIN



KALKARA



KERĊEM



KIRKOP



LIJA



LUQA



MARSA



MARSASKALA



MARSAXLOKK



MELLIEHA



MĠARR



MOSTA



MQABBA



MSIDA



MUNXAR



NADUR



NAXXAR



PAOLA



PEMBROKE



PIETÀ



QALA



QRENDI



RABAT



SAFI



SAN ĠILJAN



SAN ĠWANN



SAN LAWRENZ



SAN PAWL IL-BAHAR



SANNAT



SANTA LUĊIJA



SANTA VENERA



SLIEMA



SWIEQI



TA' XBIEX



TARXIEN



XAGHRA



XEWKIJA



XGHAJRA



ŻEBBUĠ

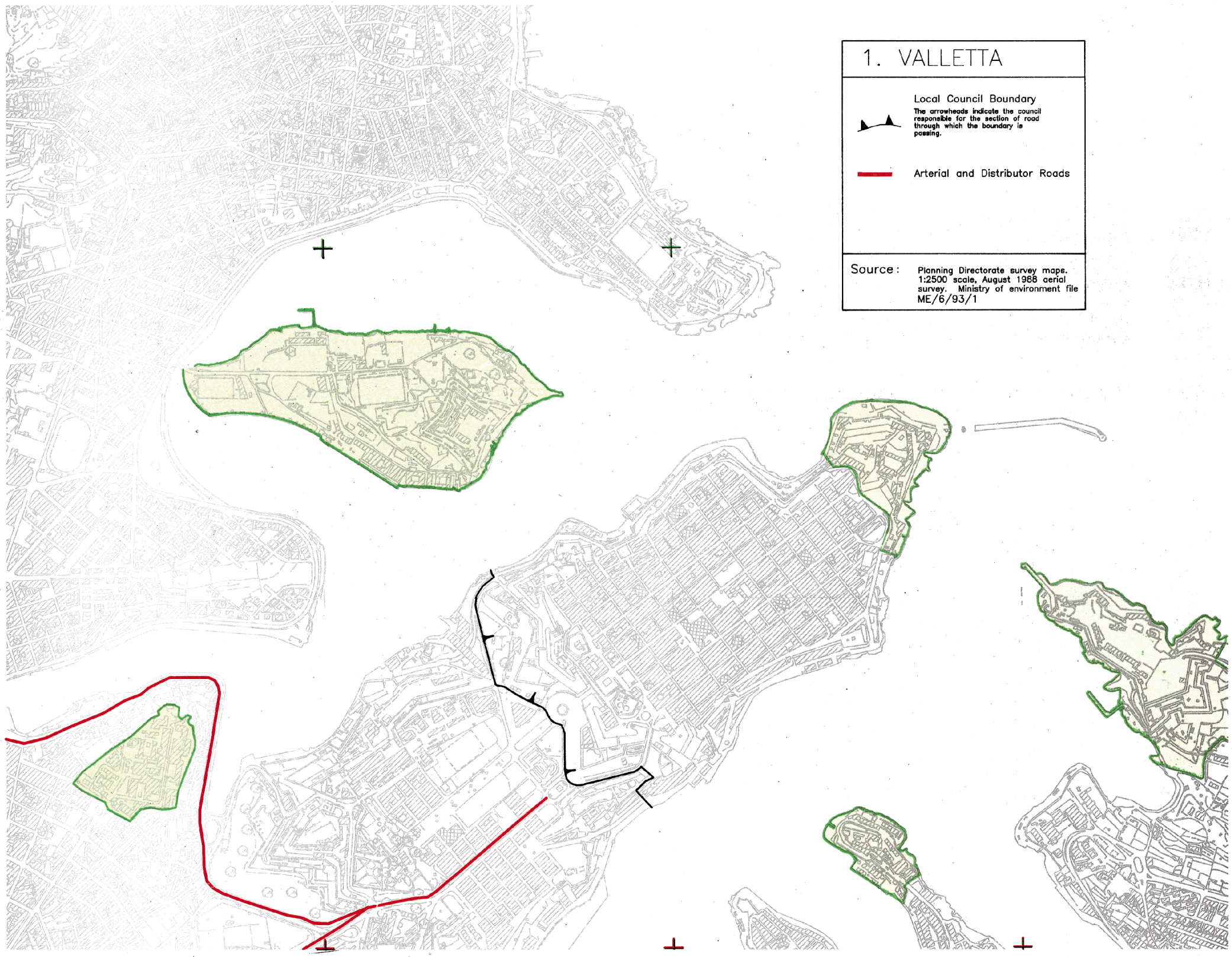


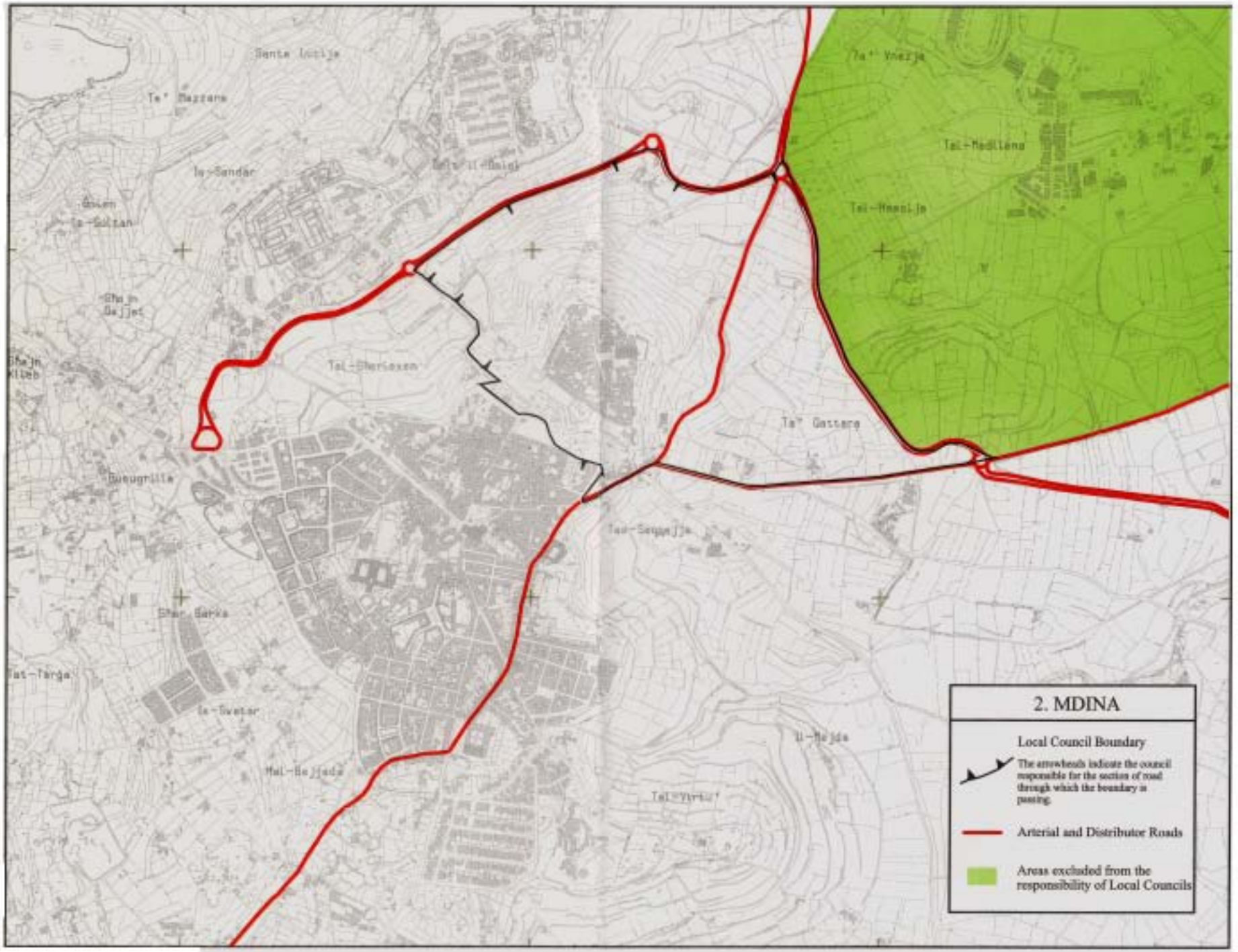
ŻURRIEQ

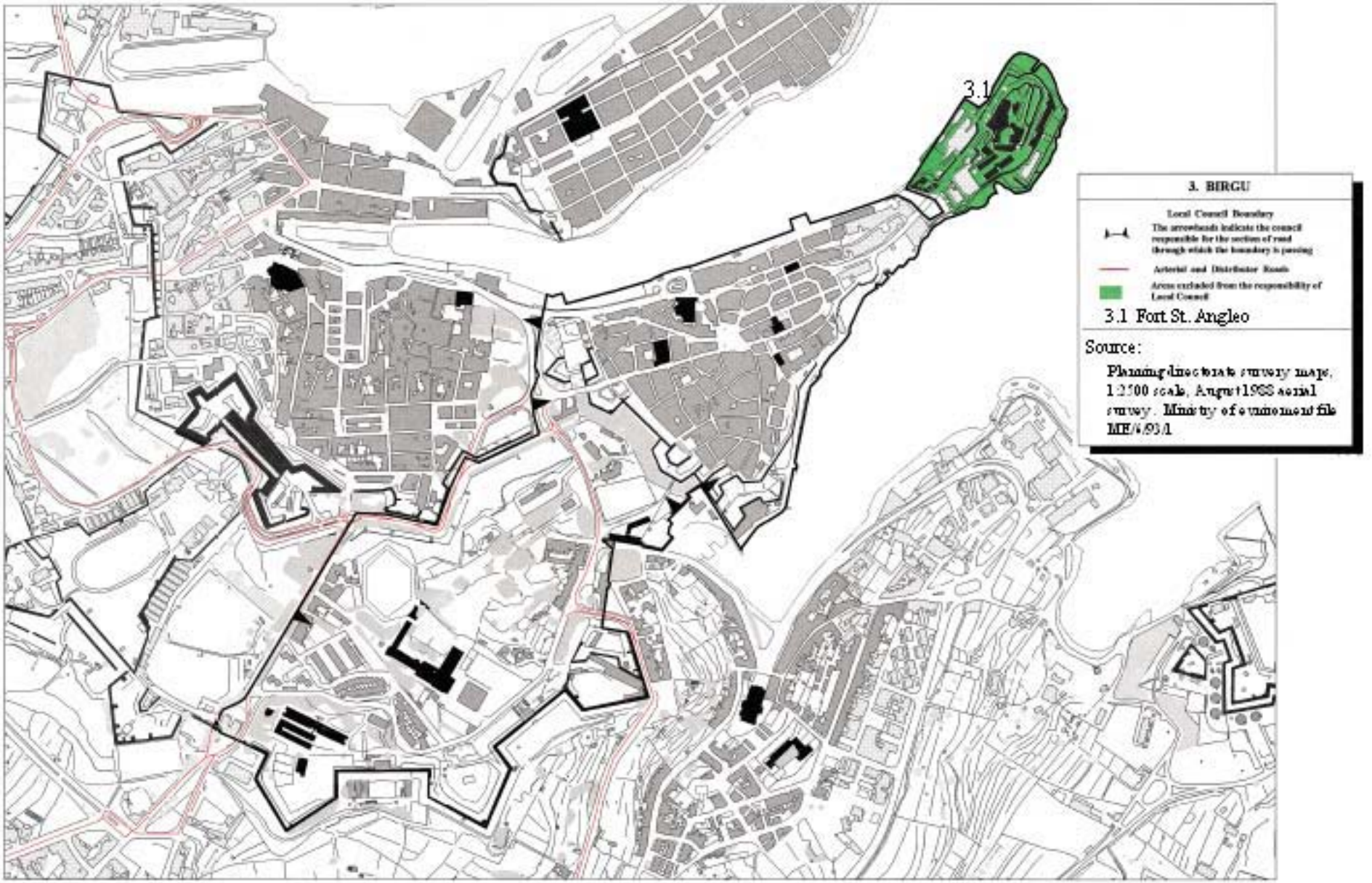
IT-TIENI SKEDA

(Artikolu 2)

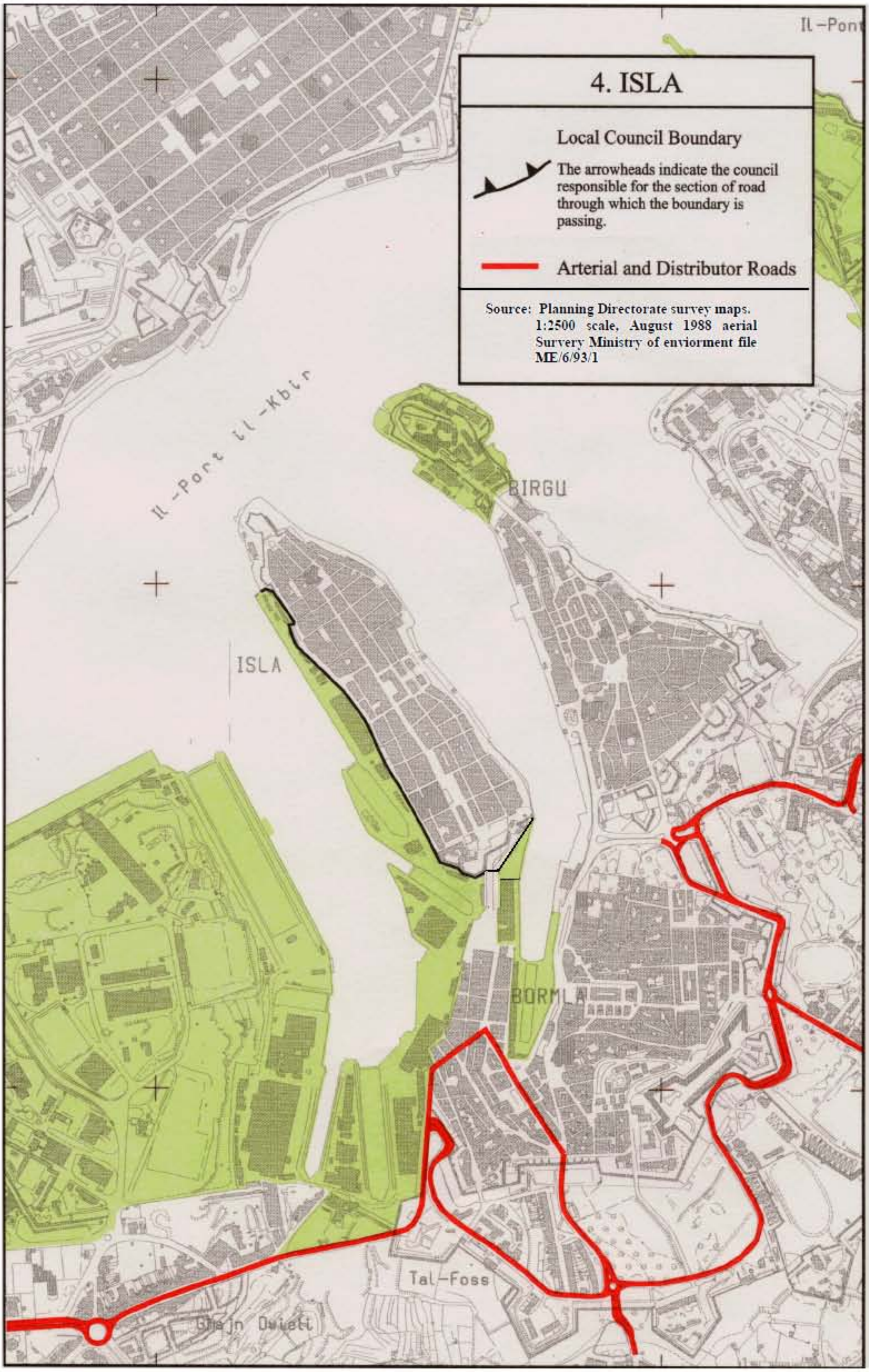
Lokalitajiet u l-Konfini Tagħhom

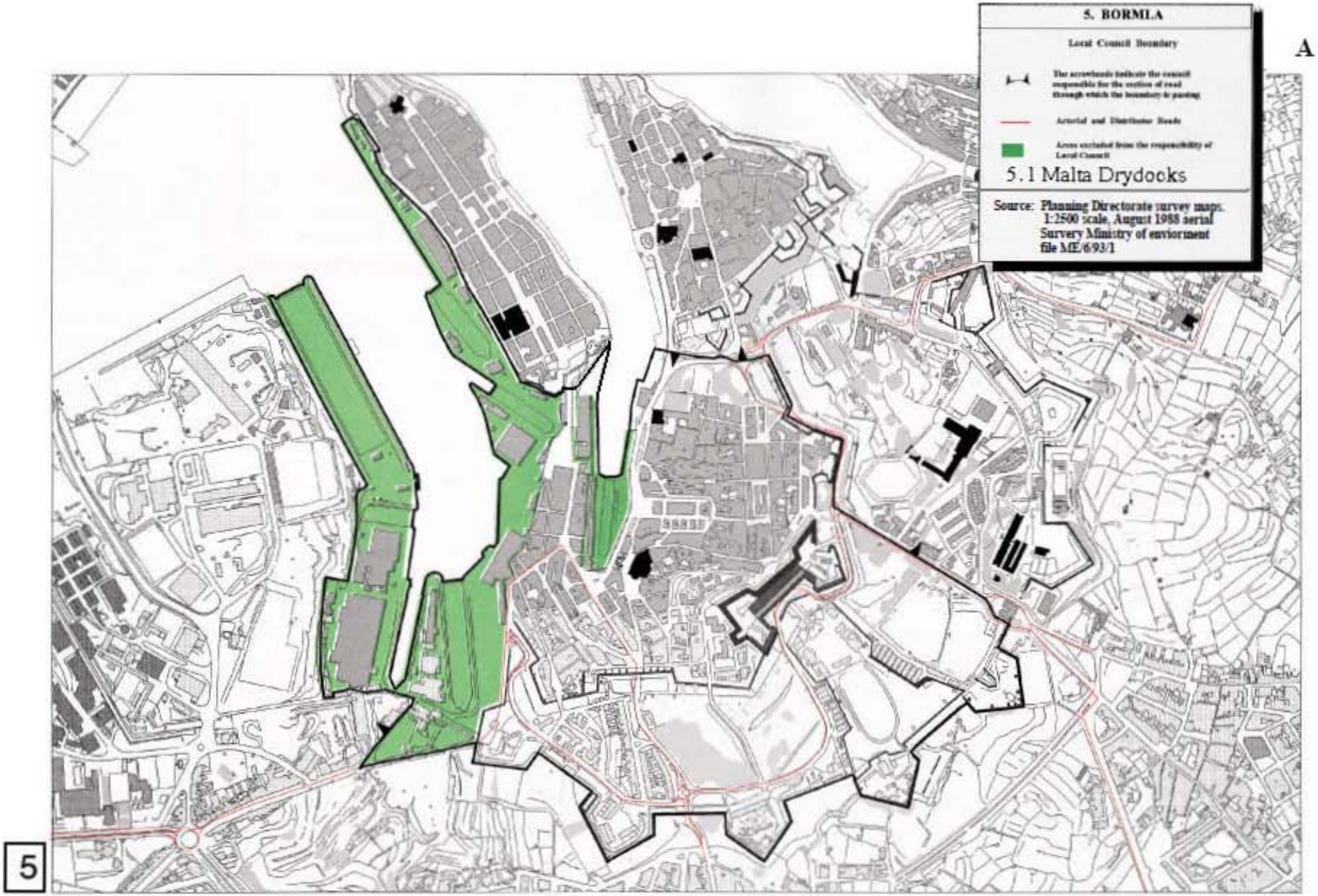

1. VALLETTA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source :
Planning Directorate survey maps. 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1
1

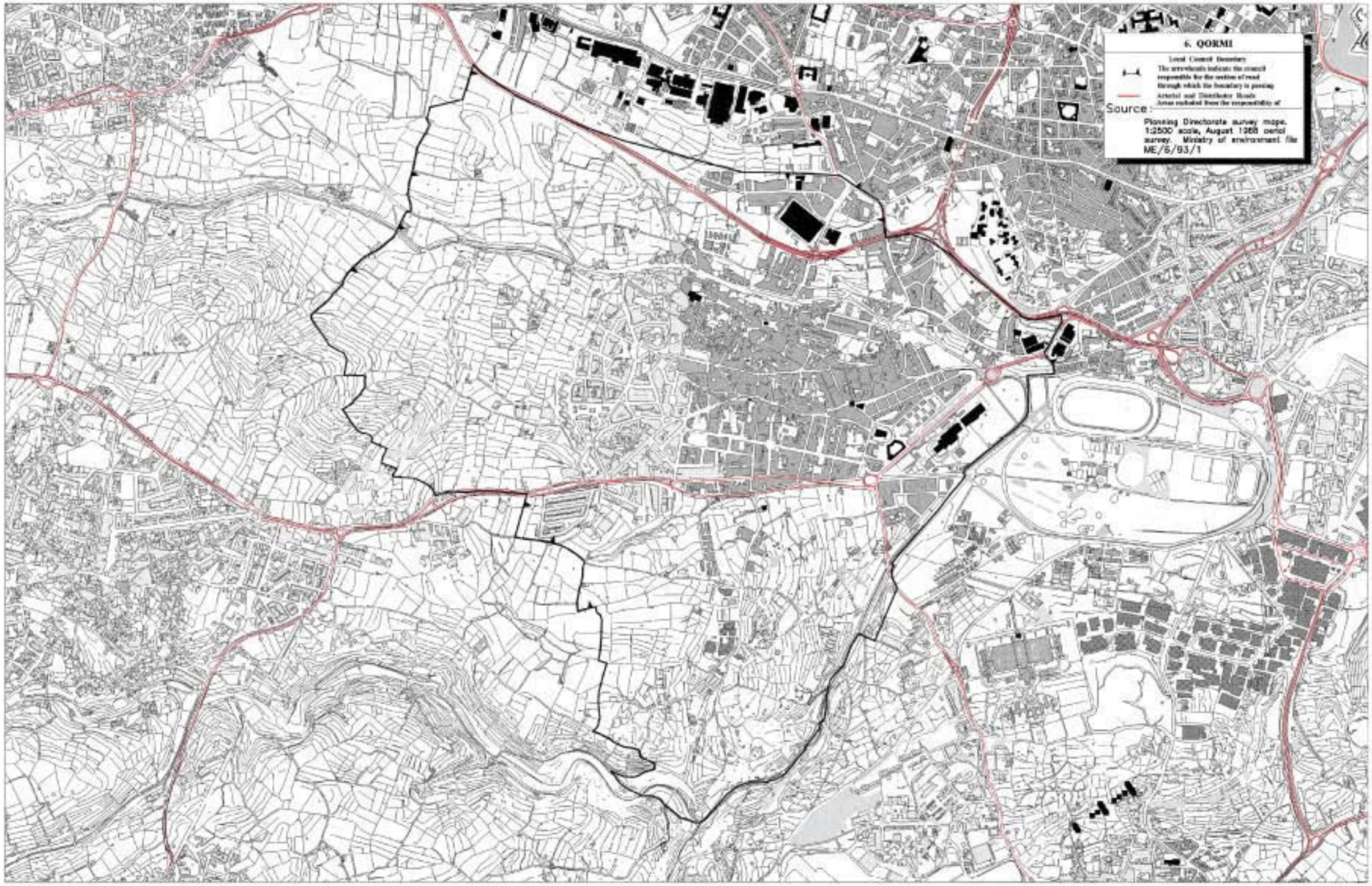

Santa Lucija
Ta' Bazzara
Ta-Sandar
Ta-Sultan
Tal-Mensija
Ta' Gattard
Tal-Qarraxen
Tal-Qaggija
Ta' Qarqa
Tal-Yirku'
Ta' Vnezja
Tal-Maddlena
Tal-Mensija
2. MDINA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils


3.1
3. BIRGU
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
3.1 Fort St. Angelo
Source:
Planning directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

3

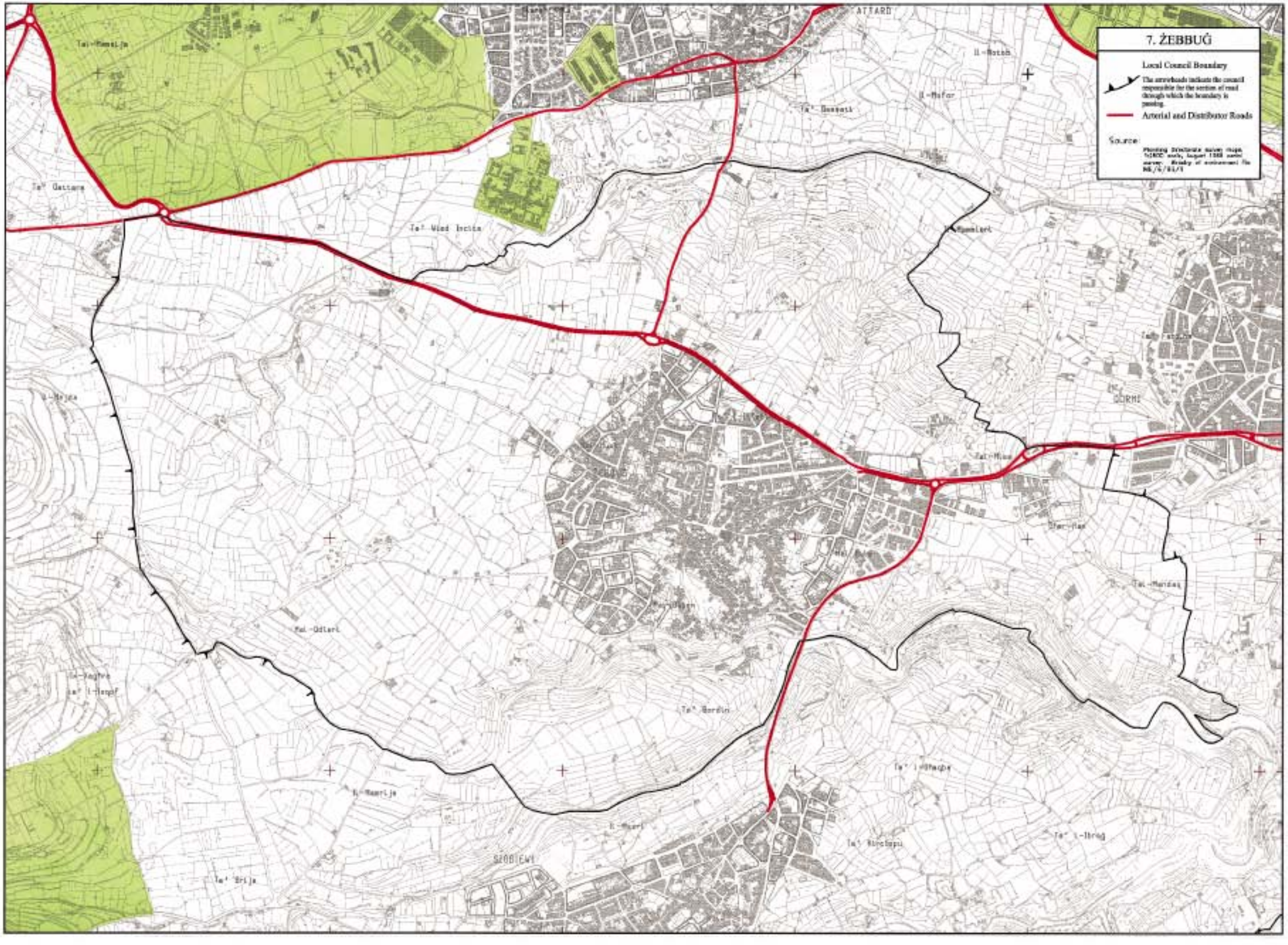

Il-Port
4. ISLA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1
Il-Port il-Kbir
BIRGU
ISLA
BORMLA
Tal-Foss
Ghajn Dwieli


5. BORMLA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
5.1 Malta Drydocks
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1
5

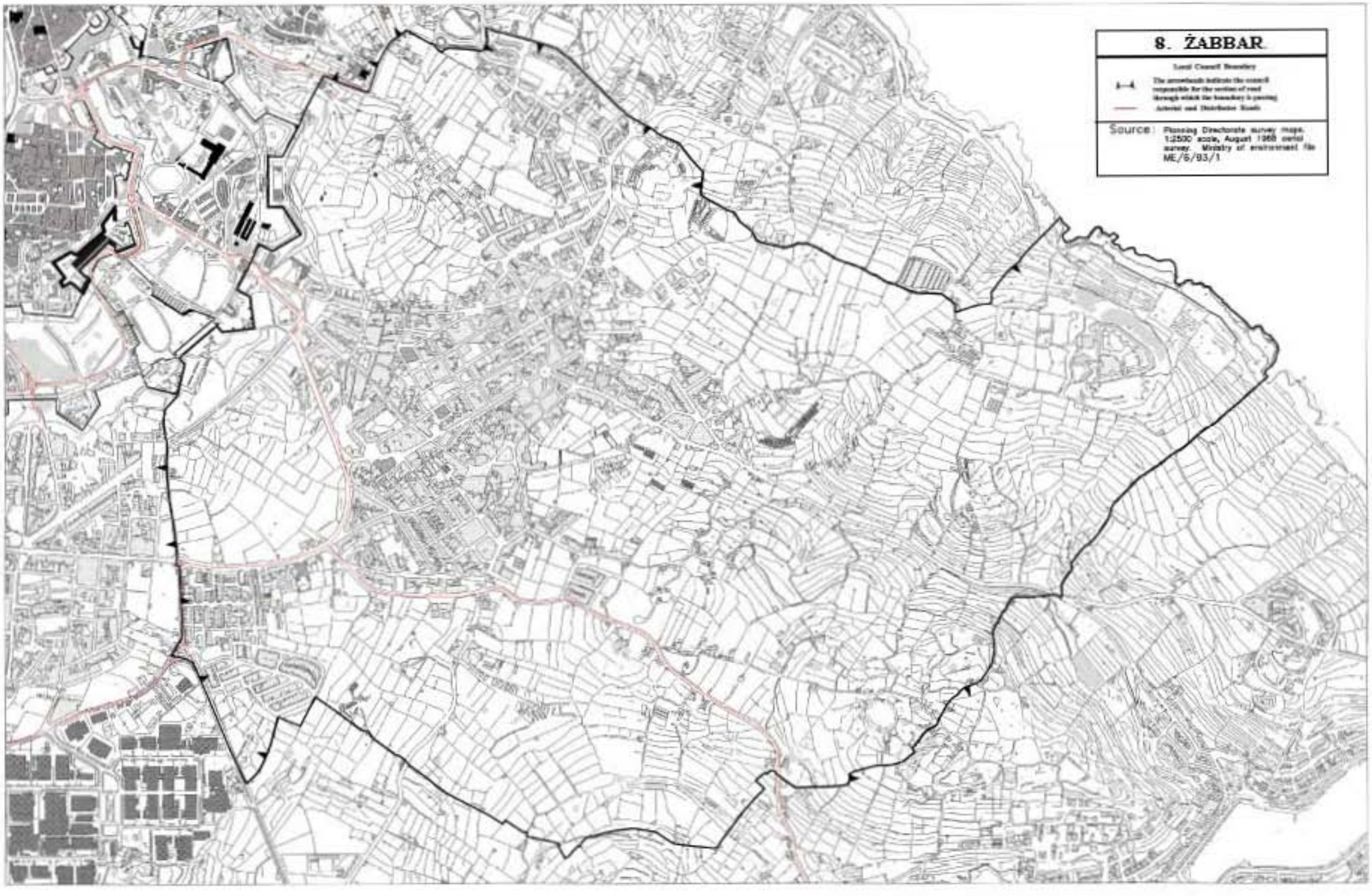

6. QORMI
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of
Source :
Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment. file ME/6/93/1

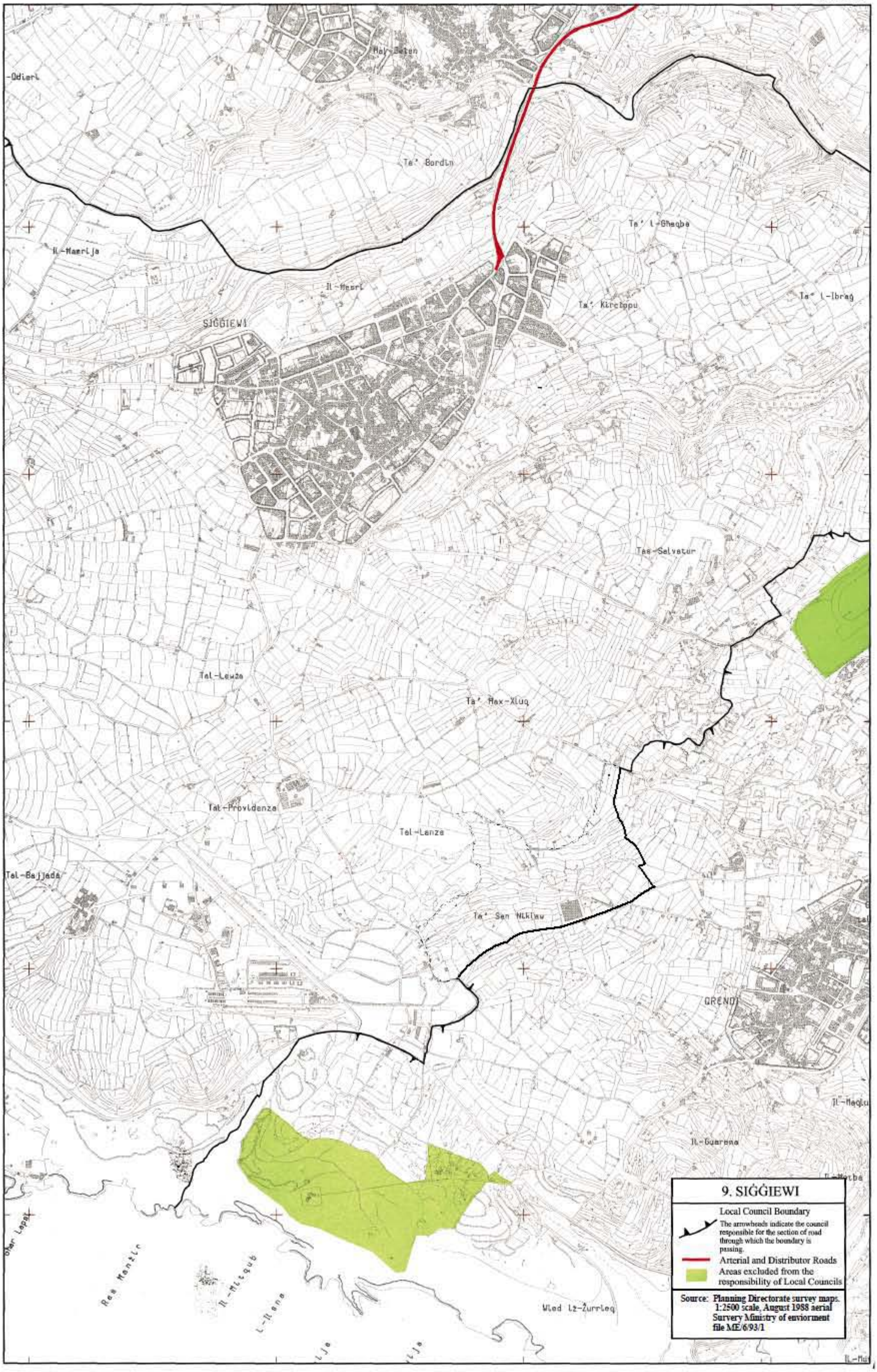
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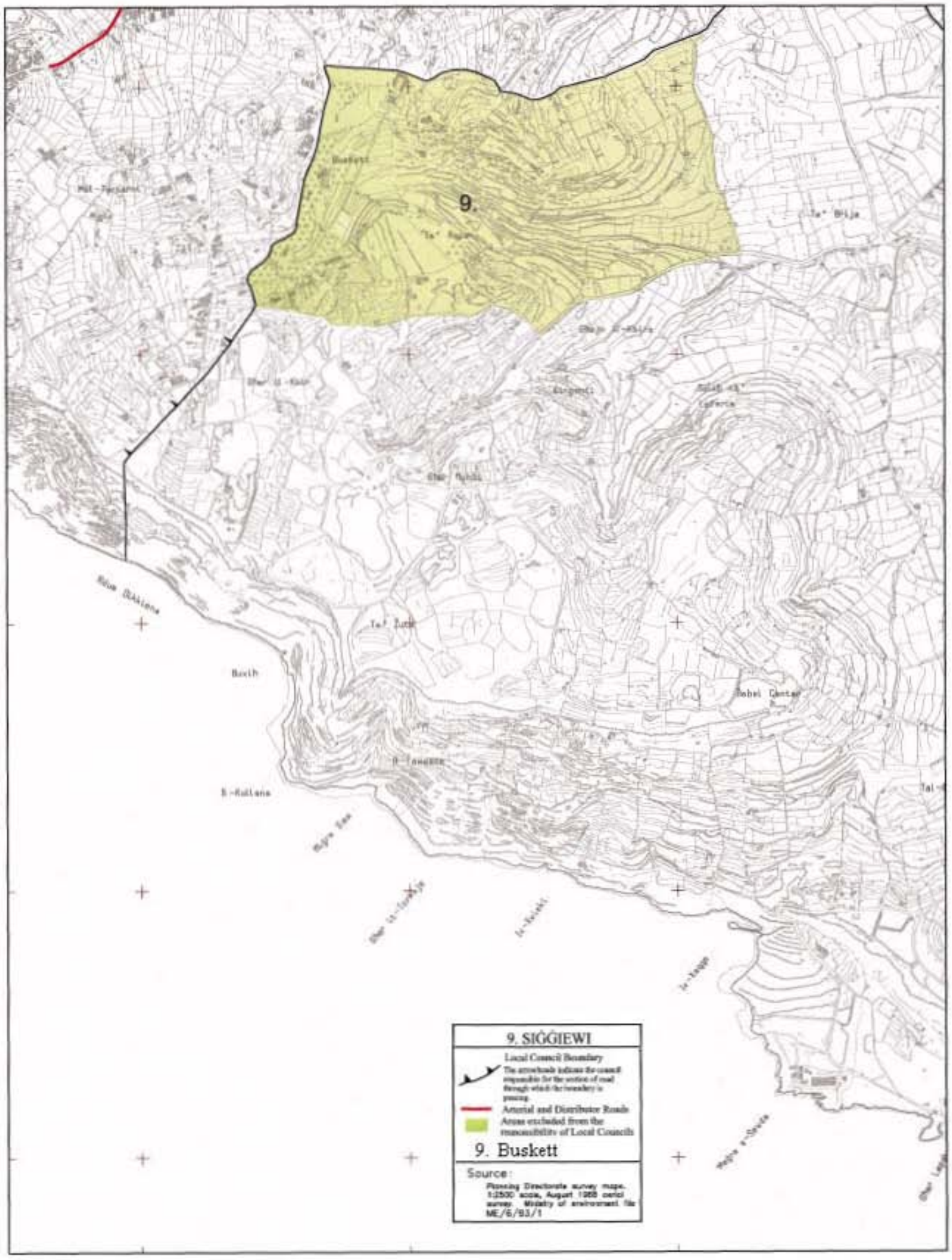
A 527 - 529

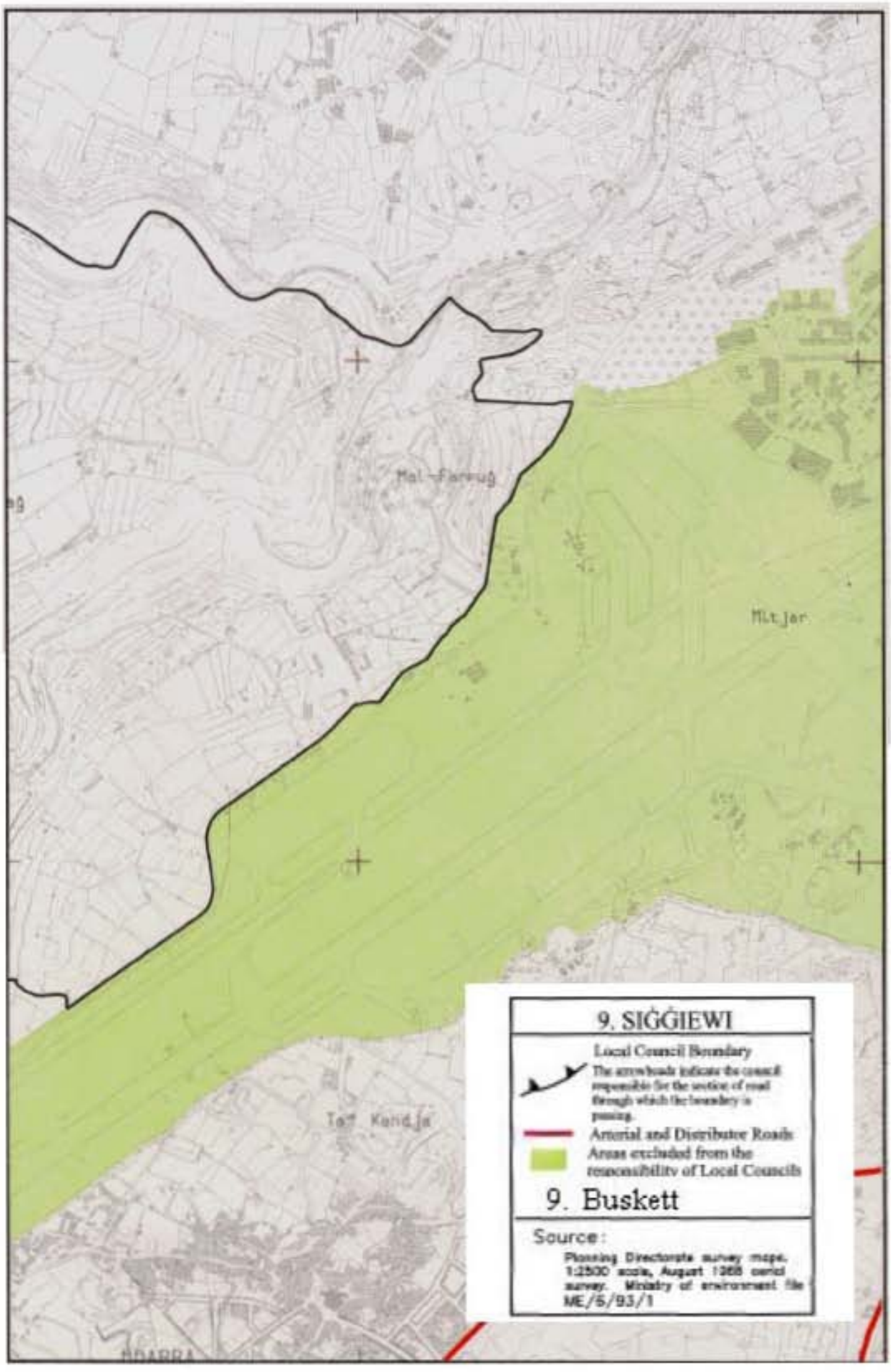

7. ŻEBBUĠ
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source:
ATTARD
Ta' Qattara
Ta' Mixt Incita
Ta' Bonnett
Il-Mafar
Mqabba
Il-Hofra
Il-Hofra
Ta' Bordin
Ta' Kircilopu
Ta' l-Ibrag
Ta' Brija
Pal. Oddari
Il-Maarija
Il-Maari
SZOBIEW1

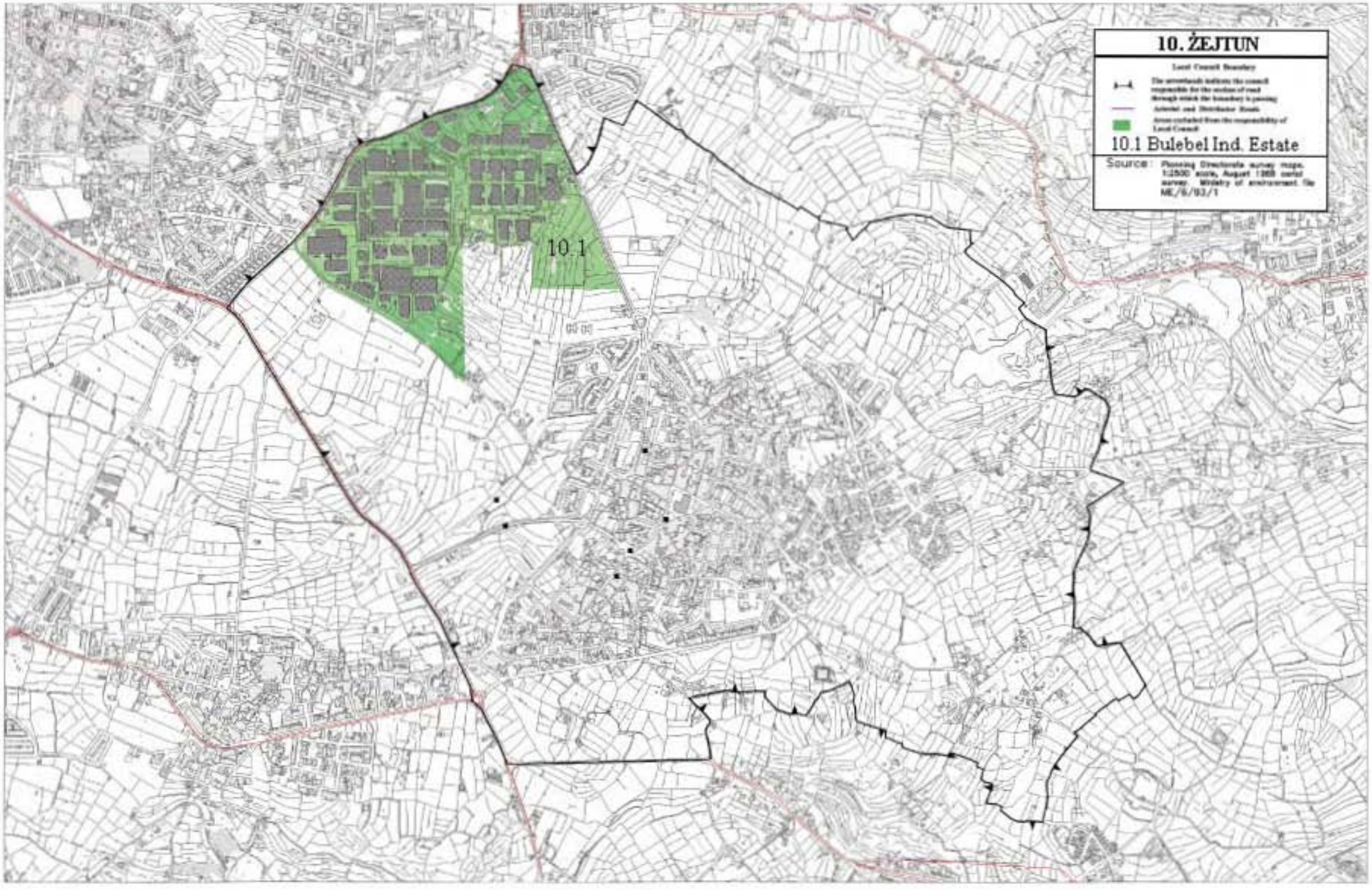
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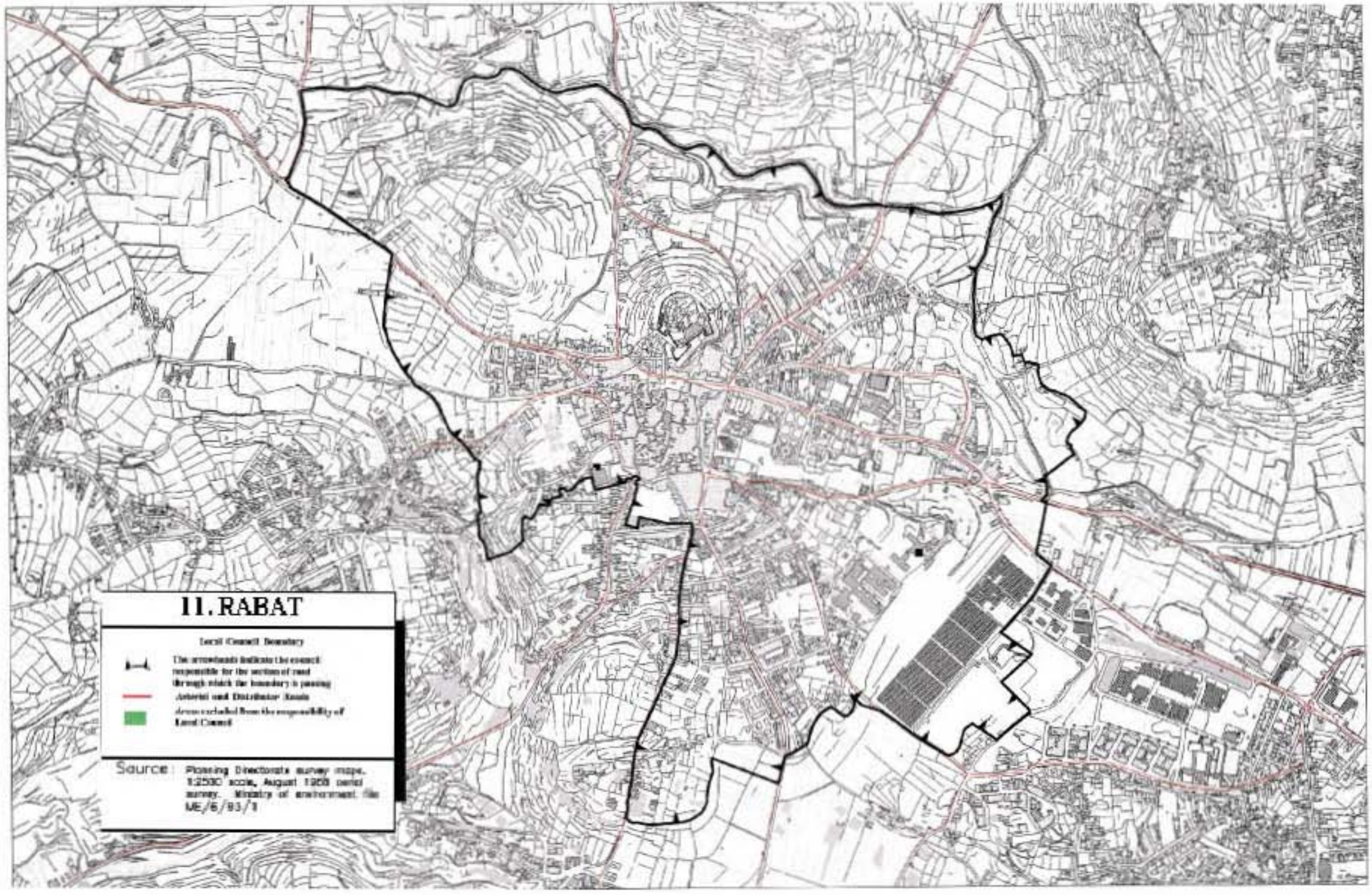

8. ŻABBAR
Local Council Boundary
A—A
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial road Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


Ħal-Qaten
-Qdieri
Ta' Bordin
Ta' l-Ghaqbe
Il-Maarija
Il-Mazri
Ta' Kircopu
Ta' l-Ibrag
SIĠĠIEWI
Tas-Salvatur
Tal-Lewża
Ta' Max-Xluq
Tal-Providenza
Tal-Lanza
Tal-Bajjada
Ta' San Niklaw
GRENDI
Il-Maqlu
Il-Guarena
Ras Mantlic
Il-Mitqub
Wied Iz-Zurrieq
9. SIĠĠIEWI
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1


9.
9. SIĠĠIEWI
Local Council Boundary
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
9. Buskett
Source:


Mal-Farrug
Mtarfa
Taʼ Kandja
MDARRA
9. SIĠĠIEWI
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
9. Buskett
Source:
Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


10. ŻEJTUN
10.1 Bulebel Ind. Estate
Source:
10.1

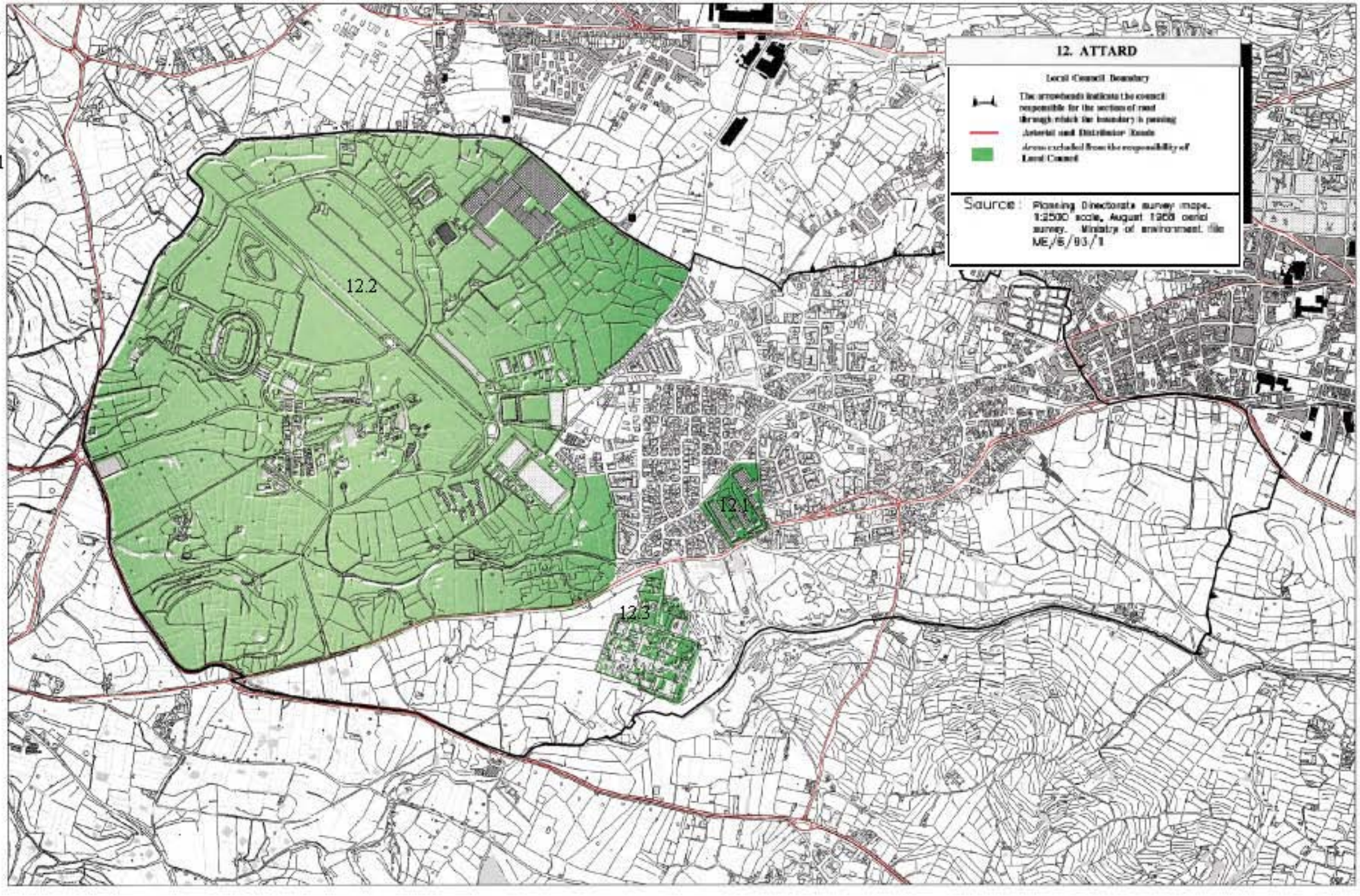

11. RABAT
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

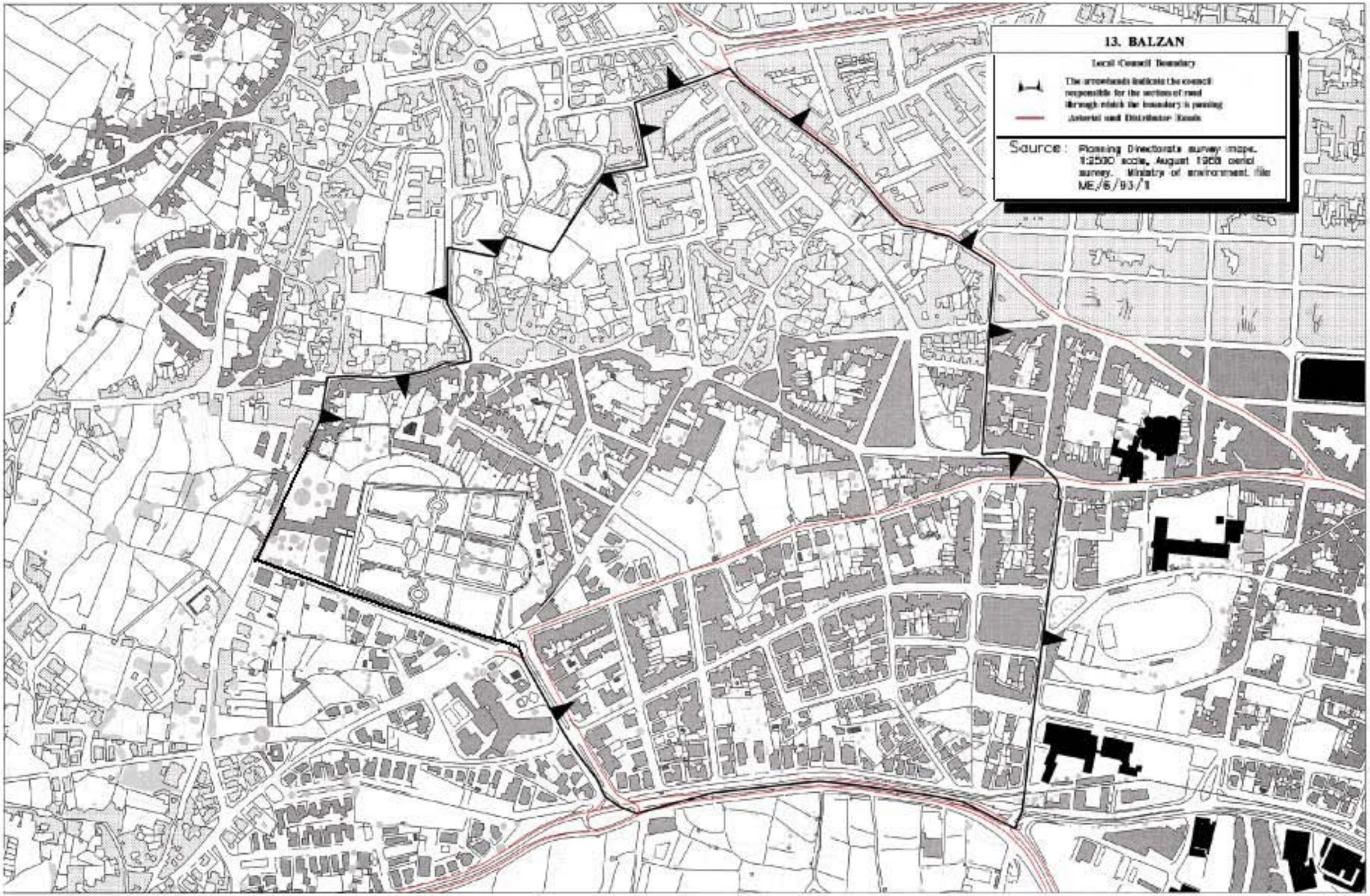
11

12.1 Attard Ind. Estate

12.2 Ta' Qali

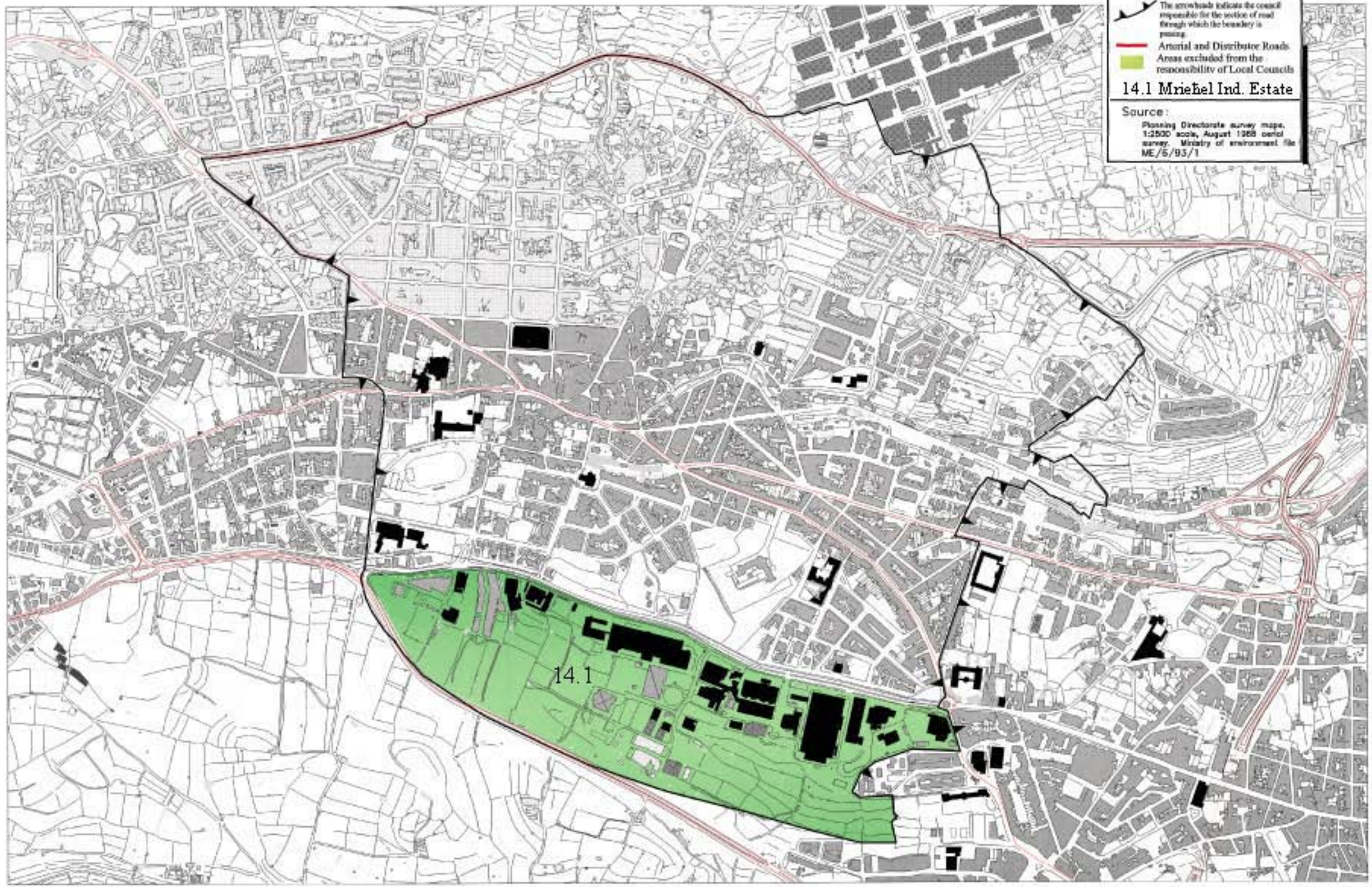
12.3 Mount Carmel Hospital

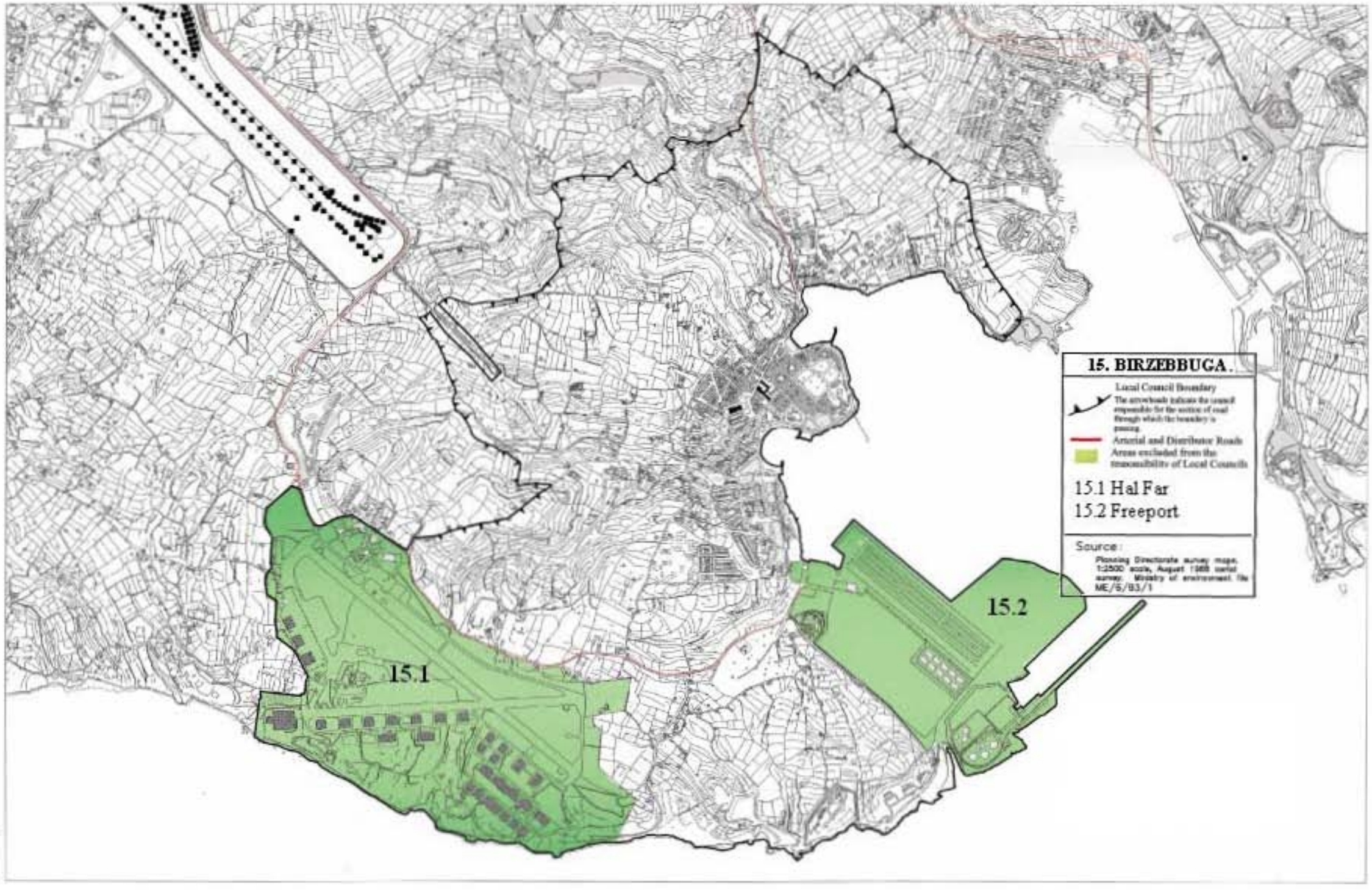



13. BALZAN
Local Council Boundary
The arrowheads indicate the council responsible for the sections of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment. file ME/6/93/1

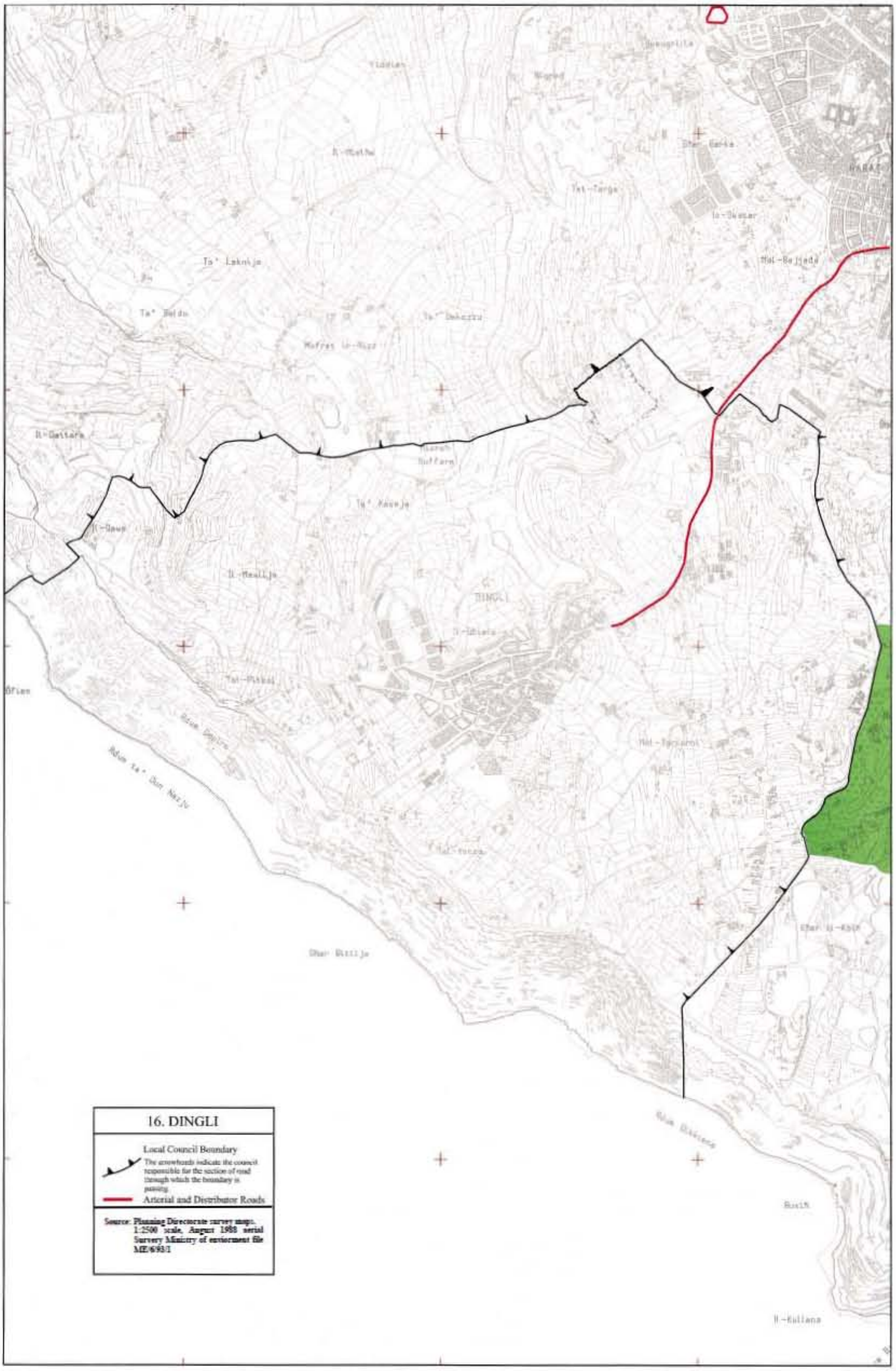
13

14. BIRKIRKARA




15. BIRZEBBUGA .
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
15.1 Hal Far
15.2 Freeport
Source :
Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/5/93/1
15.1
15.2

15



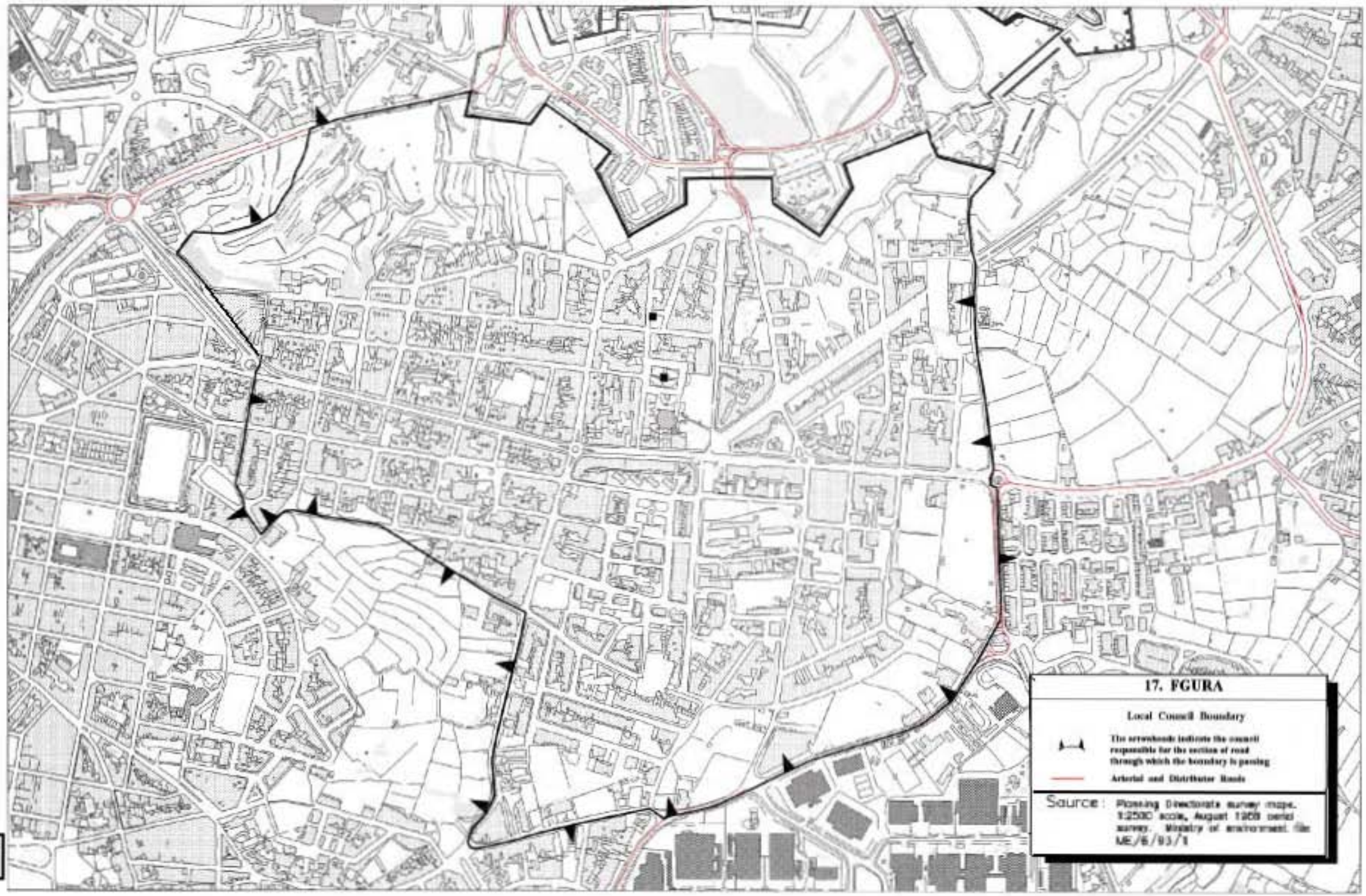
16. DINGLI

Local Council Boundary

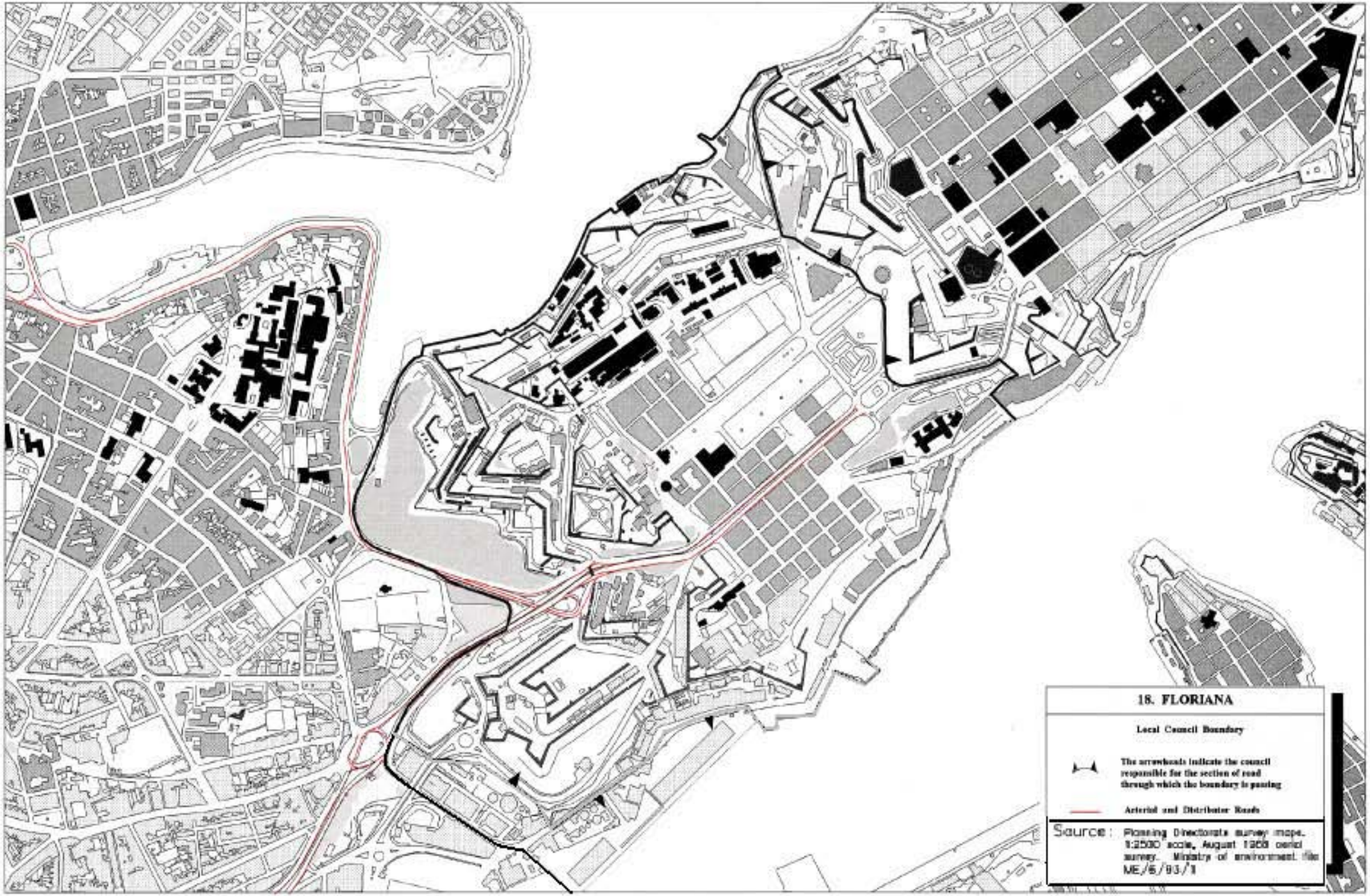
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

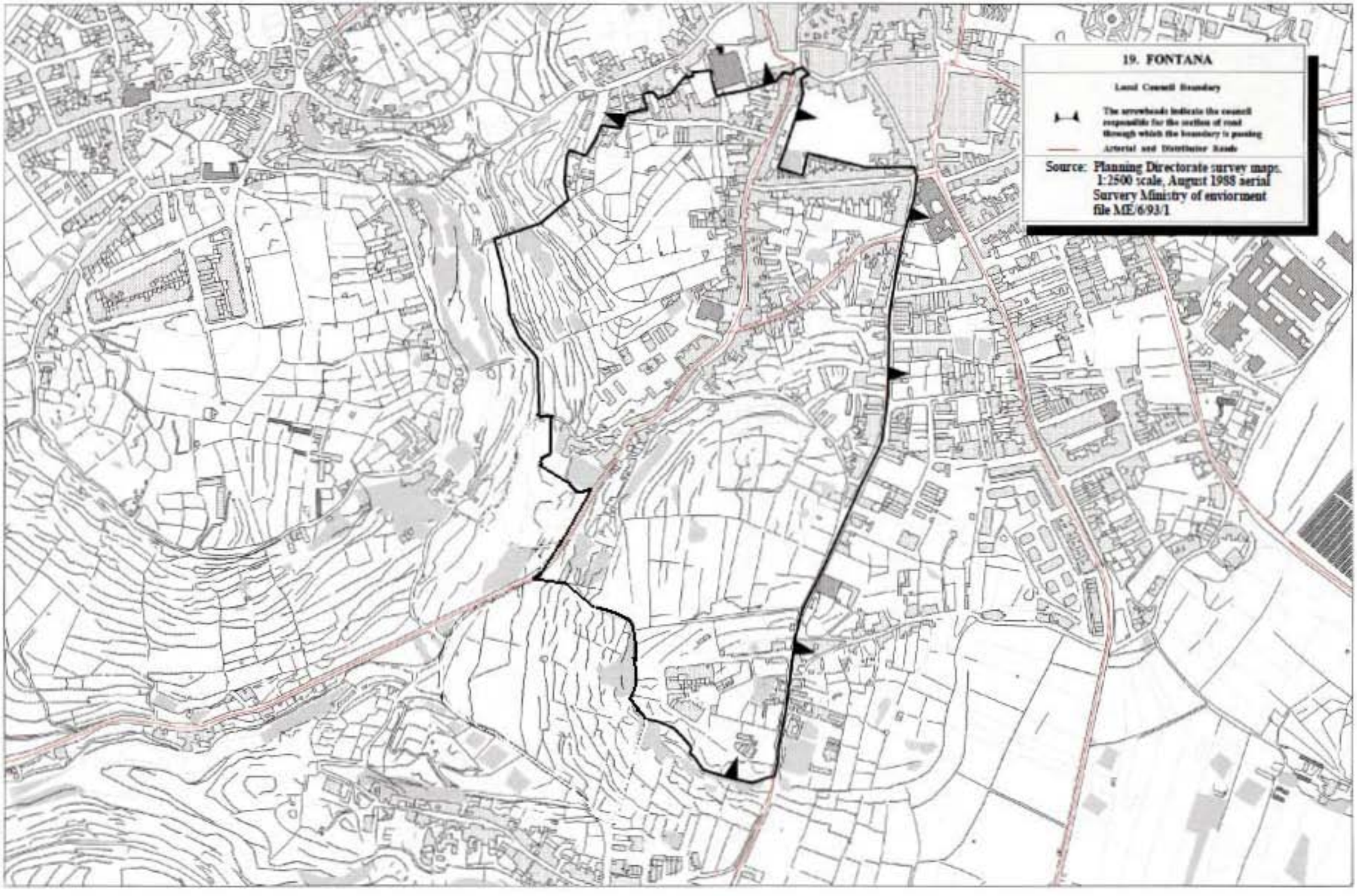
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1


17. FGURA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source : Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

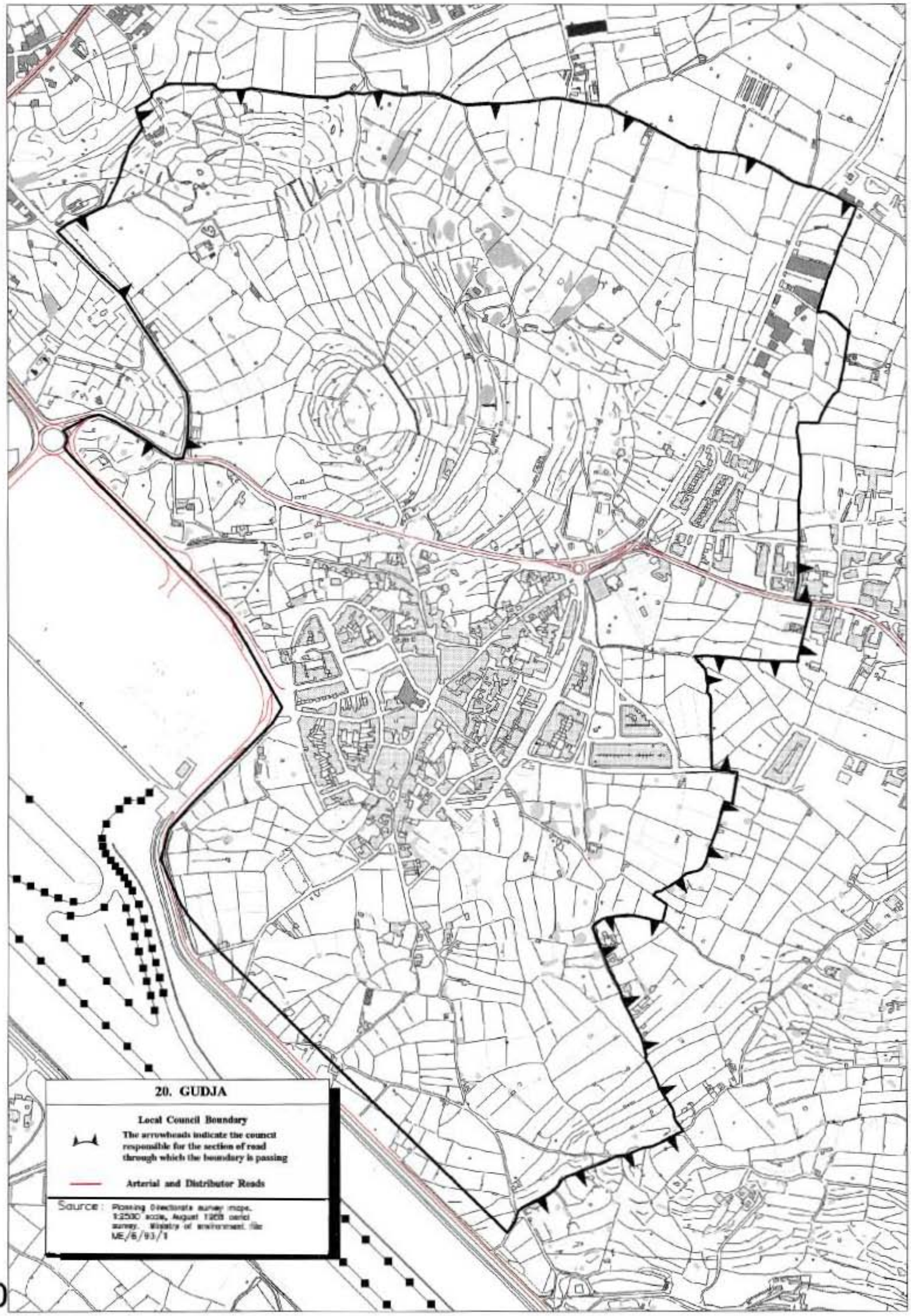
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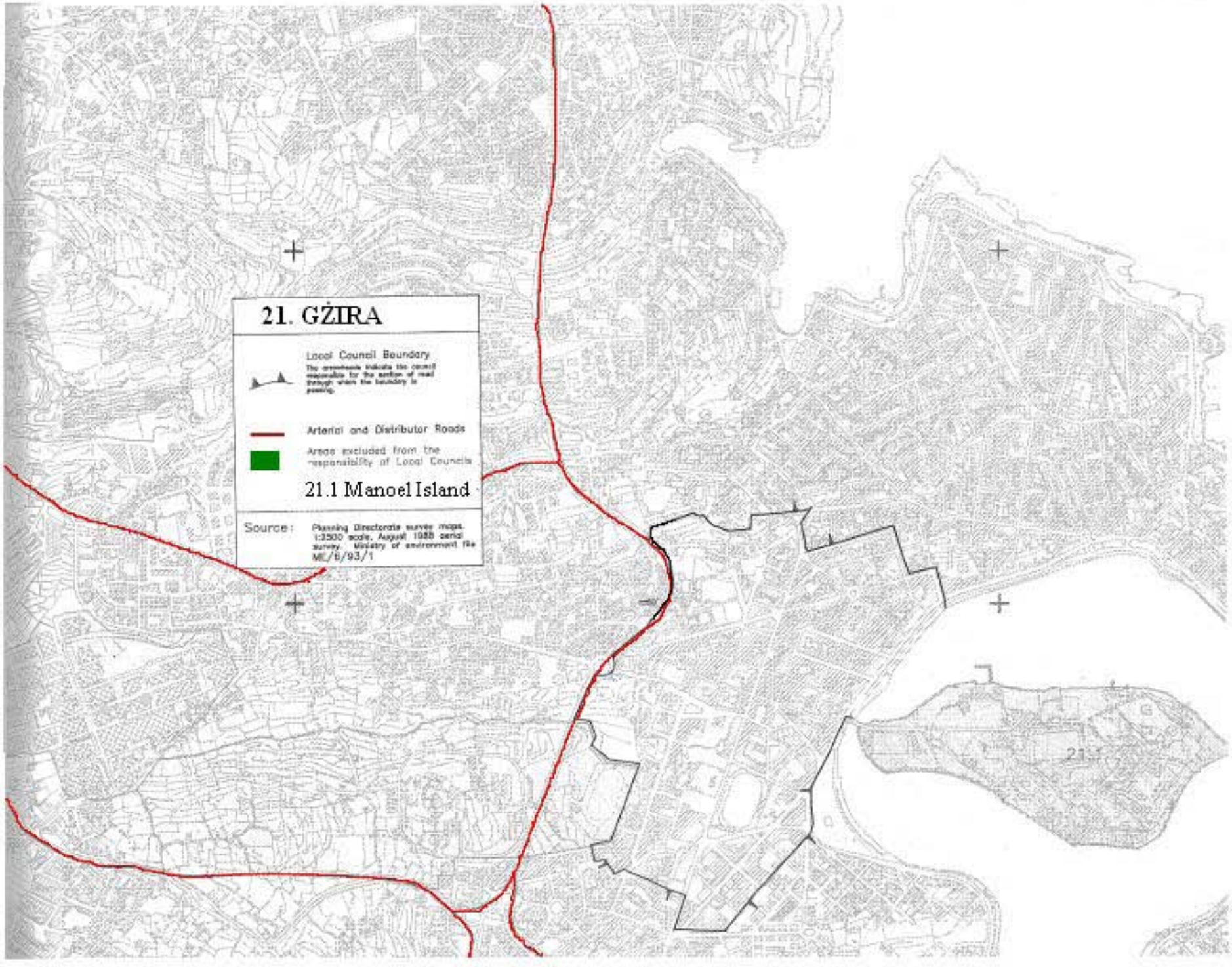

18. FLORIANA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

18

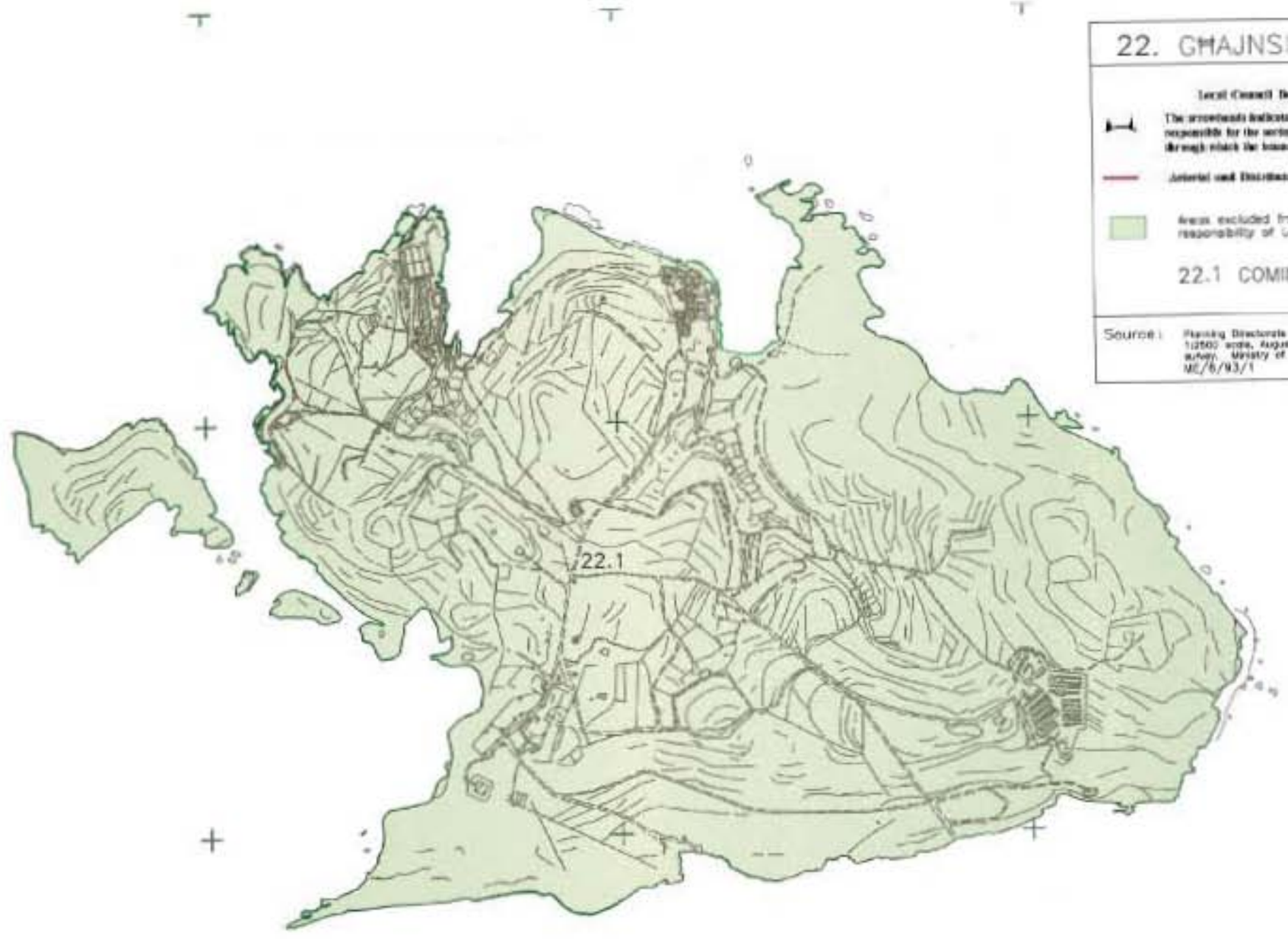

19. FONTANA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviorment file ME/6/93/1

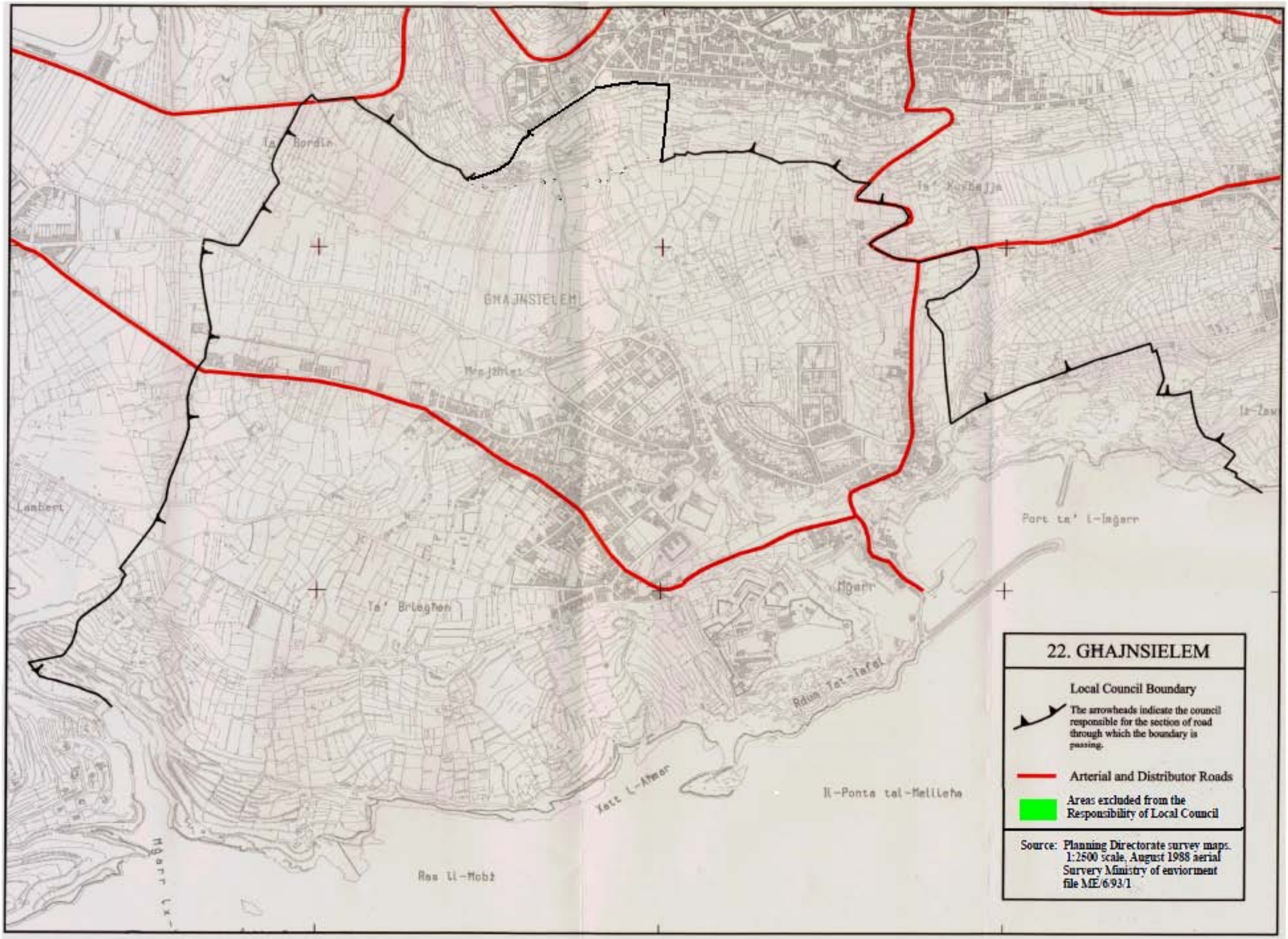
19


20. GUDJA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Reads
Source : Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


21. GŻIRA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
21.1 Manoel Island
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1
21.1

21


22. GHAJNSIELEM
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
22.1 COMINO
Source: Planning Directorate survey maps 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1
22.1


Ta' Kordin
GHAJNSIELEM
Mosjkiet
Ta' Xarbaġa
Lambert
Ta' Brieghen
Mġarr
Rdum Tat-Tafal
Xatt l-Ahmar
Il-Ponta tal-Mellieha
Ras il-Mobż
Mġarr ix-
Port ta' l-Imgarr
22. GHAJNSIELEM
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the Responsibility of Local Council
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file ME/6/93/1

1

22

23. GHARB

Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing

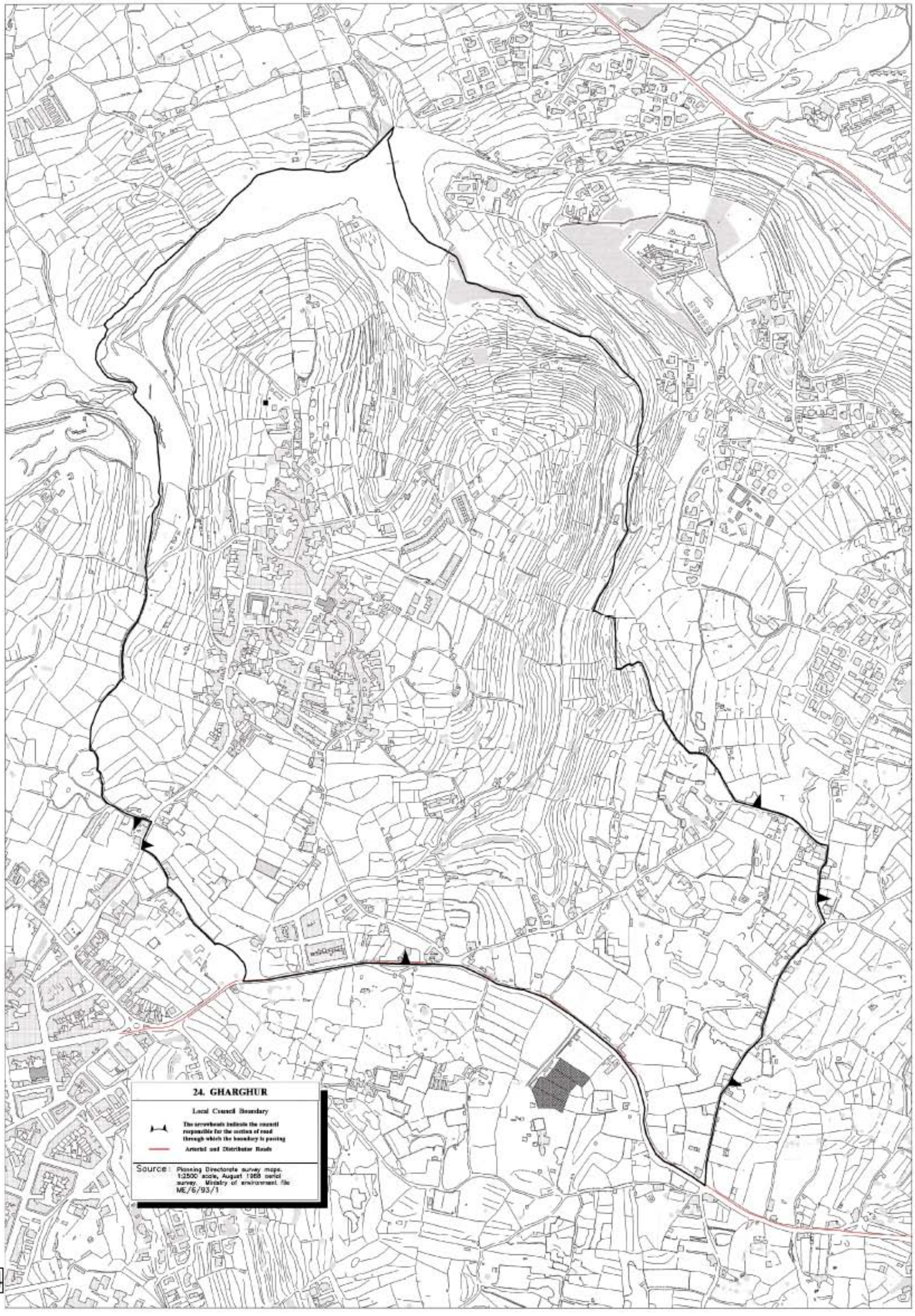
Arterial and Distributor Roads

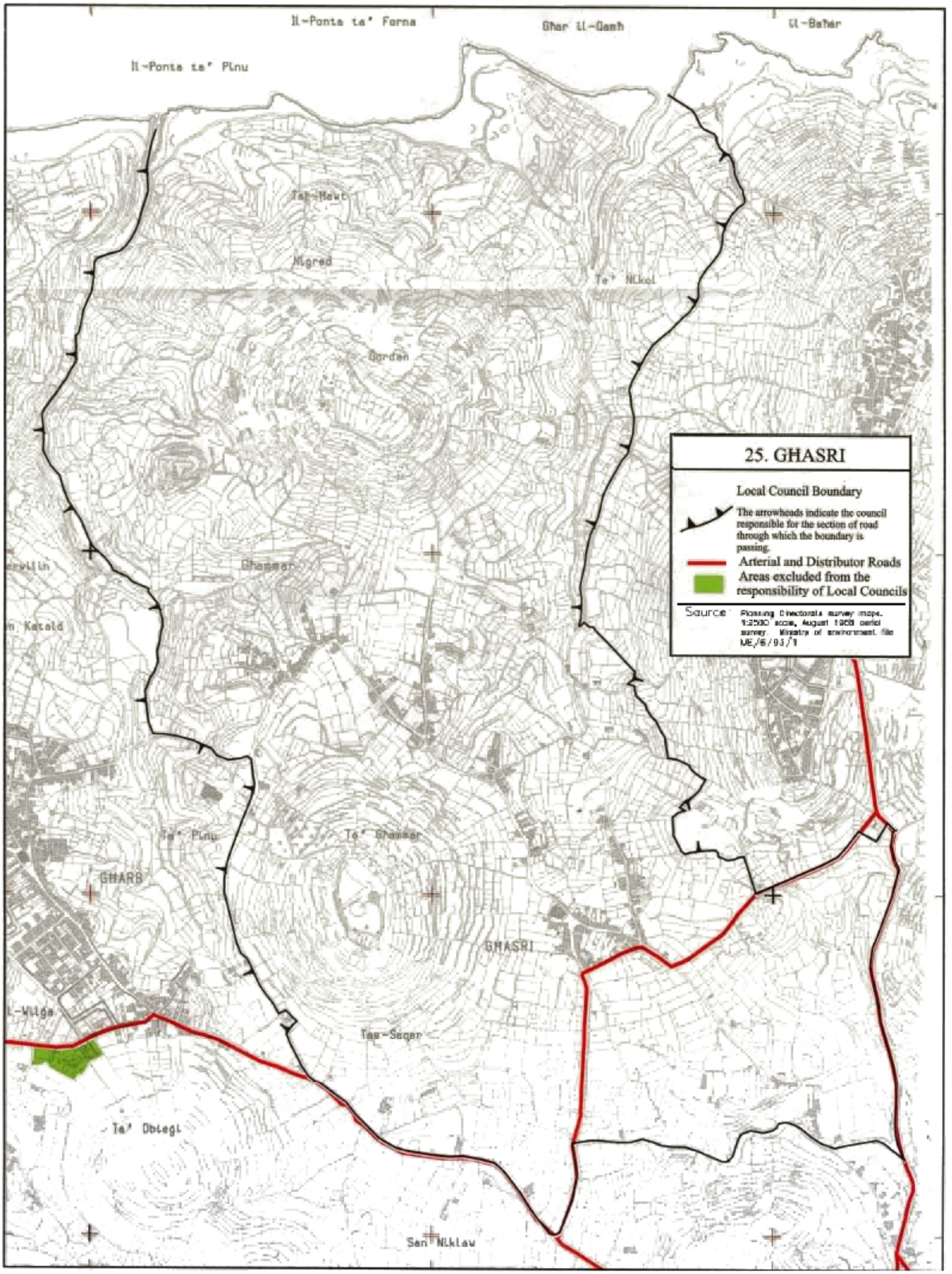
Areas excluded from the responsibility of Local Councils

23.1 GOZO CRAFTS VILLAGE

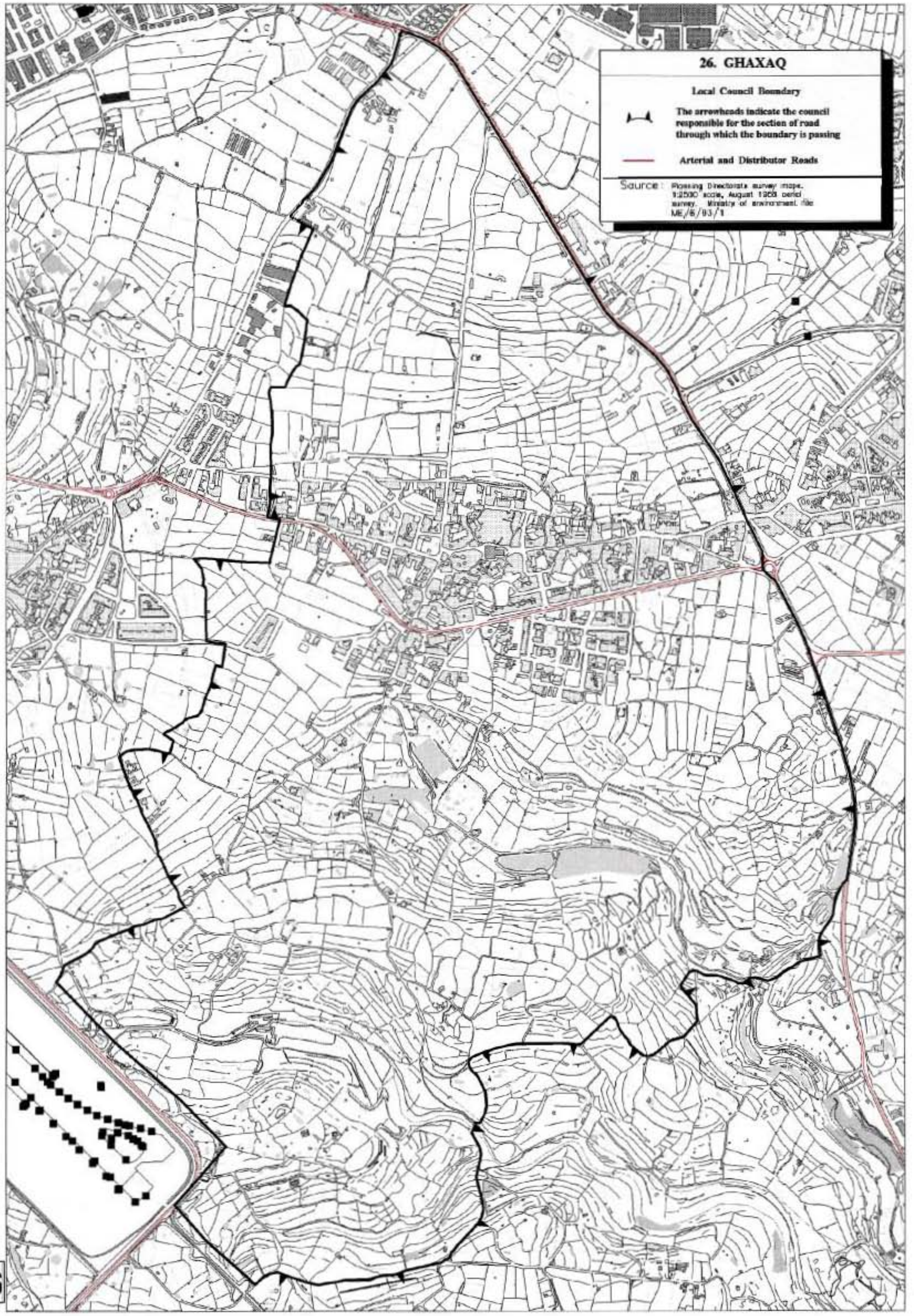
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

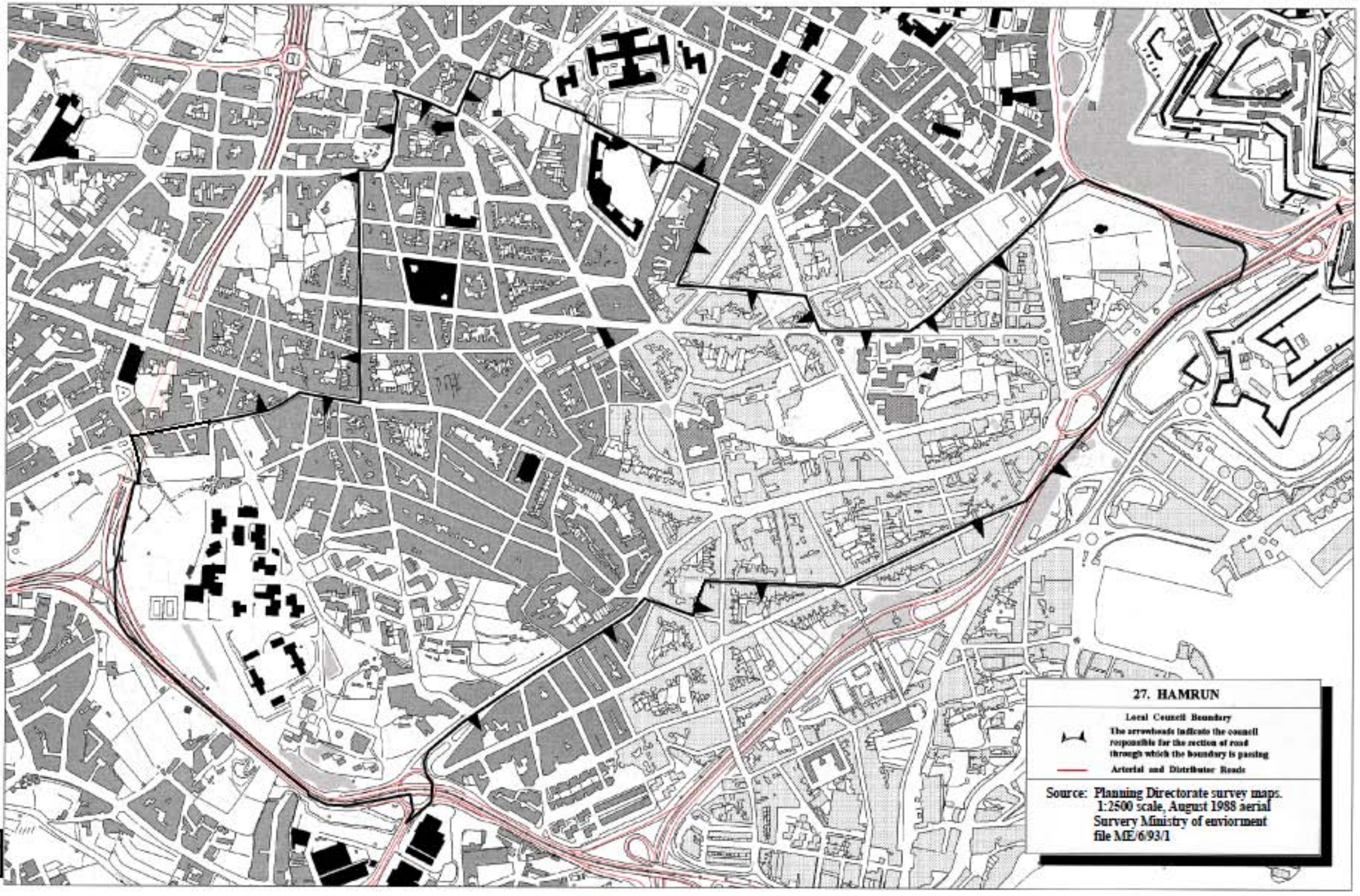



24. GHARGHUR
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

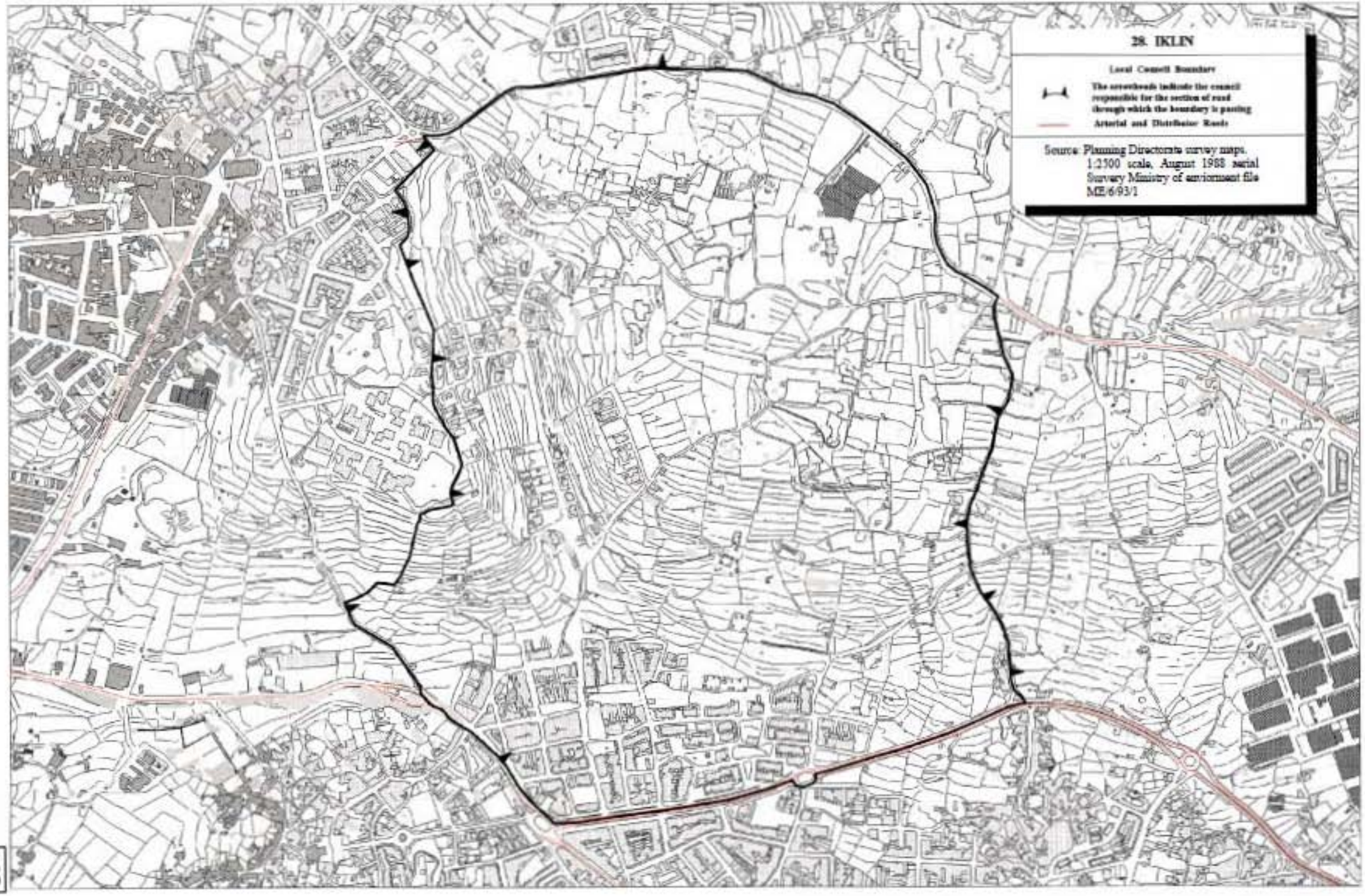

Il-Ponta ta' Ferna
Ghar il-Qamh
Il-Bahar
Il-Ponta ta' Pinu
Ta'-Mewt
Migred
Ta' Nikol
Gordan
Ghemmar
Katald
Ta' Pinu
Ta' Ghemmar
GHARB
GHASRI
L-Ulga
Ta' Obiegi
Tas-Seqer
San Niklaw
25. GHASRI
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment. file ME/6/93/1

25

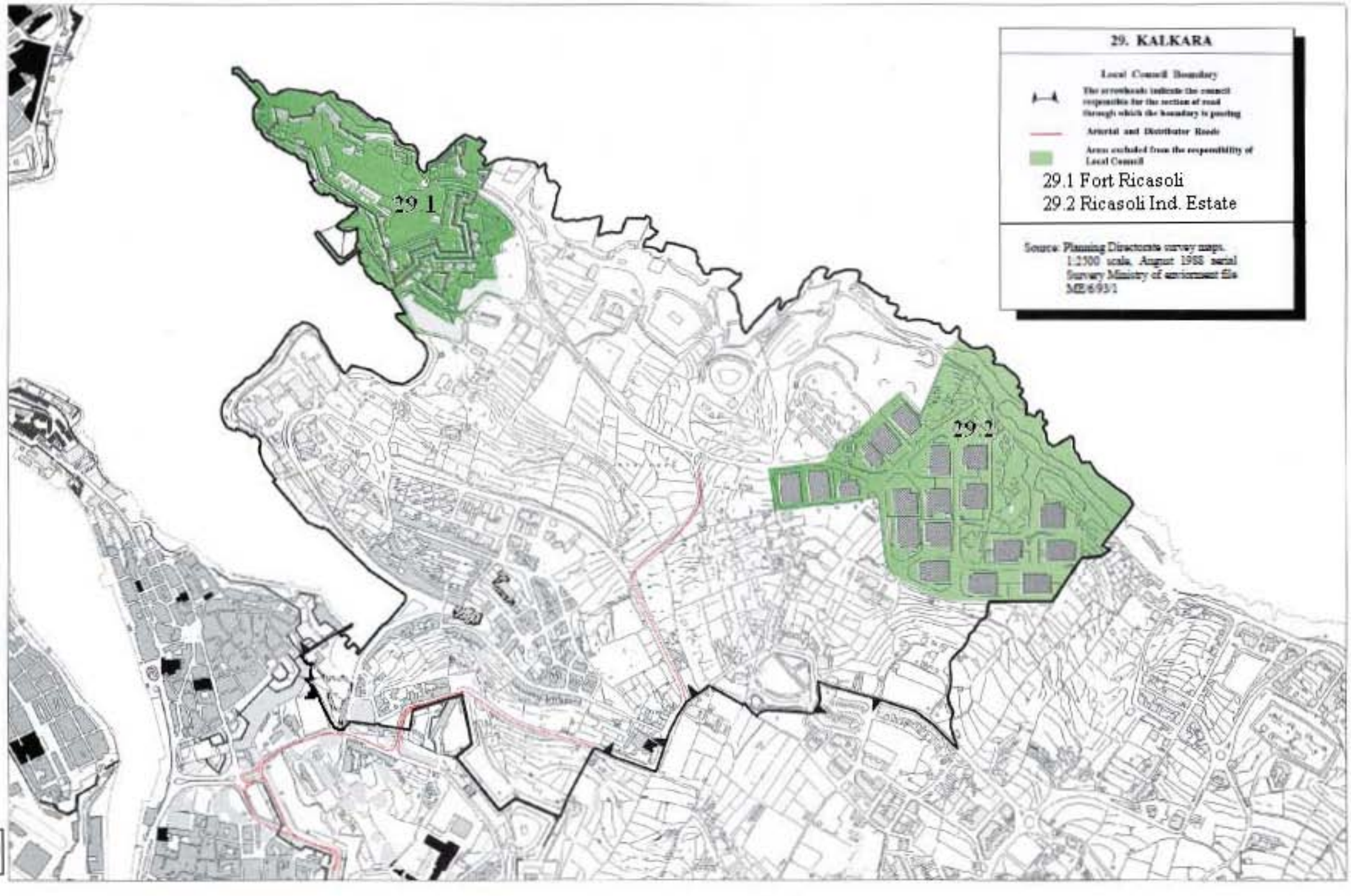

26. GHAXAQ
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source : Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1
26


27. HAMRUN
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviorment file ME/6/93/1

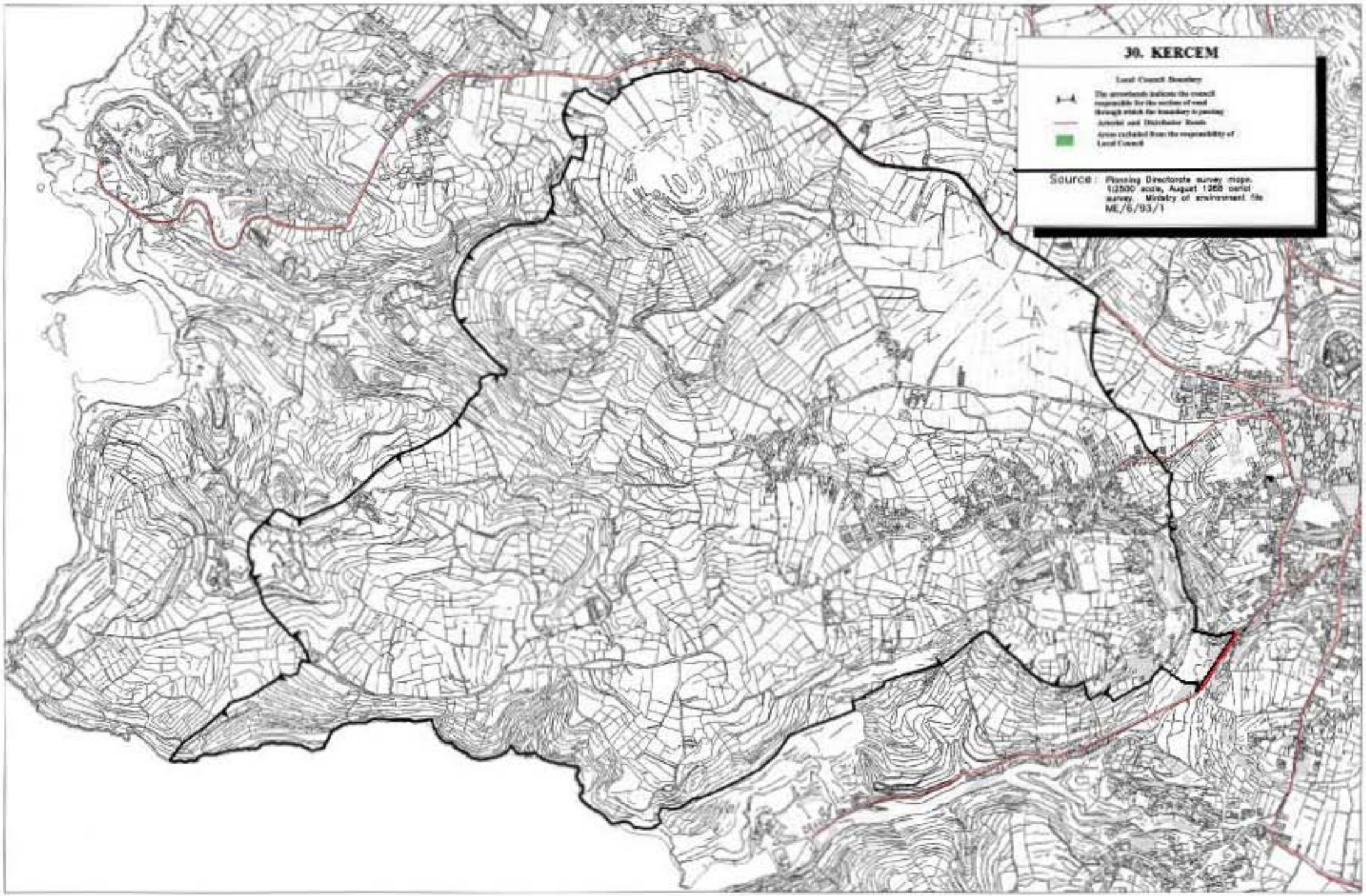
27


28. IKLIN
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1

28


29. KALKARA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
29.1 Fort Ricasoli
29.2 Ricasoli Ind. Estate
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey Ministry of environment file ME/6/93/1
29.1
29.2

29


30. KERCEM
Local Council Boundary
A—A
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
Source: Planning Directorate survey maps, 1/2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

30

31. KIRKOP

Local Council Boundary

The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

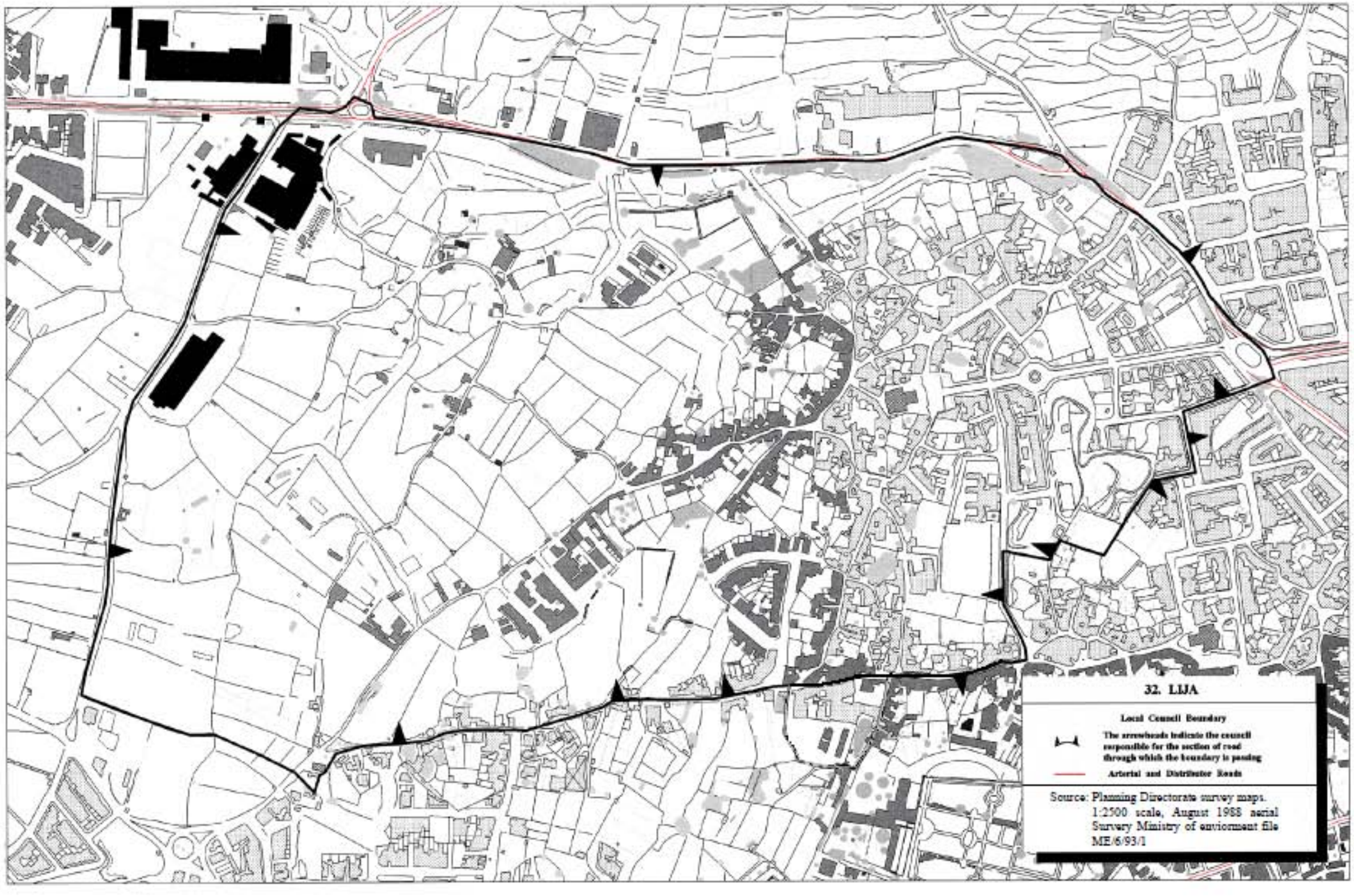
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviorment file ME/6/93/1

Tad-Dawl

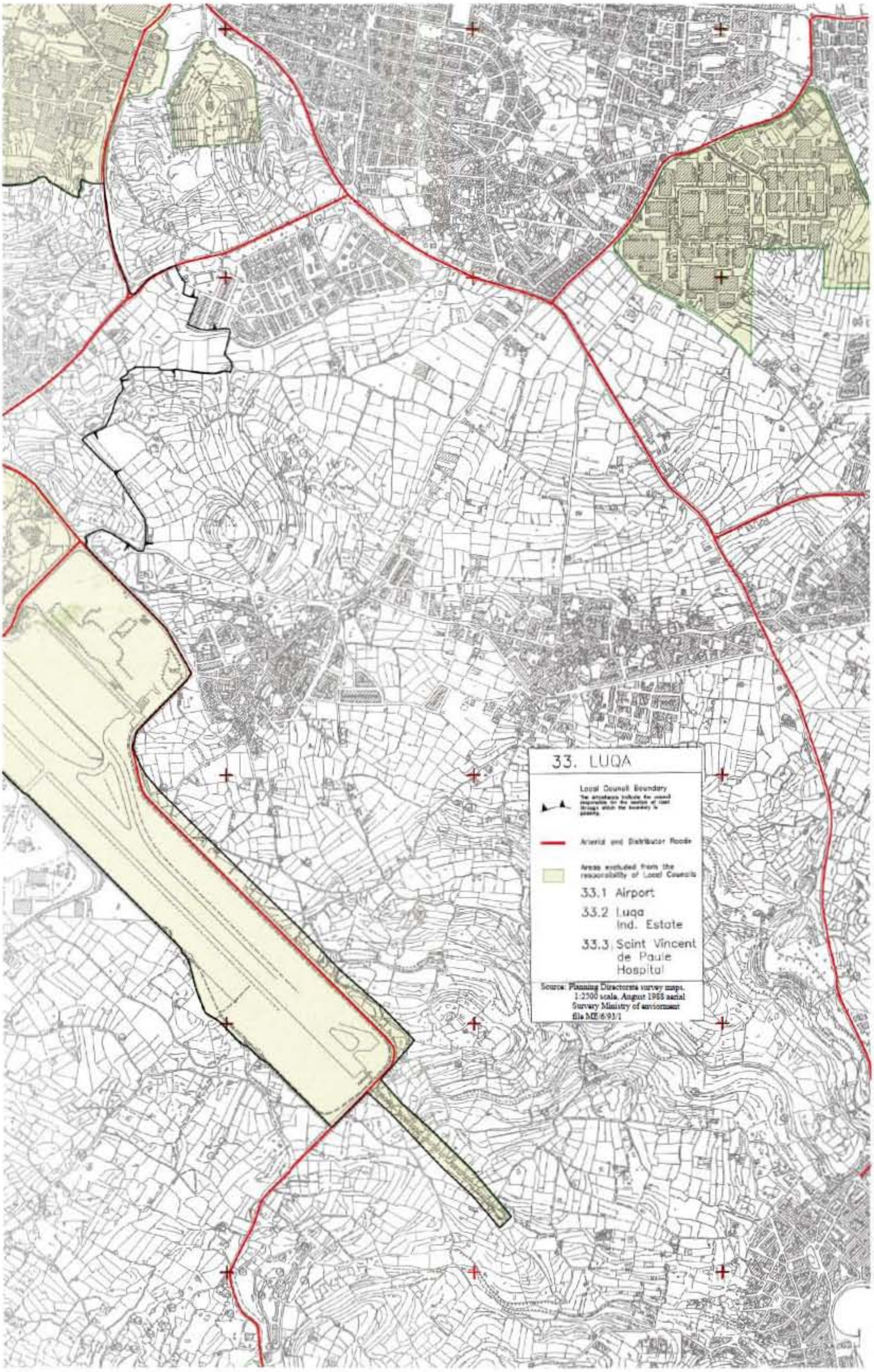
Cuttalf Gandolf

KIRKOP

SAFI


32. LIJA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1

32


33. LUQA
Local Council Boundary
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
33.1 Airport
33.2 Luqa Ind. Estate
33.3 Saint Vincent de Paule Hospital
Source: Planning Directorate survey maps. 1:2500 scale. August 1988 aerial Survey Ministry of environment file ME/6/93/1

33.3

33.2

33.1

33. LUQA

Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

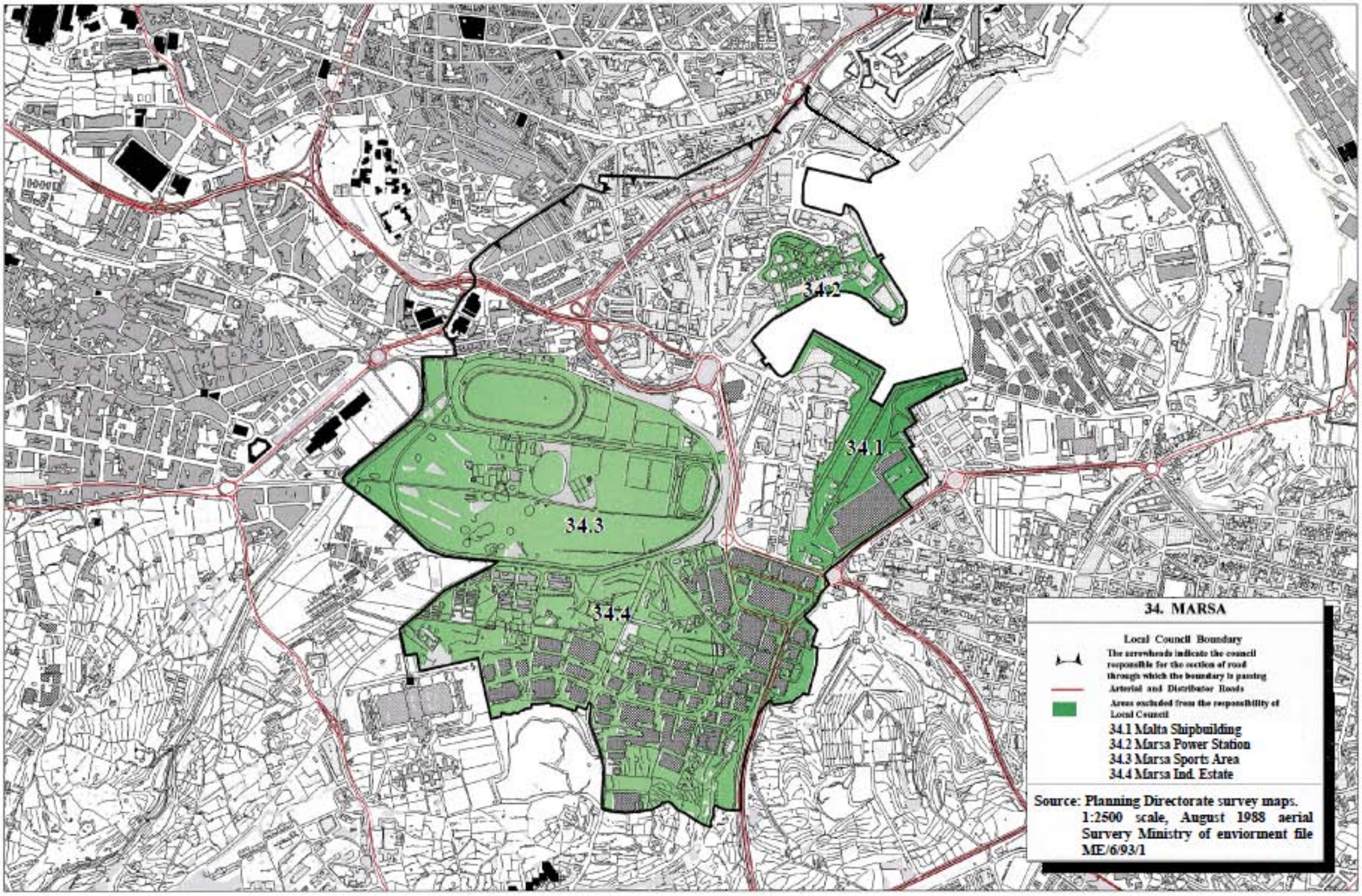
Areas excluded from the responsibility of Local Councils

33.1 Airport

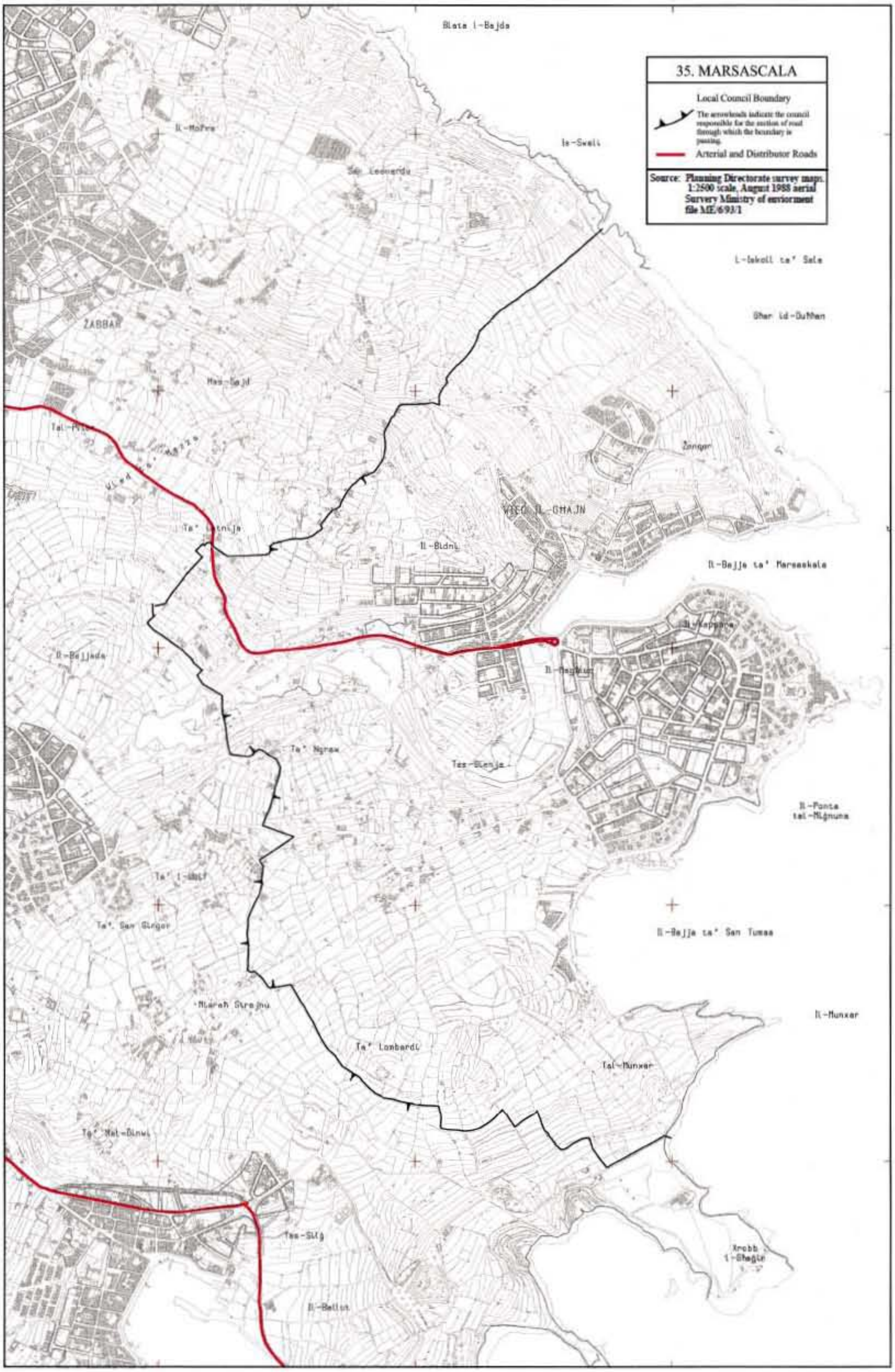
33.2 Luqa Ind. Estate

33.3 Saint Vincent de Paule Hospital

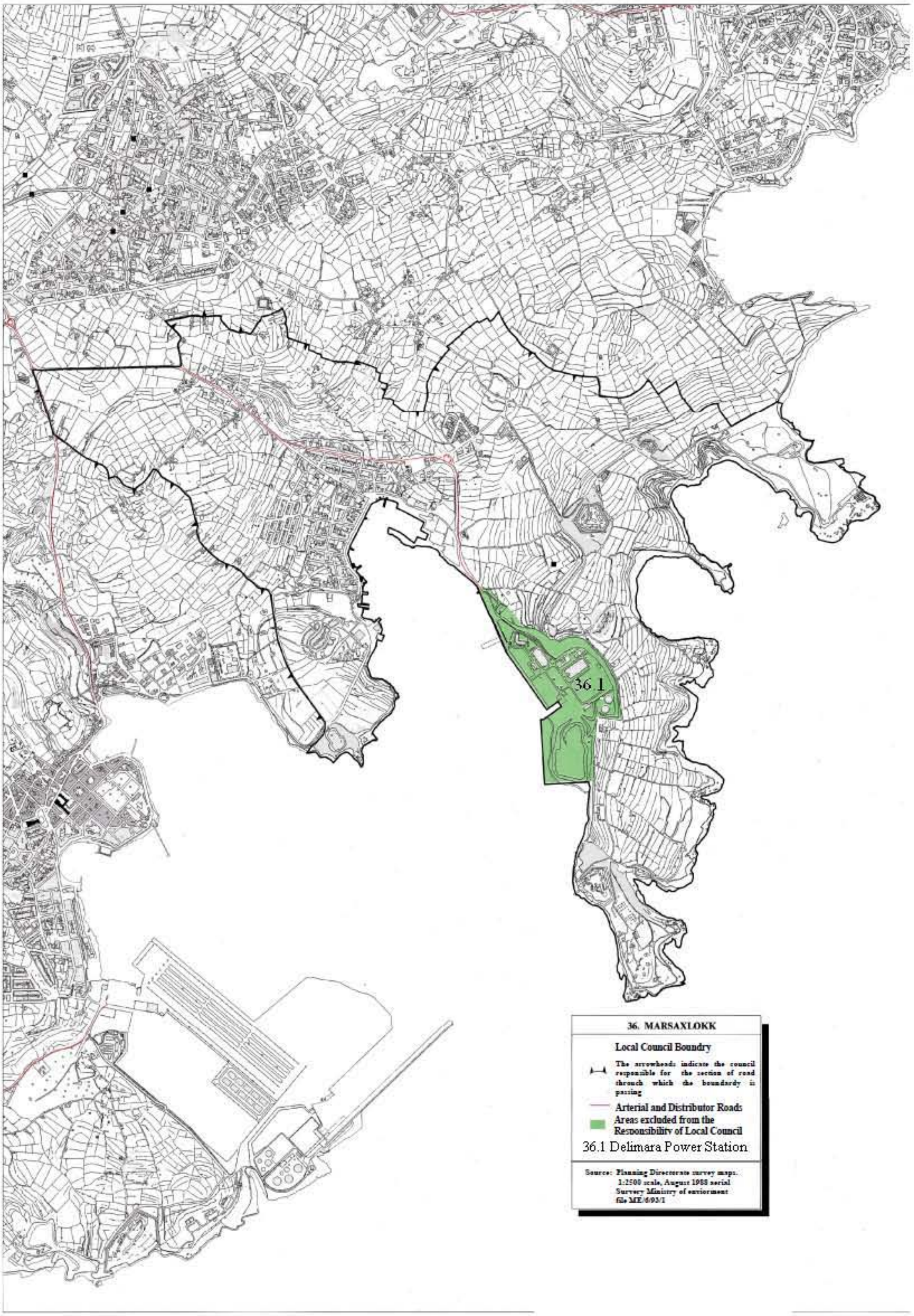
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1


34.2
34.1
34.3
34.4
34. MARSA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
34.1 Malta Shipbuilding
34.2 Marsa Power Station
34.3 Marsa Sports Area
34.4 Marsa Ind. Estate
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file ME/6/93/1

34


35. MARSASCALA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1
Blata l-Bajda
Is-Swali
Sa' Leonardu
L-Iskoll ta' Sala
Ghar id-Dud'han
ZABBAR
Mas-Sajd
Zonqor
WIED IL-GHAJN
Ta' Qatnija
Il-Bidni
Il-Bajja ta' Marsaskala
Il-Kappara
Il-Bajjada
Il-Qaqmar
Ta' Ngraw
Tas-Sliema
Il-Ponta tal-Mignuna
Ta' l-Abbat
Ta'. San Girgor
Marsah Sirocco
Ta' Lombardi
Il-Munxar
Tal-Munxar
Il-Bajja ta' San Tumas
Ta' Mal-Sinwi
Tas-Silg
Il-Bellun
Xrobb l-Ghagin

35



36. MARSAXLOKK

Local Council Boundry

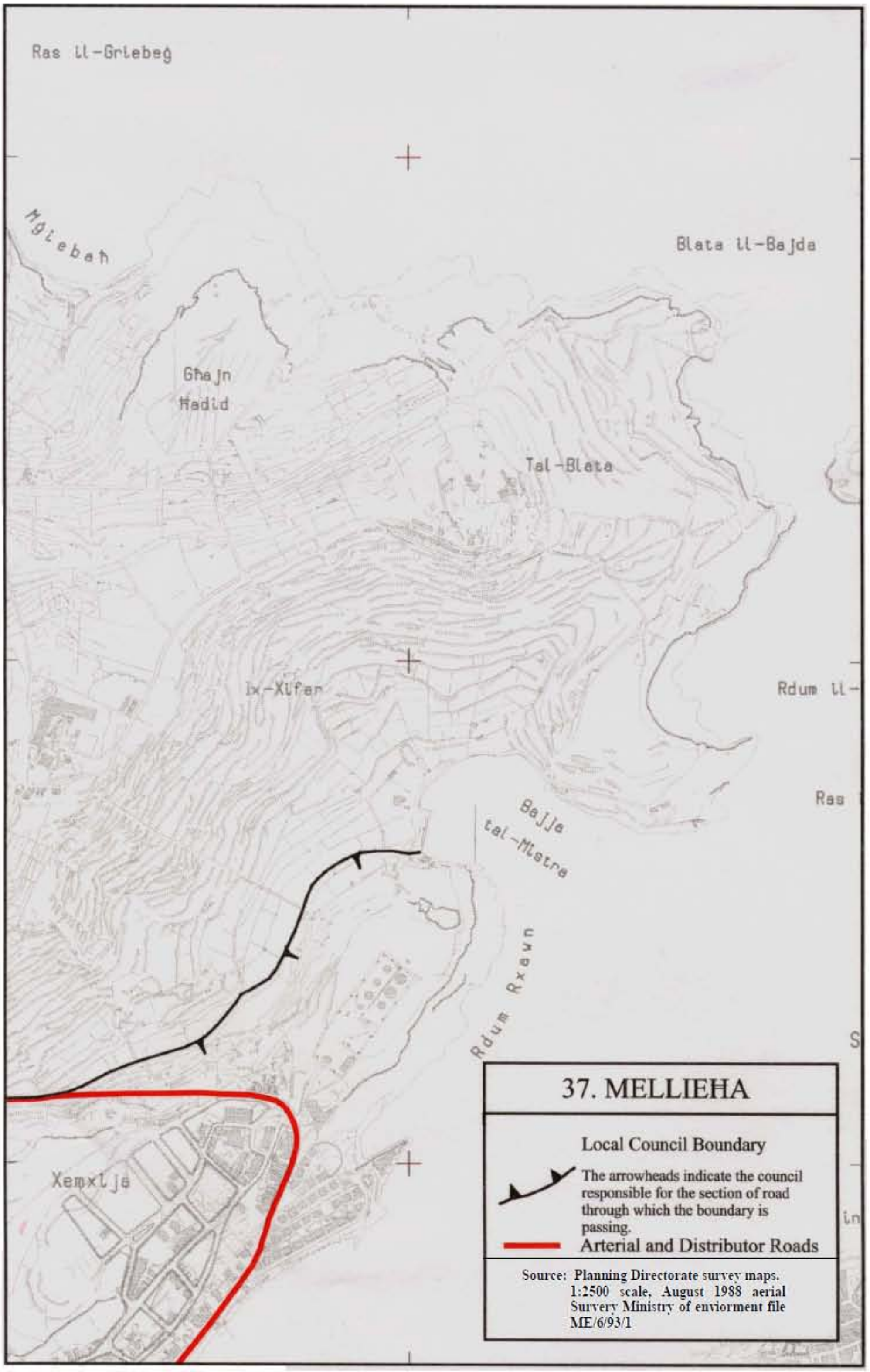
The arrowheads indicate the council responsible for the section of road through which the boundardy is passing

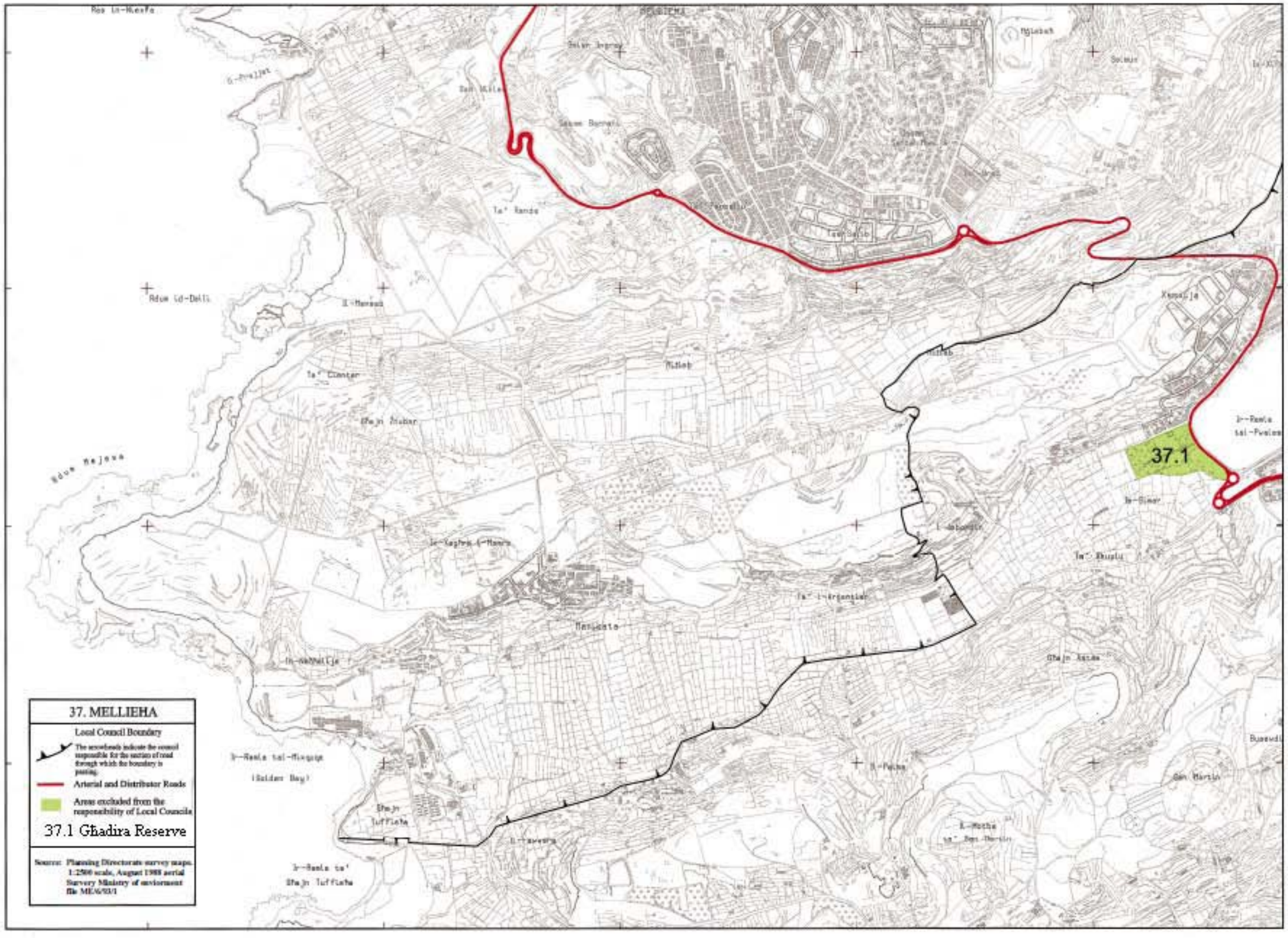
Arterial and Distributor Roads

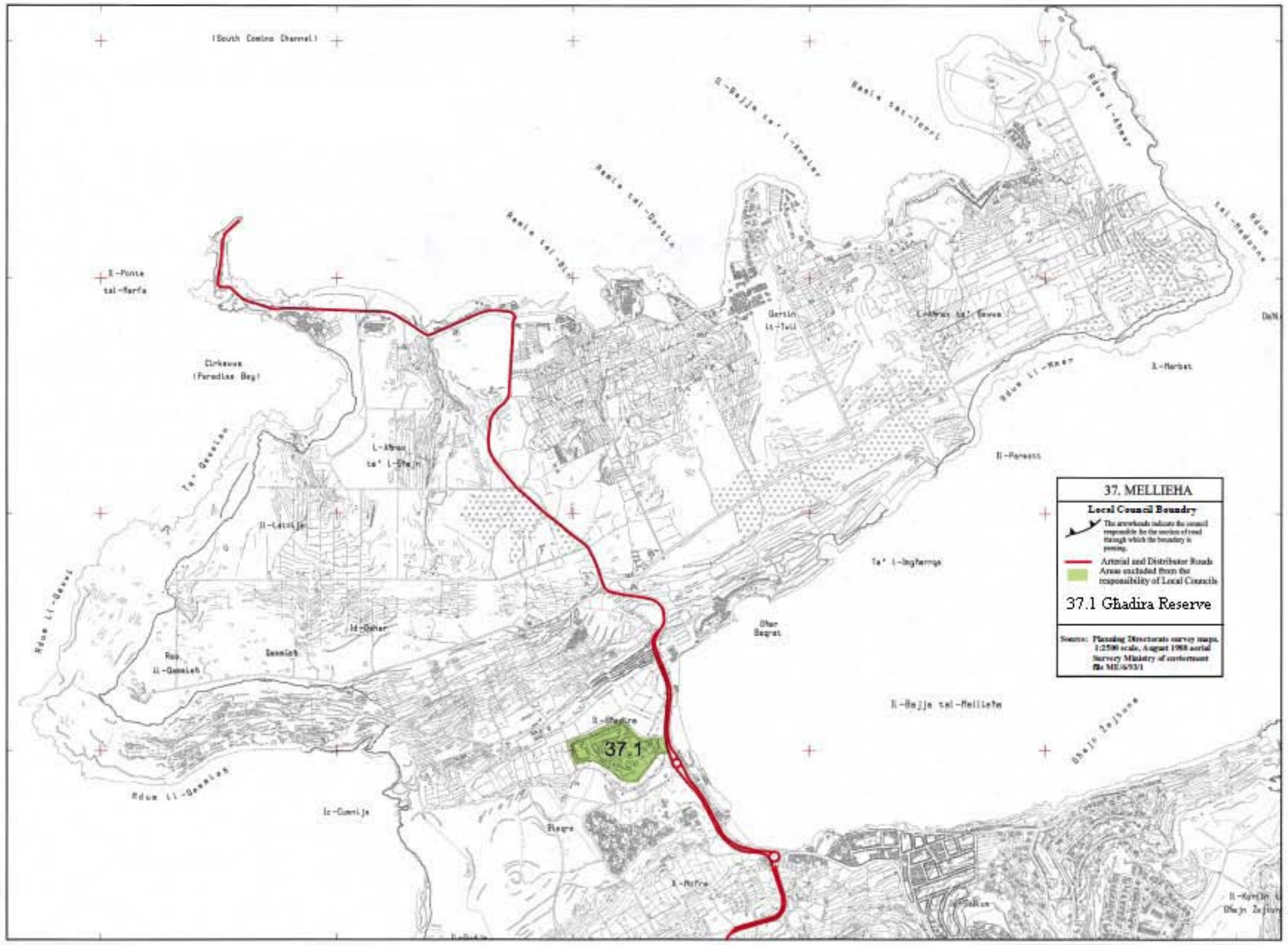
Areas excluded from the Responsibility of Local Council

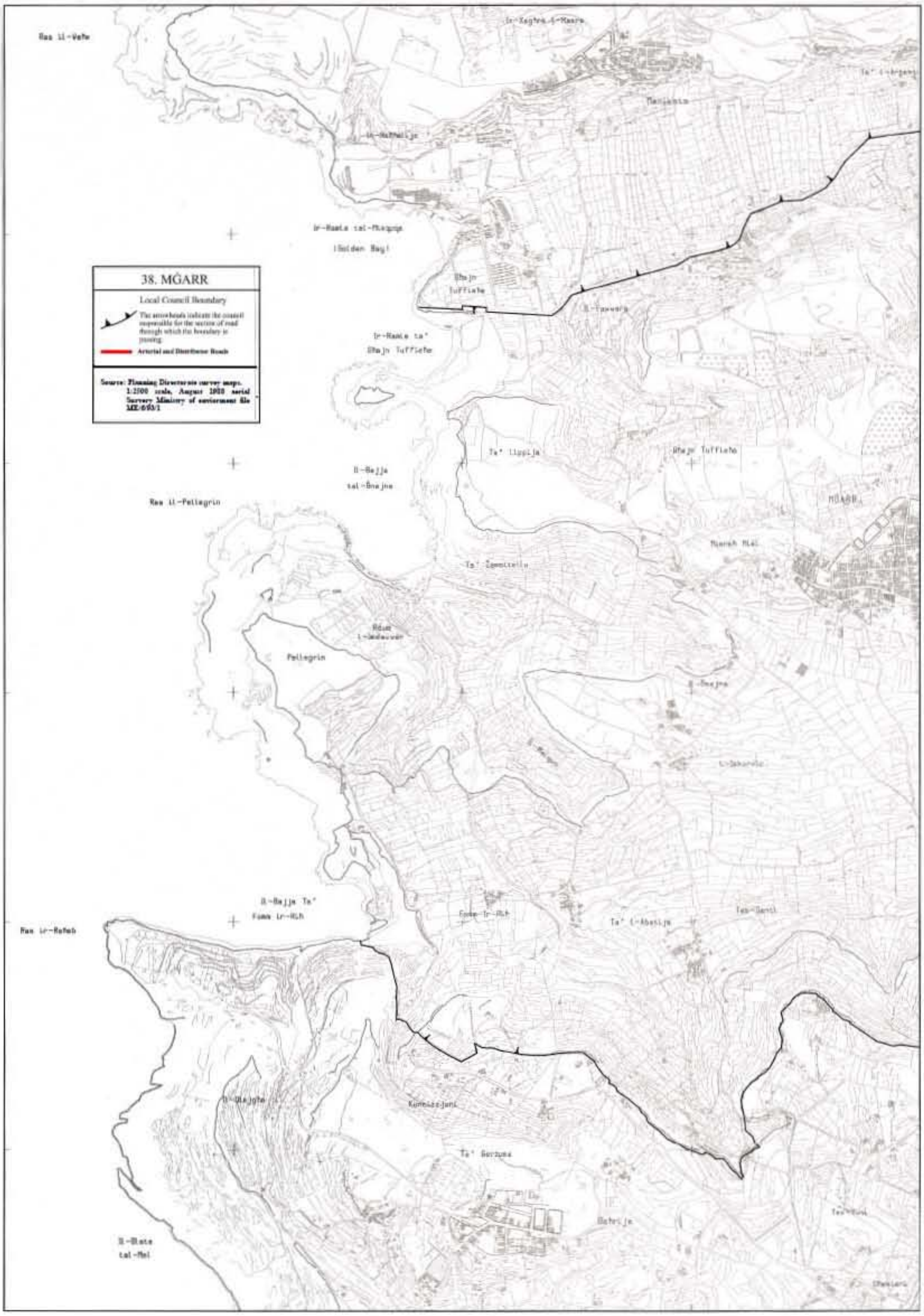
36.1 Delimara Power Station

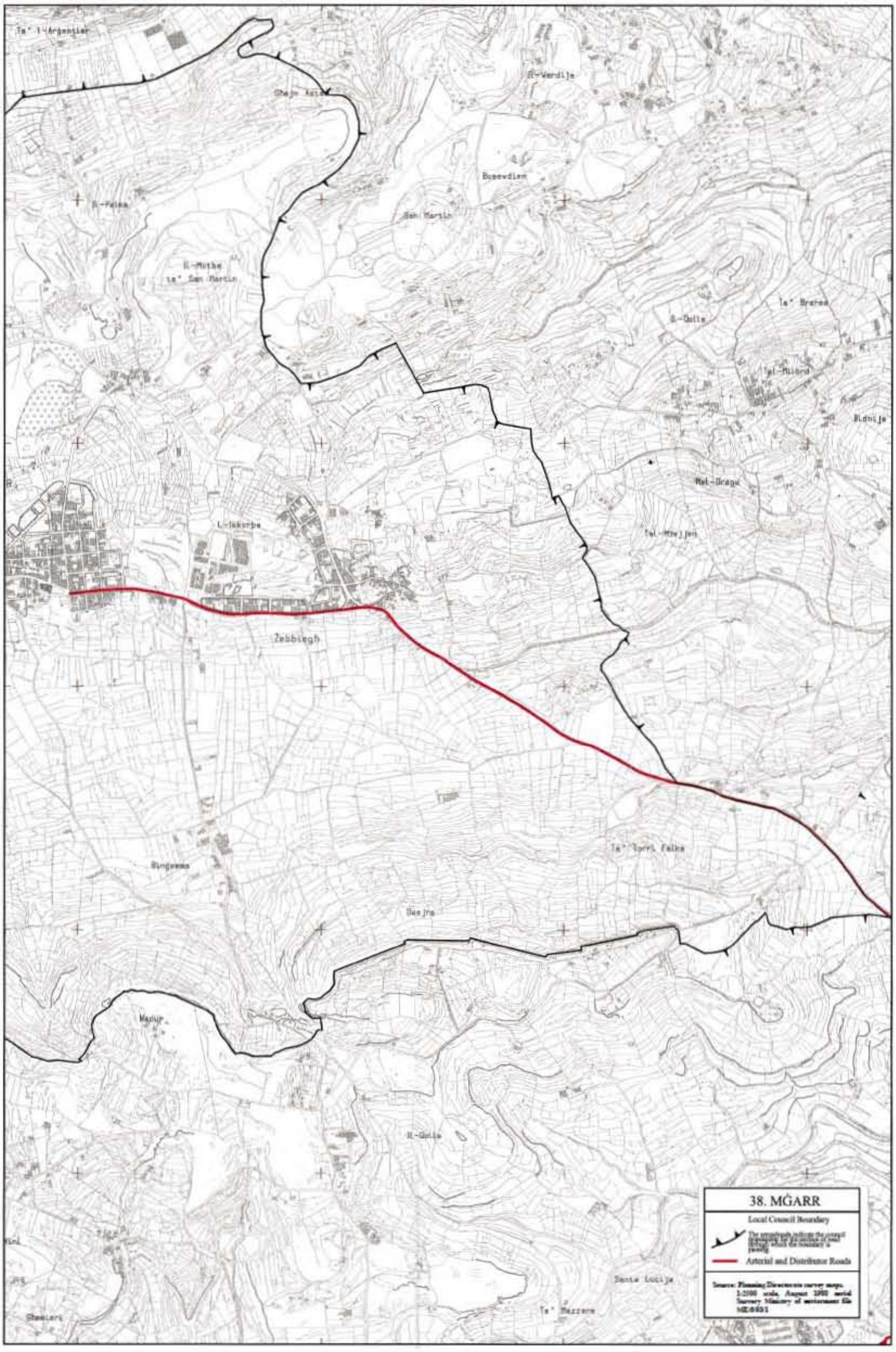
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1

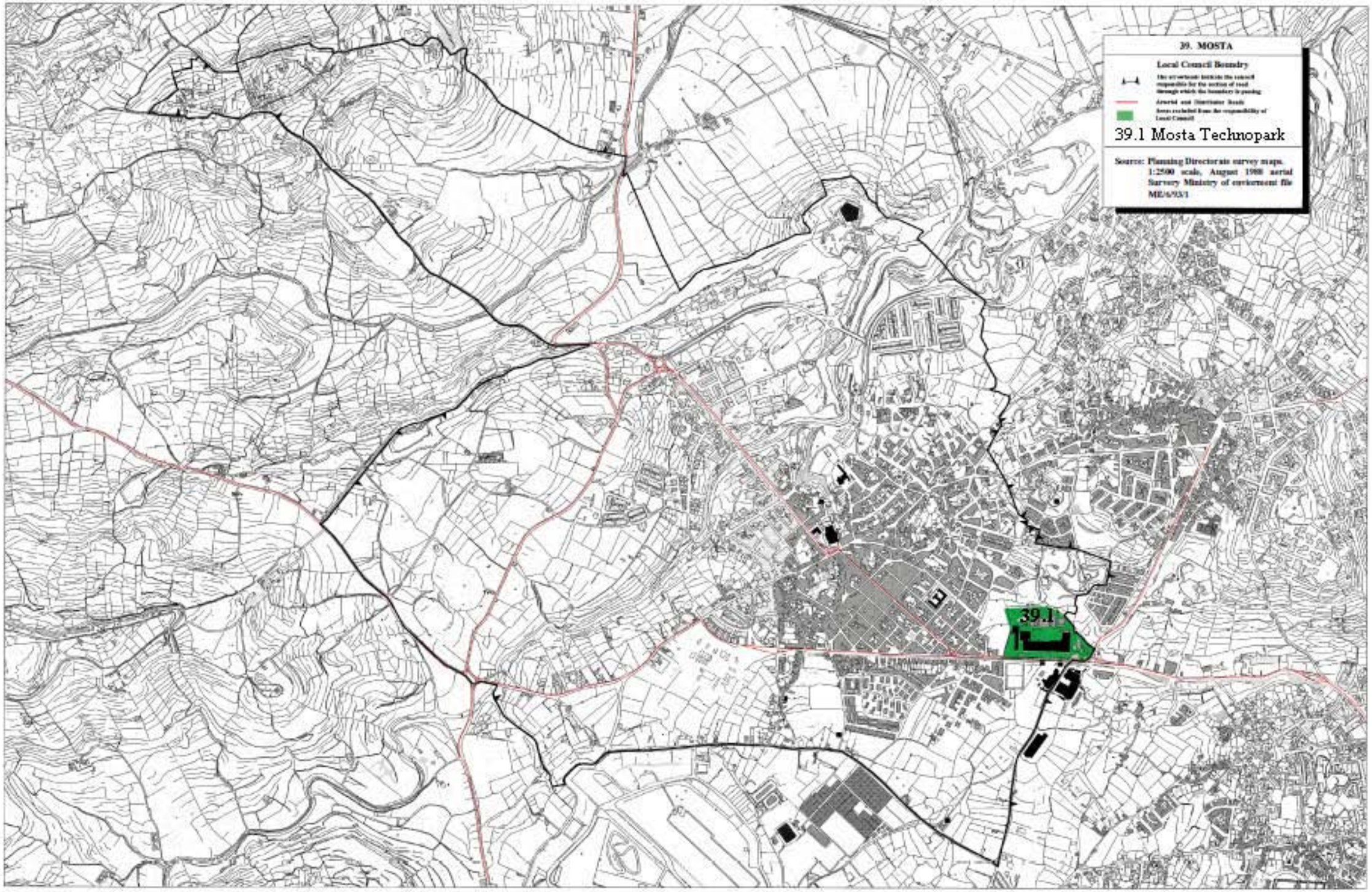

Ras il-Griebeg
Mgiebah
Blata il-Bajda
Ghajn
Hadid
Tal-Blata
Ix-Xlfer
Rdum ll-
Bajje
tal-Mistra
Rdum Rxaun
Xemxija
Ras
S
37. MELLIEHA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1


37.1
37. MELLIEHA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
37.1 Ghadira Reserve
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file ME/6/93/1

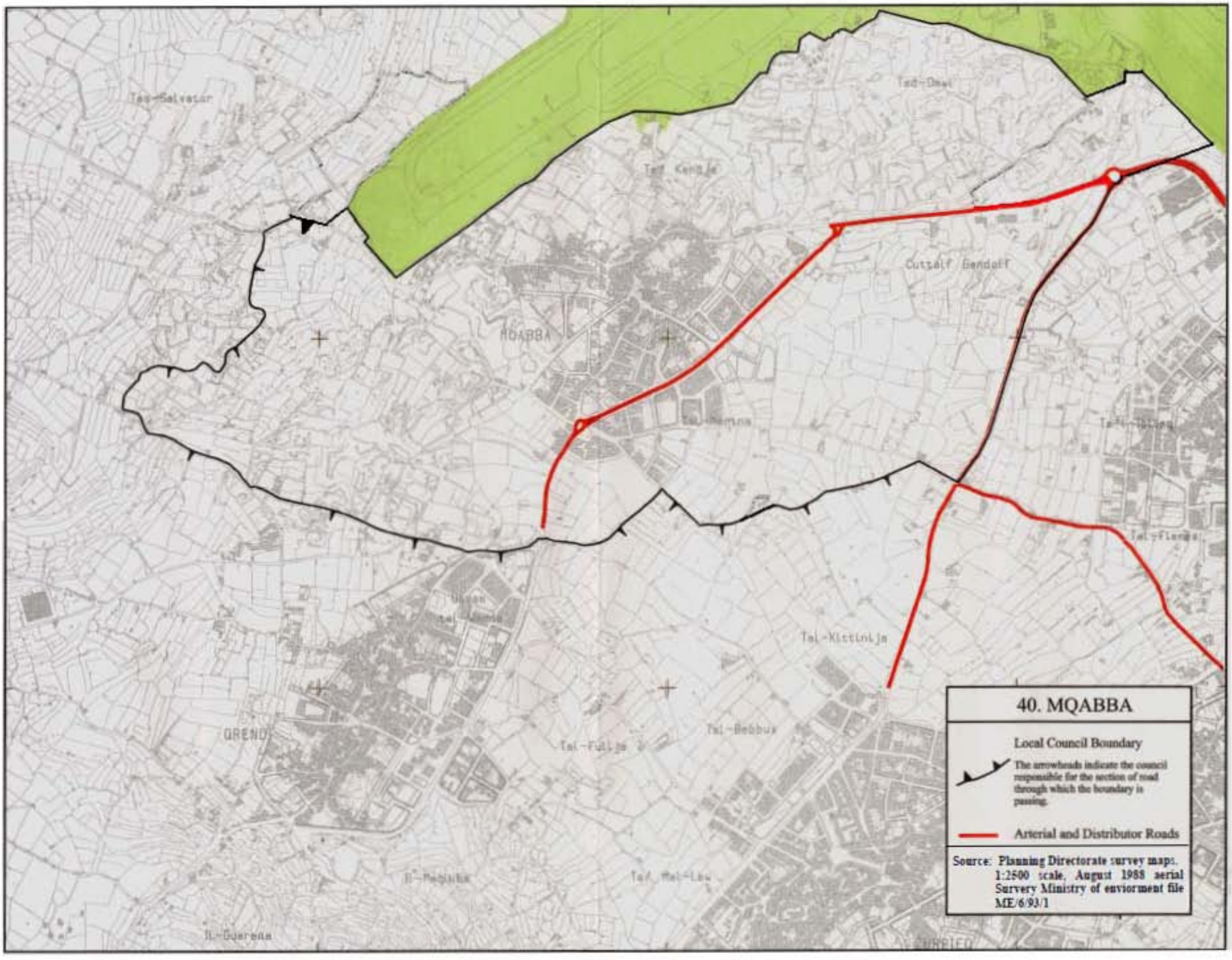

(South Comino Channel)
Il-Ponta tal-Karfa
Cirkewwa (Paradise Bay)
Ta' Qawsalun
Il-Lunzjata
Rdum il-Gawwa
Rdum il-Gemieh
Xemxiek
Il-Qaliet
Ic-Cumnija
Rdum il-Gennieb
Il-Bajja tal-Bluet
Bajja tal-Qarolla
Il-Bajja tar-Ramla
Bajja tal-Torri
Rdum l-Ahmar
Rdum tal-Madonna
Qortin it-Twil
L-Ahmar ta' Bawwa
Il-Karbat
Rdum il-Kbir
Il-Pwieraa
Ta' l-Ingharraq
Ghar Bagrat
Il-Bajja tal-Mellieha
Il-Ghadira
37.1
Ghajn Zejtuna
Il-Mafrie
Salina
37. MELLIEHA
Local Council Boundry
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
37.1 Għadira Reserve
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1

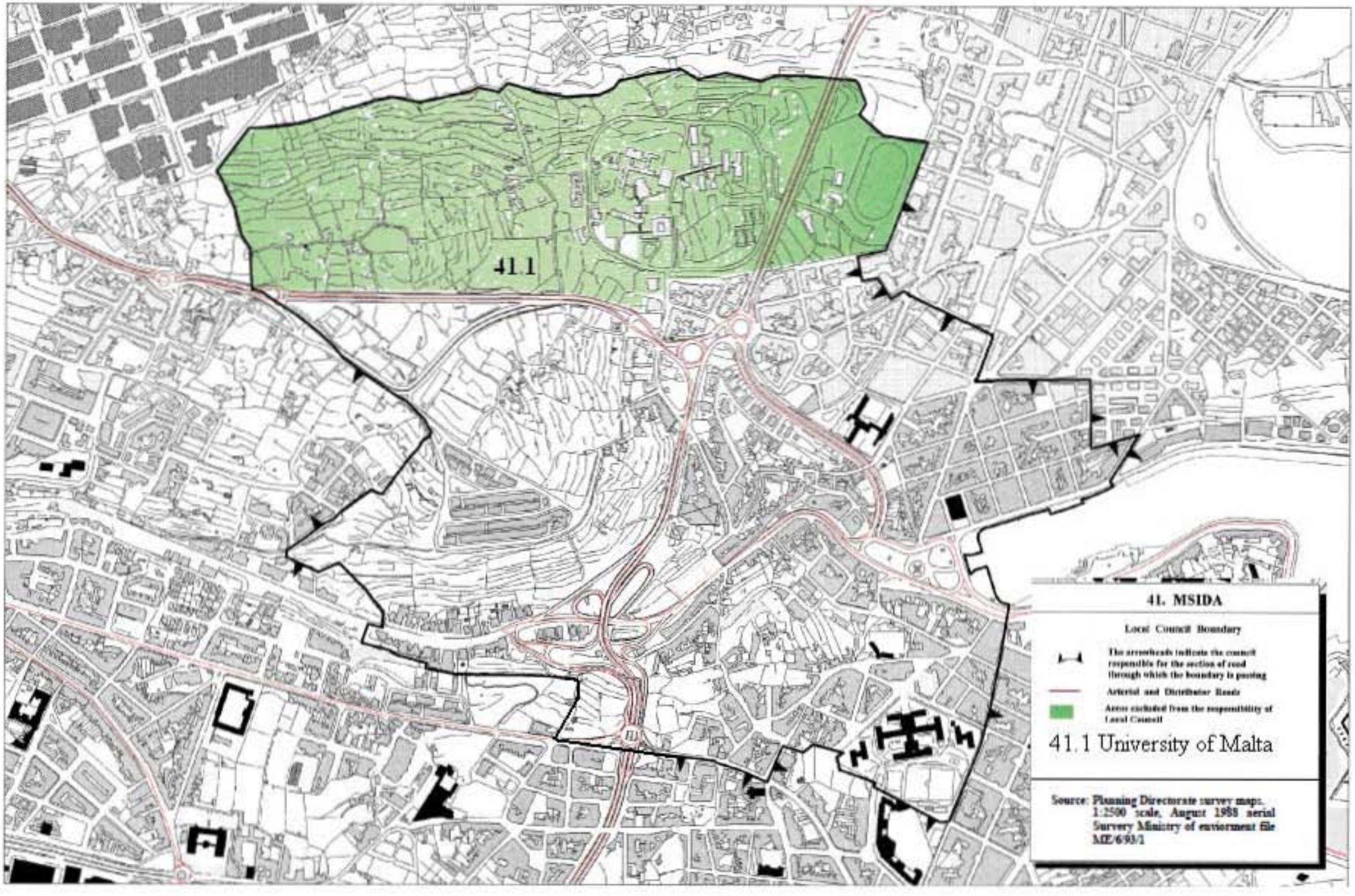

38. MĠARR
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 2002 aerial Survey Ministry of environment file MX/693/1
Ras il-Wahx
Ir-Xagħra tal-Mara
Ta' Ċirgħeni
Marġarita
Ir-Raħal ta' Ġiljan
Ġiljan Bay
Ġnejna Tuffieħa
Ir-Raħal ta' Ġnejna Tuffieħa
Ta' Ċikkuta
Ġnejna Tuffieħa
Il-Belliegħa tal-Ġnejna
Ras il-Pellegrin
Ta' Ċenturin
Marsa Mal
Mġarr
Pellegrin
Il-Ġnejna
Il-Qaqnar
Ġnejna Tuffieħa Ta'
Fomm ir-Riħ
Ta' l-Abatija
Tas-Sarmi
Ras ir-Raheb
Kumnija Junk
Ta' Berżuma
Il-Bajja tal-Mistra
Ta' Ġnejna
Ta' Ċikkuta


Ta' l-Argentier
Ghajn Kajta
Il-Verdija
Il-Palma
Buskett Gardens
San Martin
Il-Mithna ta' San Martin
Ta' Braxia
Il-Qolla
Tal-Mirdum
Blandja
Mal-Bragu
L-Imkarba
Tal-Mixtjun
Zebbiegh
Tal-Qroqq
Ta' Torri Falka
Bingemma
Buskett
Madliena
Il-Gnejna
Santa Lucija
Ta' Bezzina
Ghaxaq
38. MĠARR
Local Council Boundary
The arrowheads indicate the council possessing the portion of land (strip) which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate cartographic unit, 1:2500 scale, August 1988 aerial Survey Ministry of environment file MEA651


39. MOSTA
Local Council Boundry
39.1 Mosta Technopark
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Surveys Ministry of environment file ME/6/93/1
39.1

39


Tas-Salvator
Tad-Dwejl
Tad-Kensja
MQABBA
Cuttalf Gendolf
Tal-Flamma
Tal-Klittilija
Tal-Bebbux
Tal-Fulija
GRENDI
Tal-Mal-Lau
Il-Gwarena
40. MQABBA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1


41.1
41. MSIDA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
41.1 University of Malta
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1

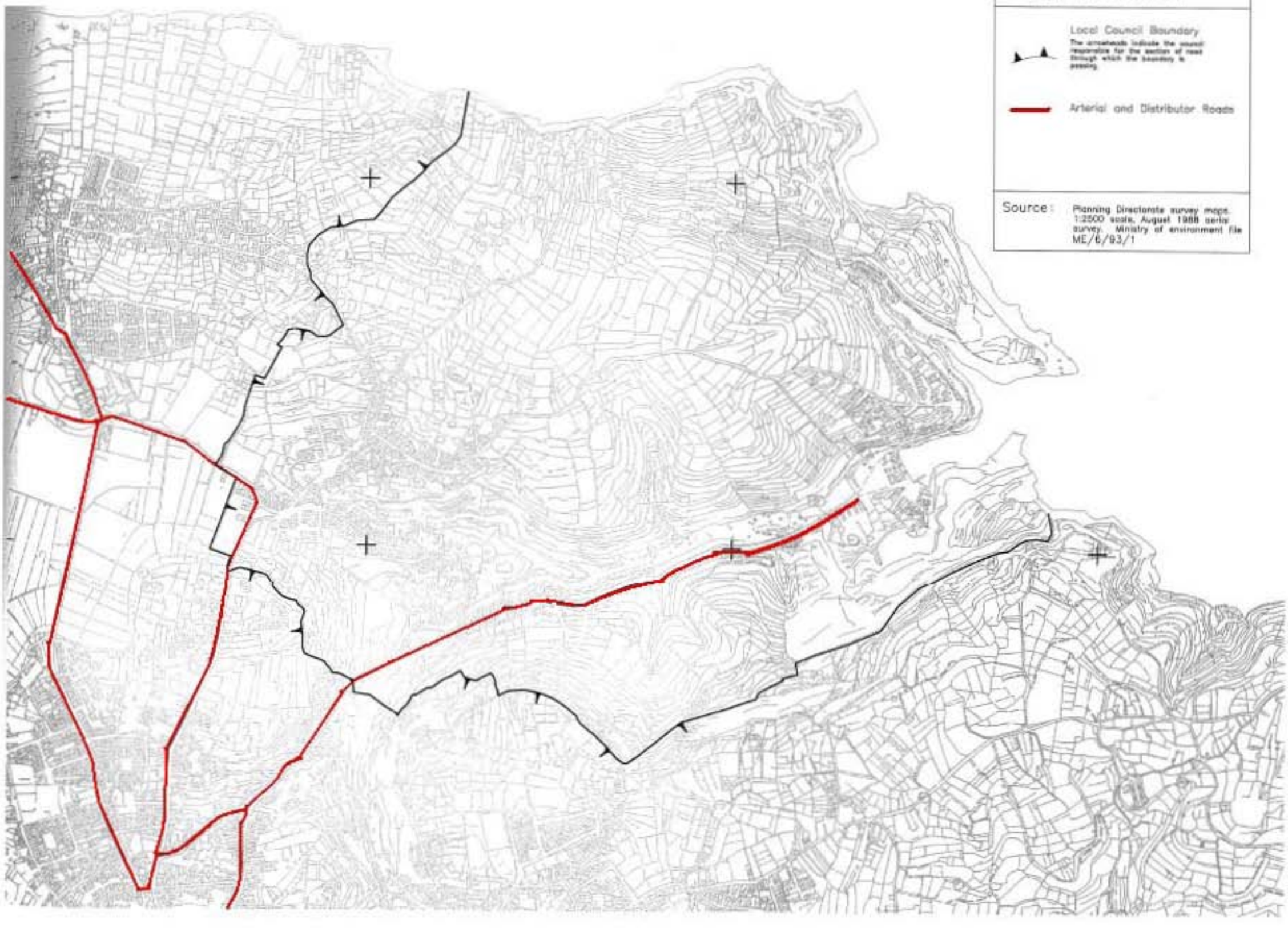
41

42. MUNXAR

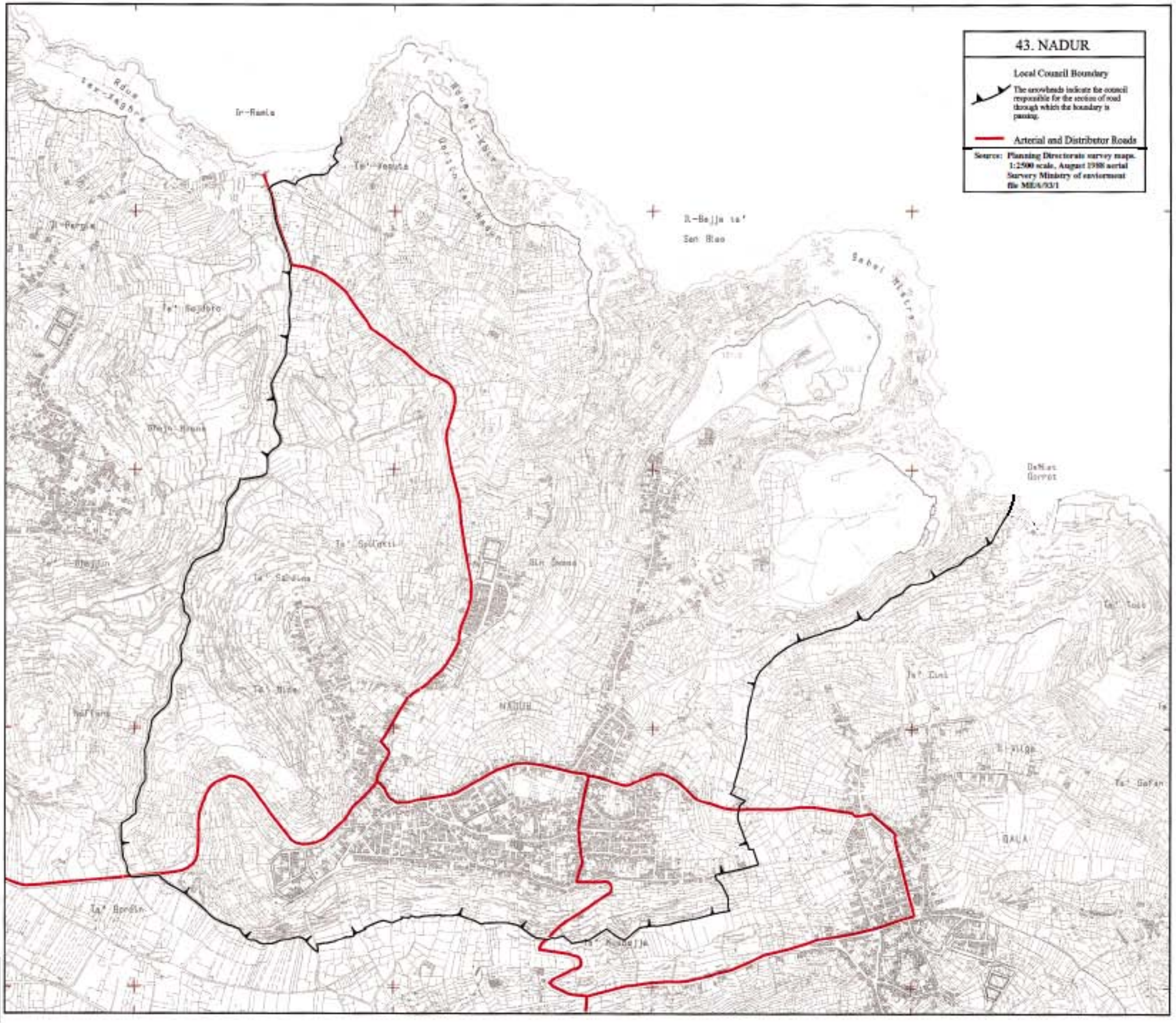
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing

Arterial and Distributor Roads

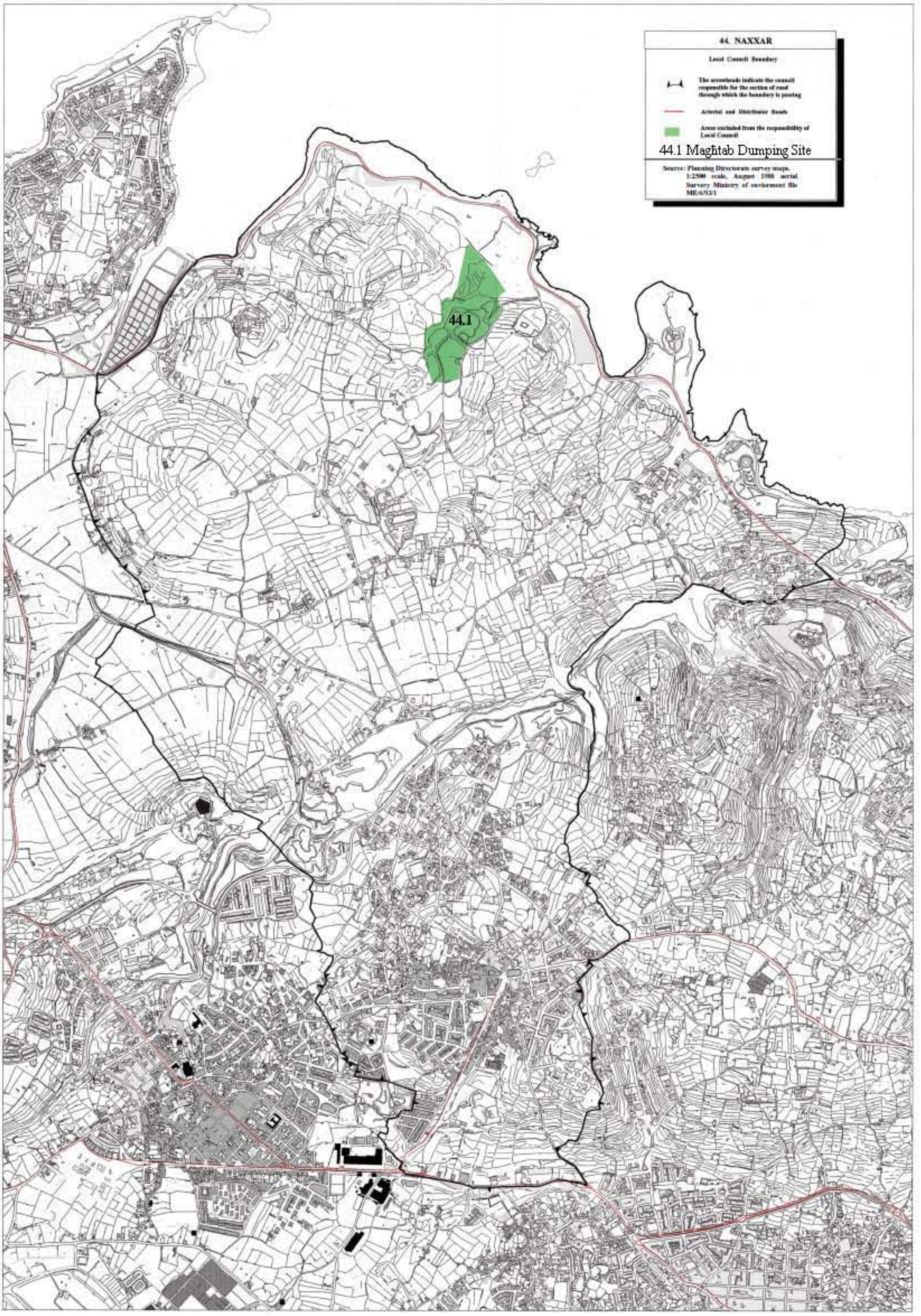
Source: Planning Directorate survey maps 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

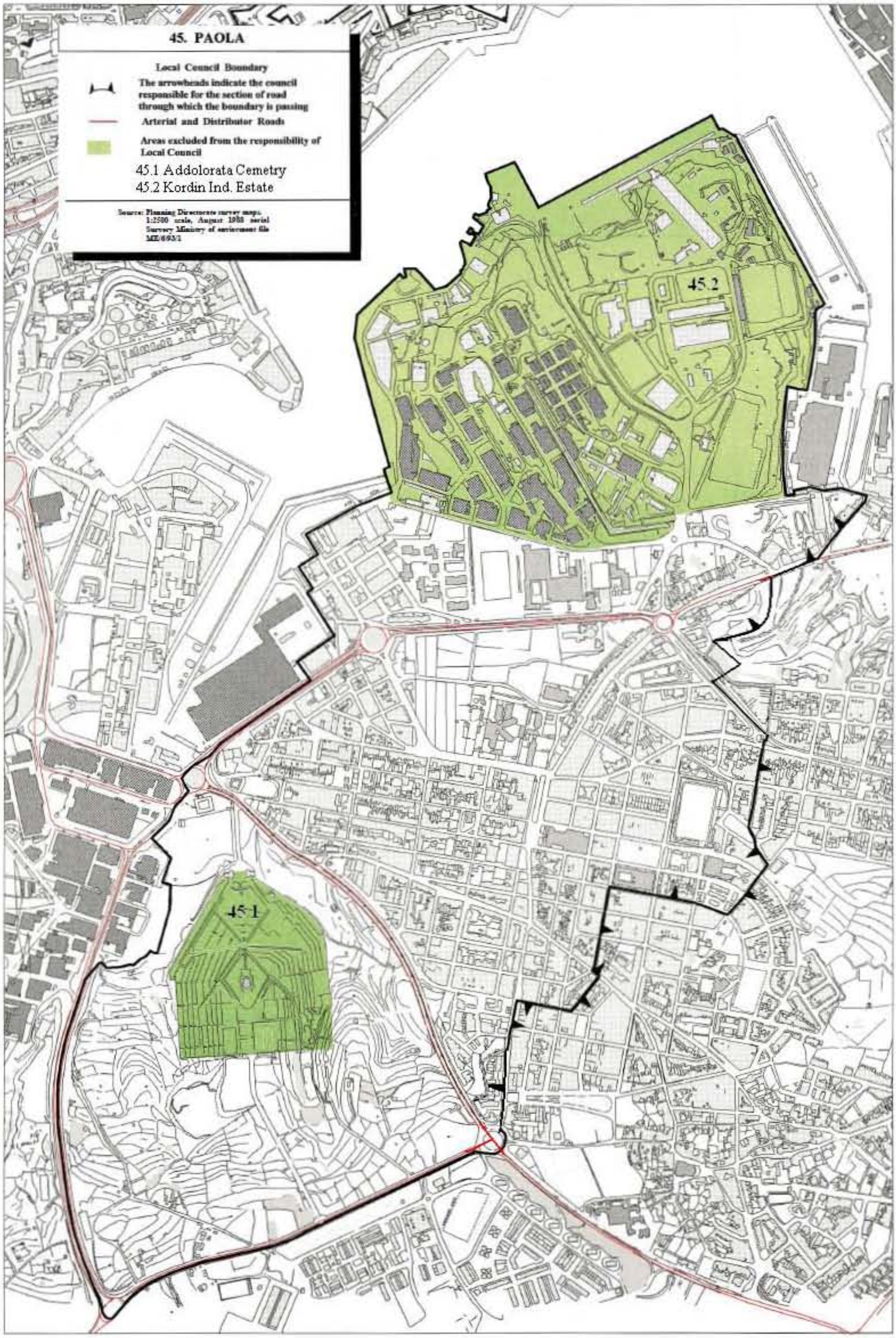


42

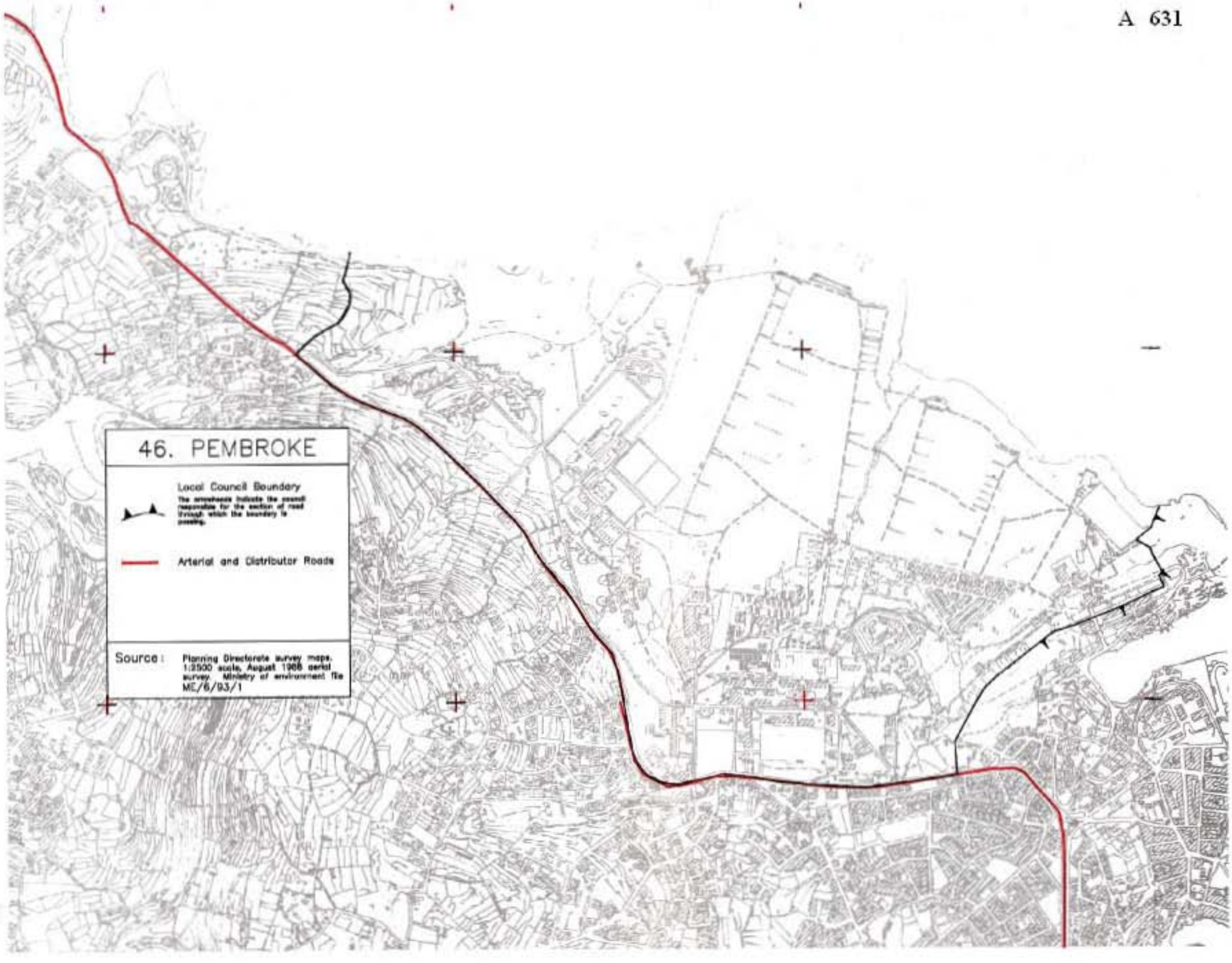

43. NADUR
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1
Ir-Ramla
Ta' Pennita
Il-Bajja ta'
San Blas
Salvu Wistrin
Il-Perga
Ta' Sciberro
Ta' Spiżjuni
Ta' Sellina
Ta' Nixfa
NADUR
Ta' Bordin
Ta' Cuni
Ta' Gafan
GALA

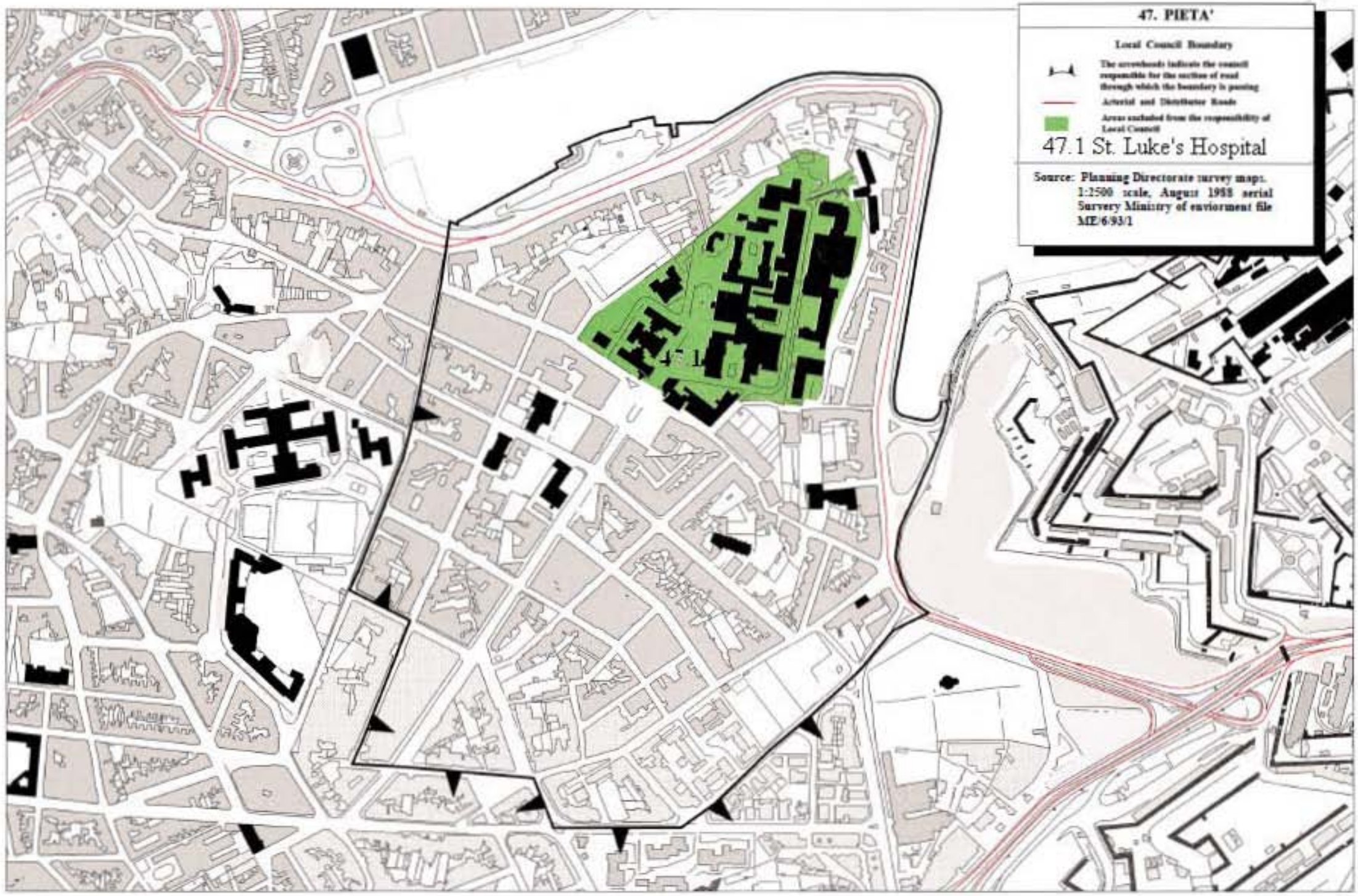
43

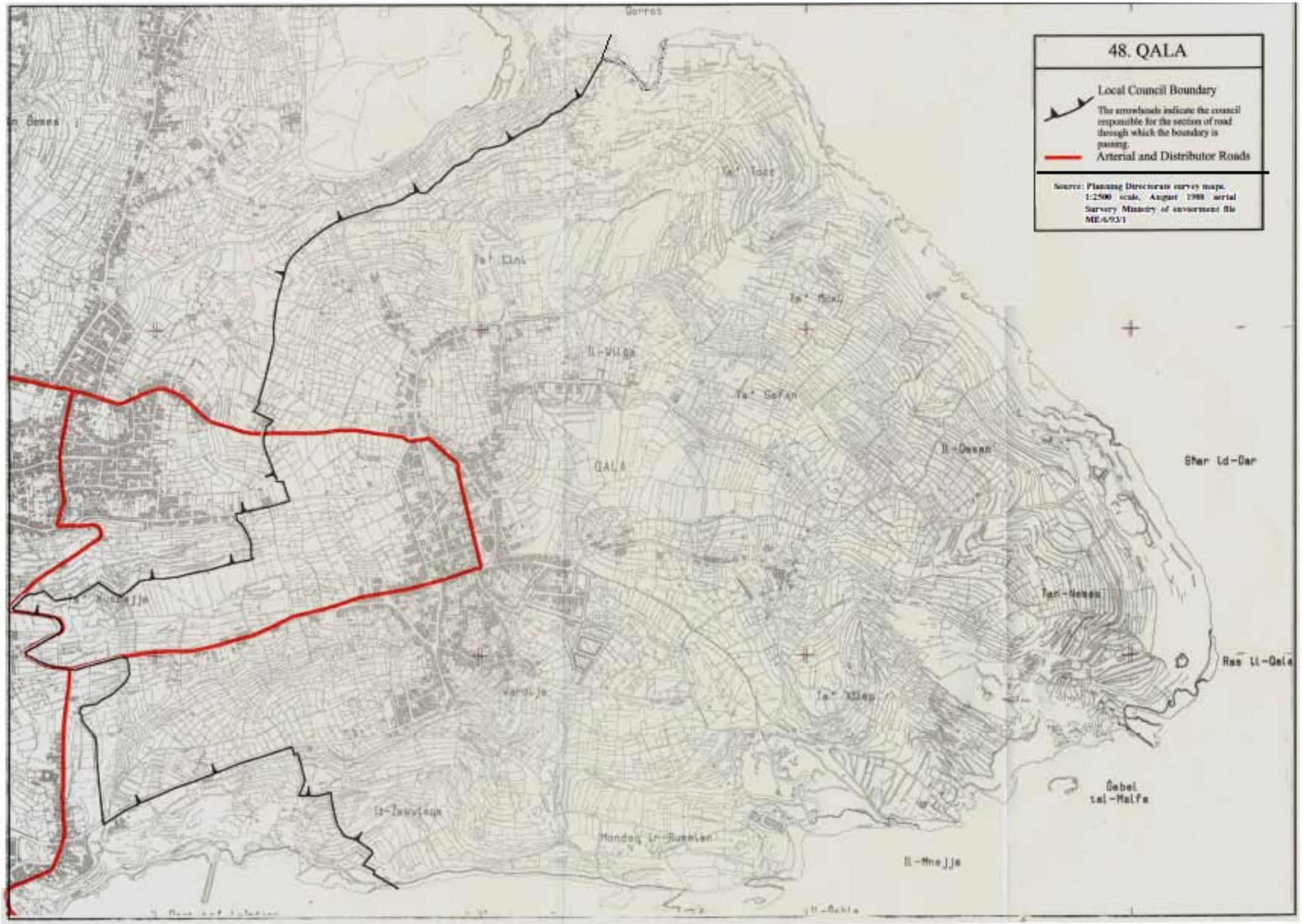

44. NAXXAR
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
44.1 Maghtab Dumping Site
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1
44.1

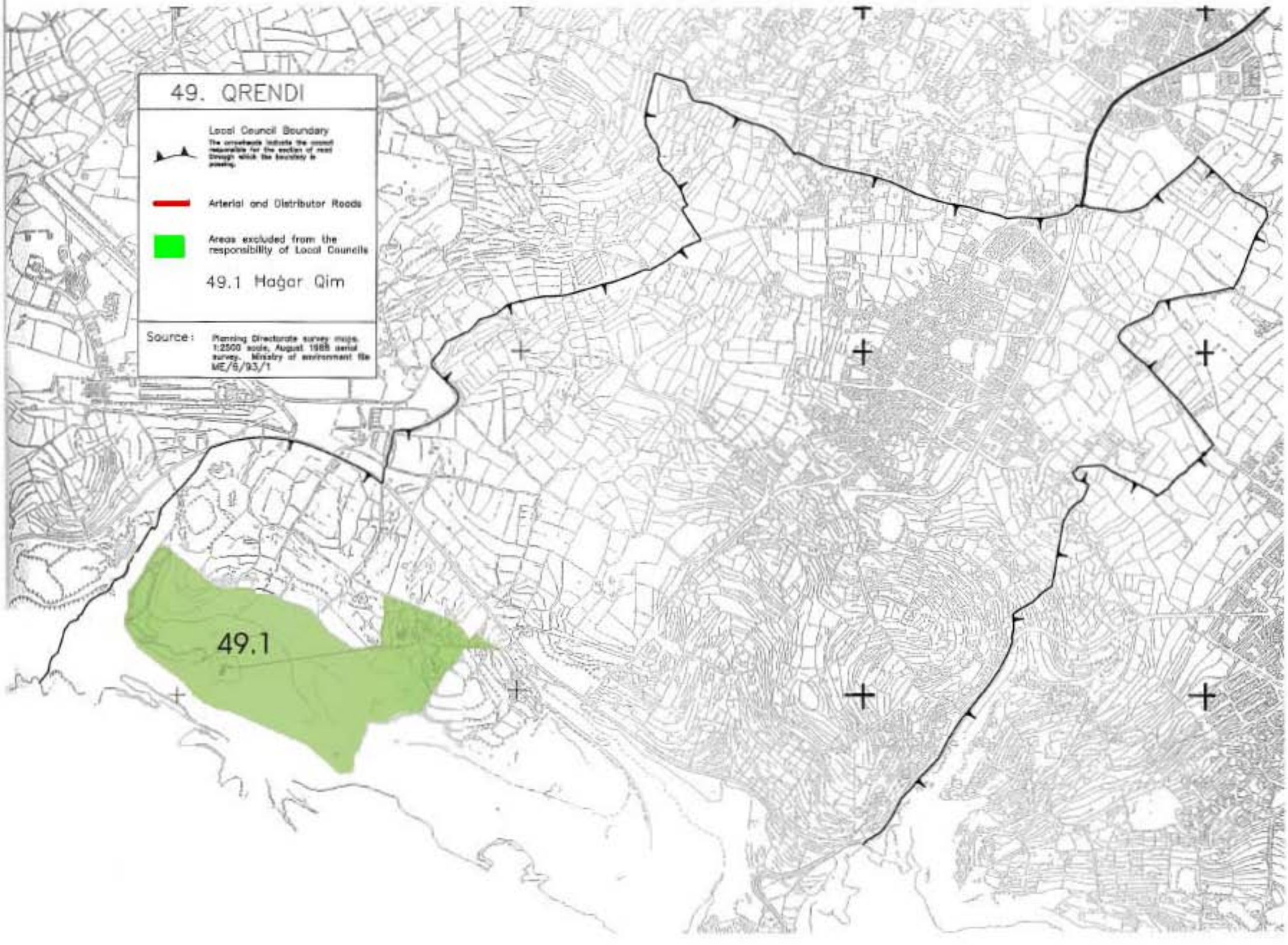

45. PAOLA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
45.1 Addolorata Cemetry
45.2 Kordin Ind. Estate
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/693/1
45.2
45.1

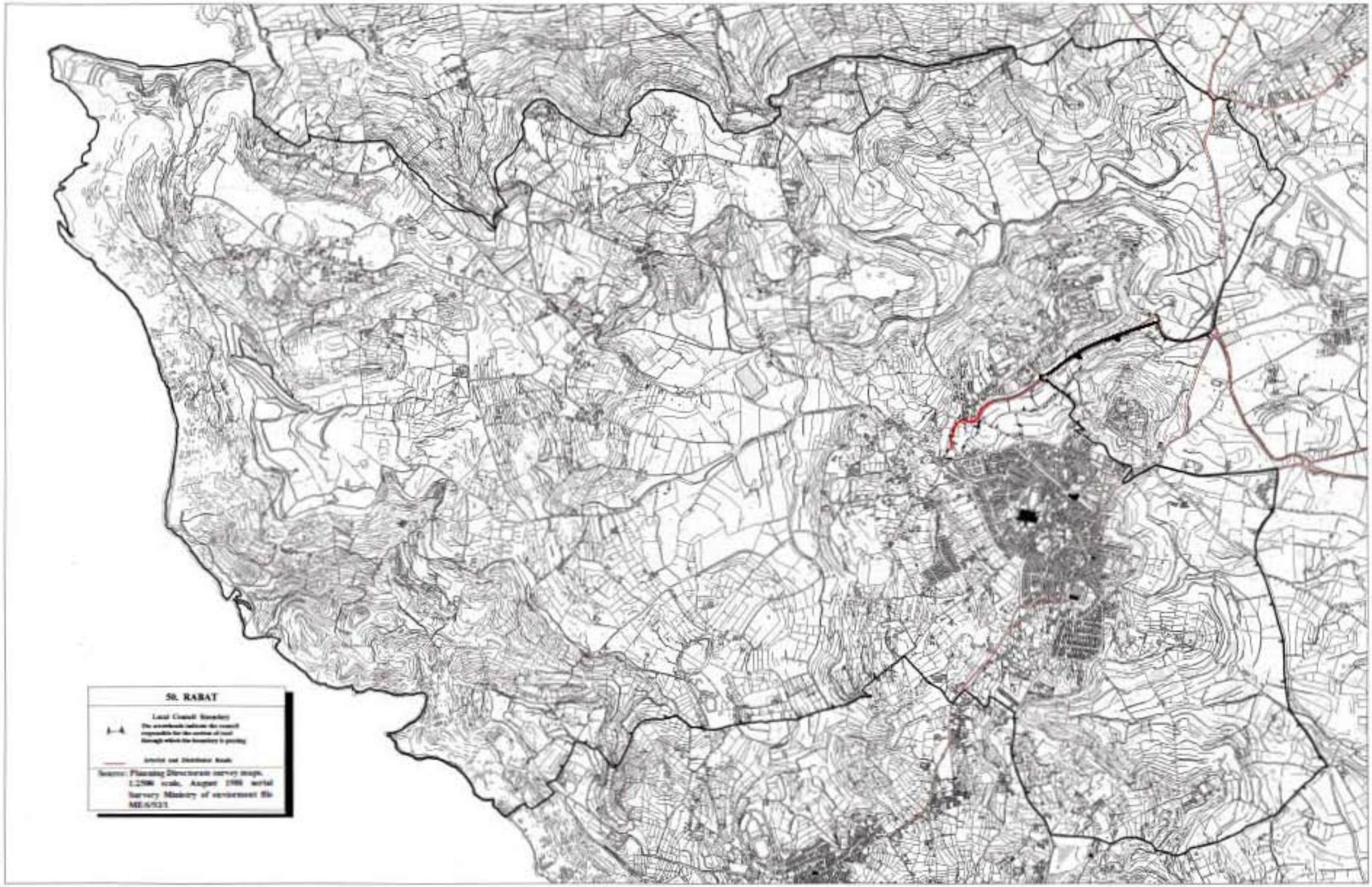
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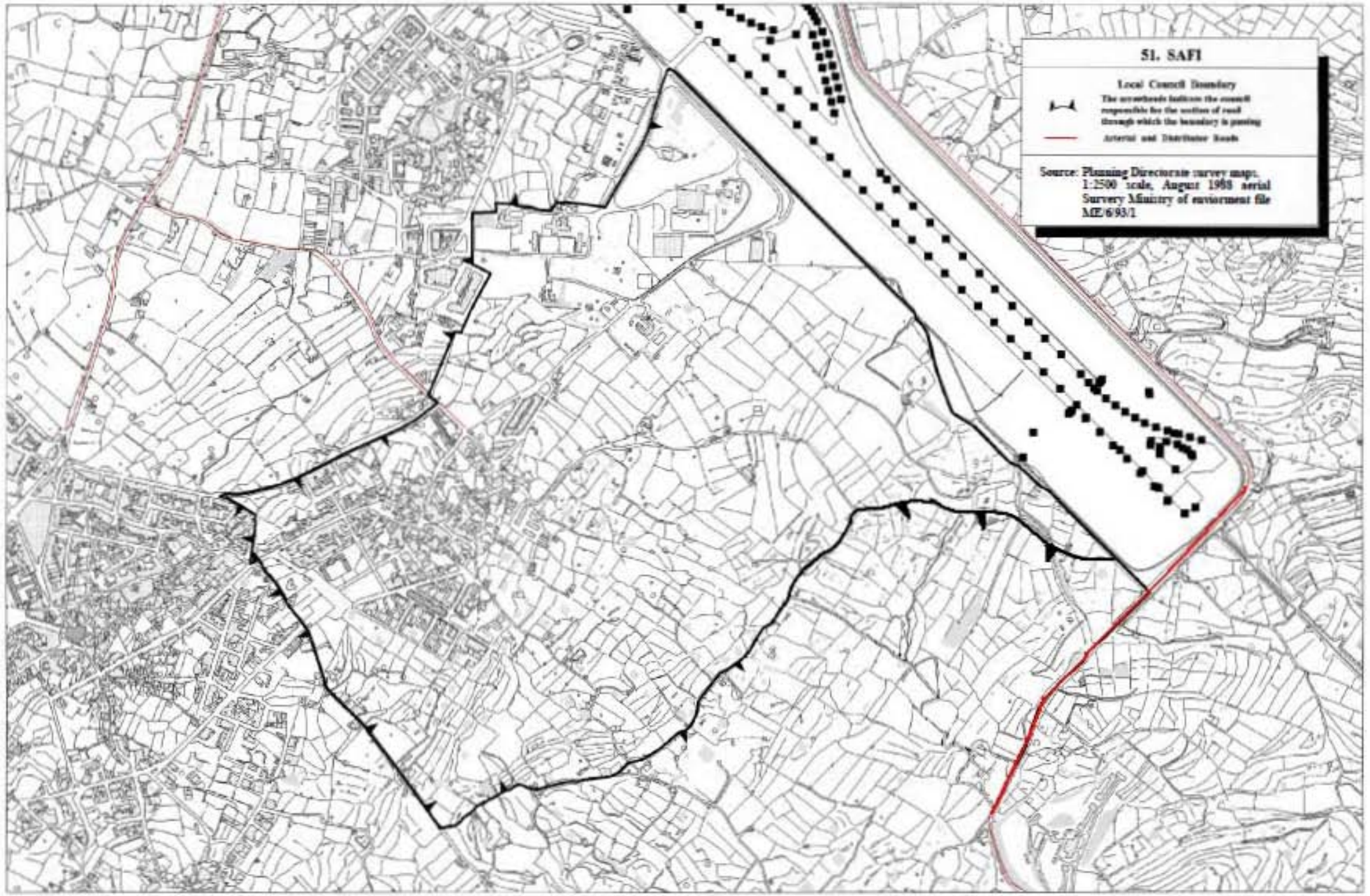

46. PEMBROKE
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source : Planning Directorate survey maps. 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


47. PIETA'
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
47.1 St. Luke's Hospital
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file MF/6/93/1
47.1

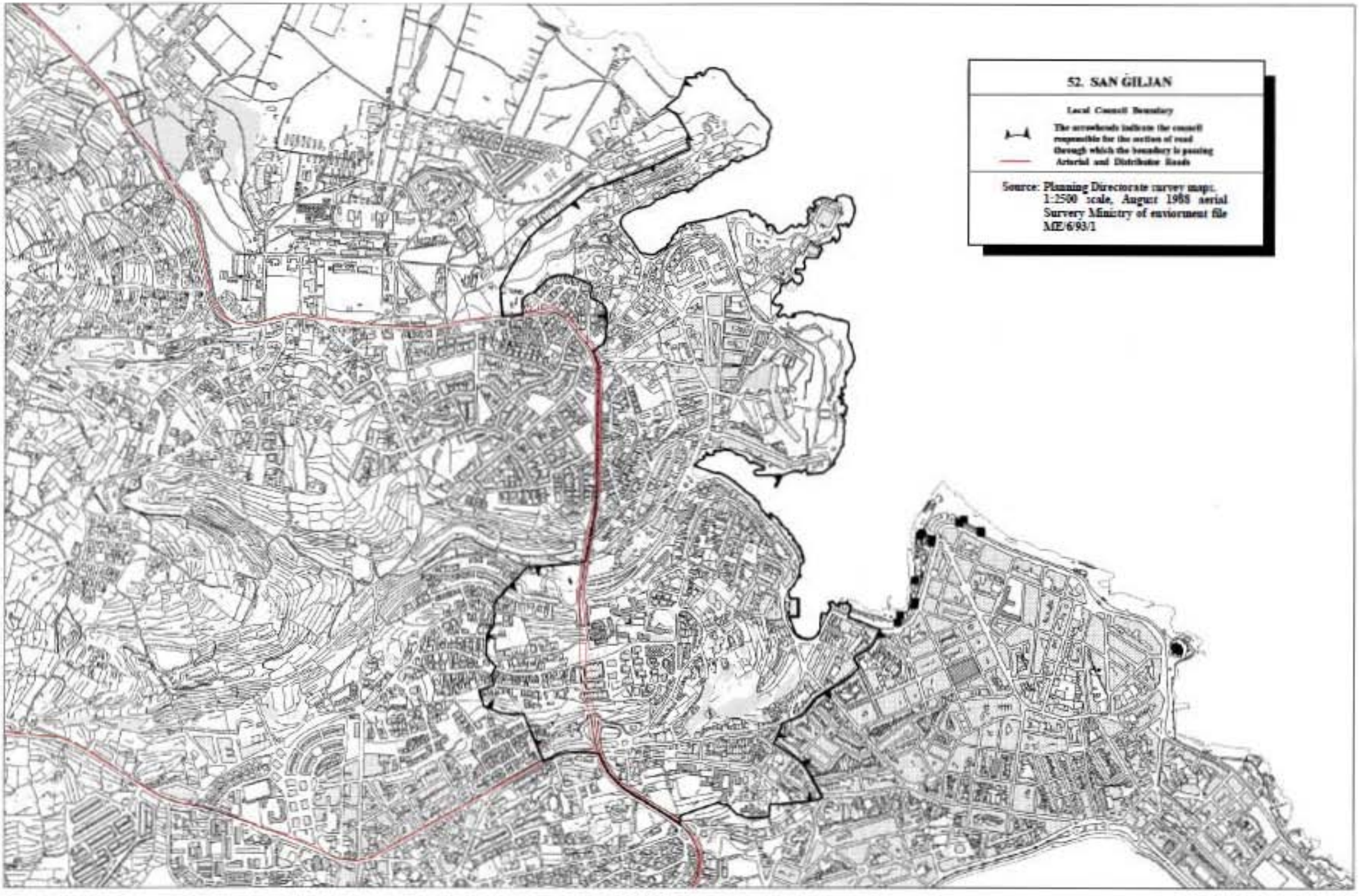

48. QALA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale. August 1988 aerial Survey Ministry of environment file ME4/93/1
Qarraxi
Ta' Tocc
Ta' Cinc
Ta' Mixki
Il-Vilgia
Ta' Gafan
QALA
Il-Qasam
Ghar Id-Dar
Ta' Kuxxenja
Ta' Xilep
Pan-Nessu
Ras Il-Qala
Gebel tal-Mulfa
Il-Mnejja


49. QRENDI
Local Council Boundary
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
49.1 Hagar Qim
Source:
Planning Directorate survey maps, 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1
49.1

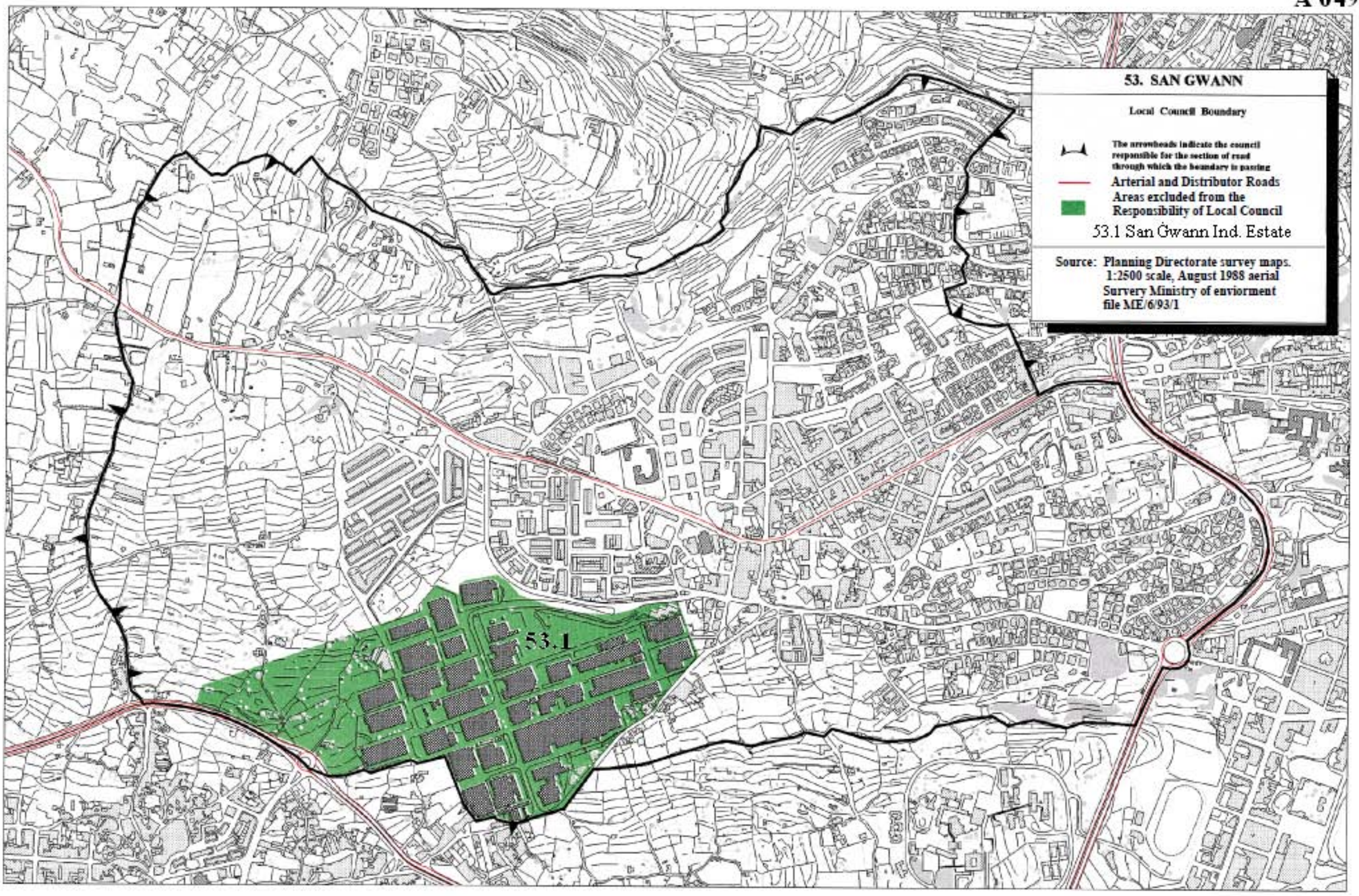

50. RABAT
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1986 aerial Survey Ministry of environment file ME/6/93/1


51. SAFI
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1

51


52. SAN ĠILJAN
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviornment file ME/6/93/1

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53. SAN GWANN
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the Responsibility of Local Council
53.1 San Ġwann Ind. Estate
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1
53.1

54. SAN LAWRENZ

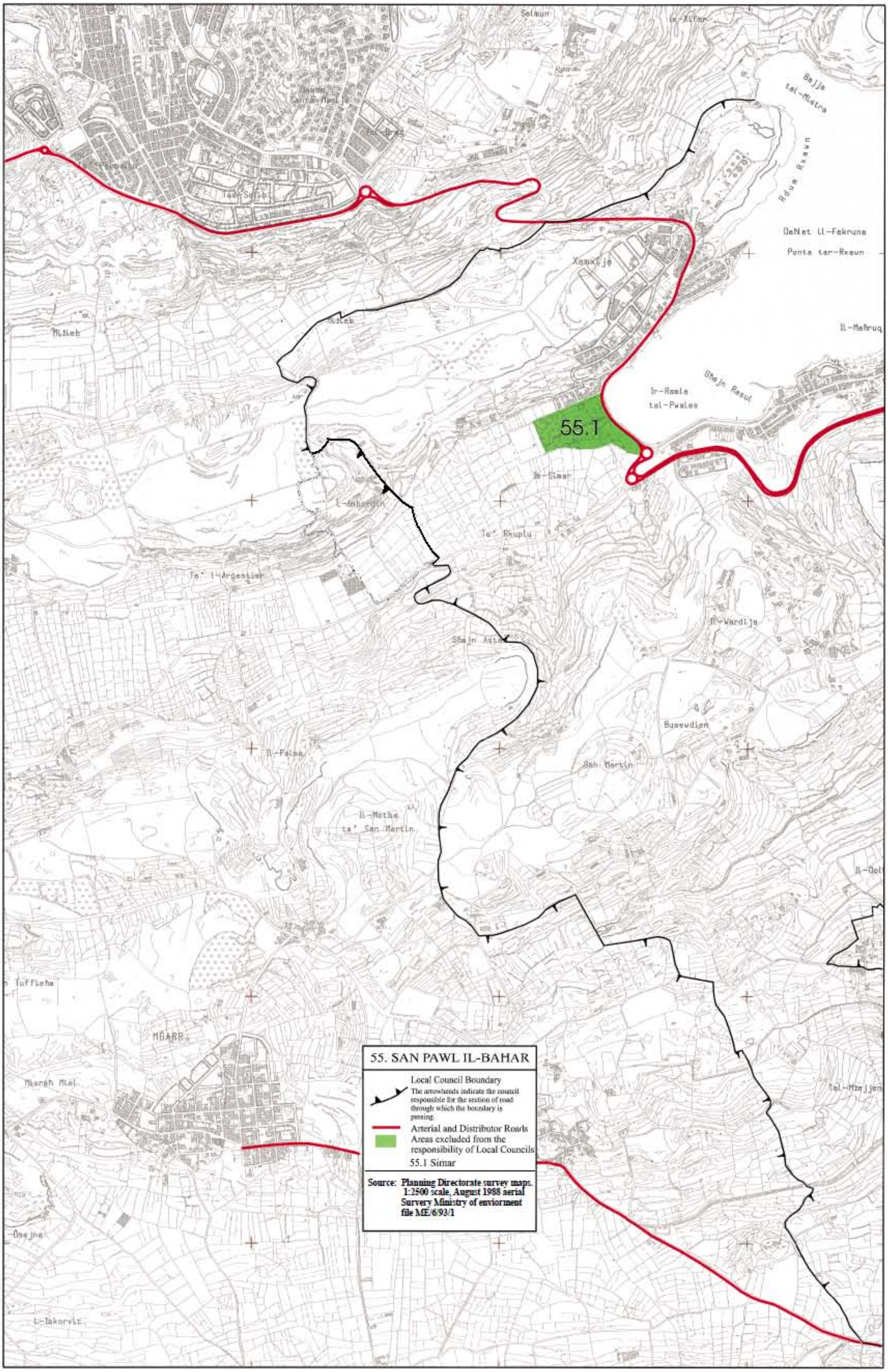
Local Council Boundary

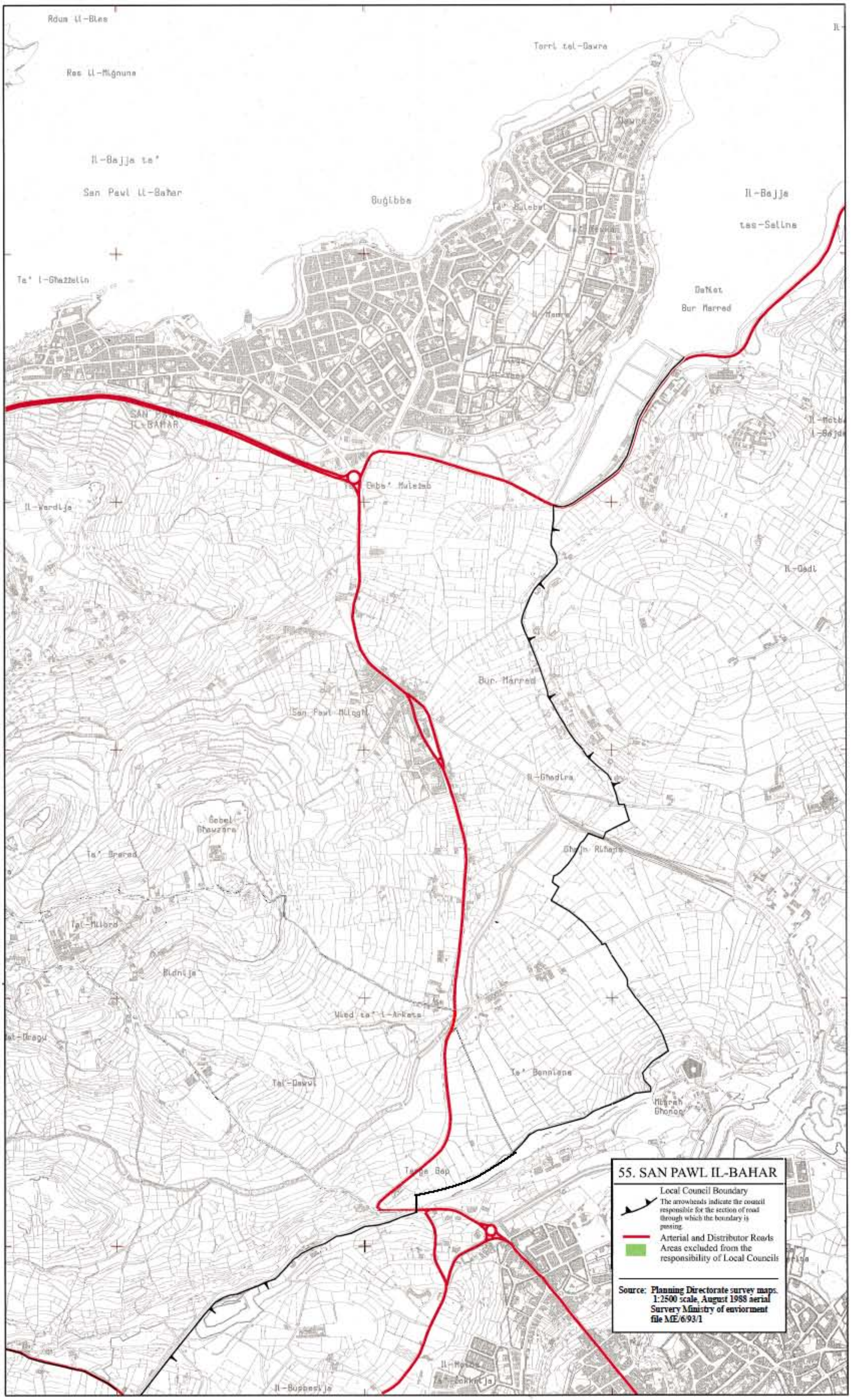
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

Areas excluded from the responsibility of Local Councils

Source : Planning Directorate survey maps. 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


Selmun
Ix-Xlifer
Bajja tal-Mistra
Rdum Rxeun
Dar Nat. Il-Fekruna
Punta tar-Rxeun
Xemxija
Il-Mellieha
Il-Mellieha
Il-Mahruq
Ghajn Rasul
Ir-Ramla tal-Pwales
55.1
Ta' Rkuplu
Ta' l-Argentier
Ghajn Astarita
Il-Wardija
Busuwdjan
San Martin
Il-Palma
Il-Motha ta' San Martin
Il-Qol
Tuffieha
MGARR
Marsa Mtal
Ghajn
l-Iskorvit
Tal-Mizzjan
55. SAN PAWL IL-BAHAR
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
55.1 Simar
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file ME/6/93/1



55. SAN PAWL IL-BAHAR

Local Council Boundary

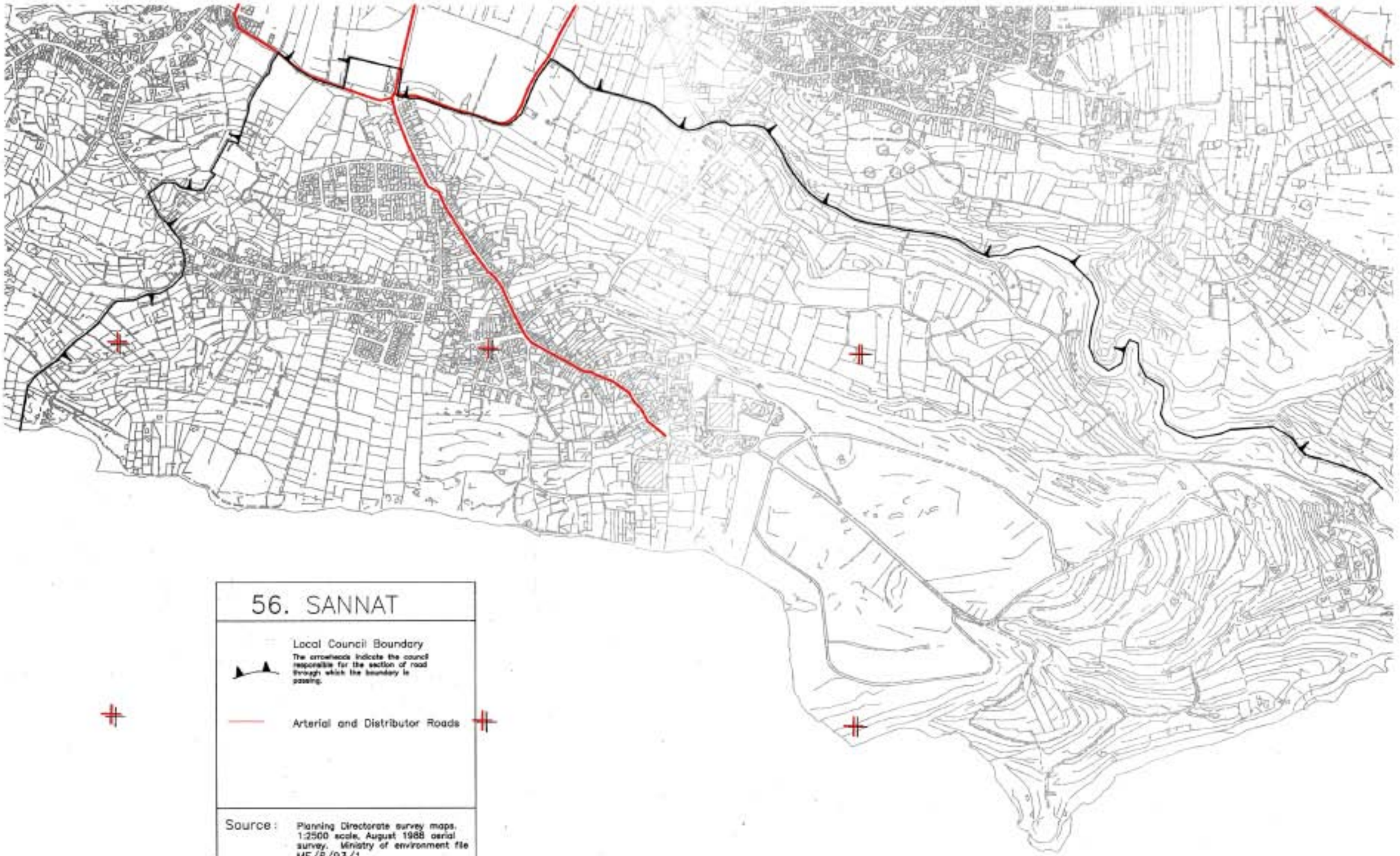
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

Areas excluded from the responsibility of Local Councils

Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1

A 637



56. SANNAT

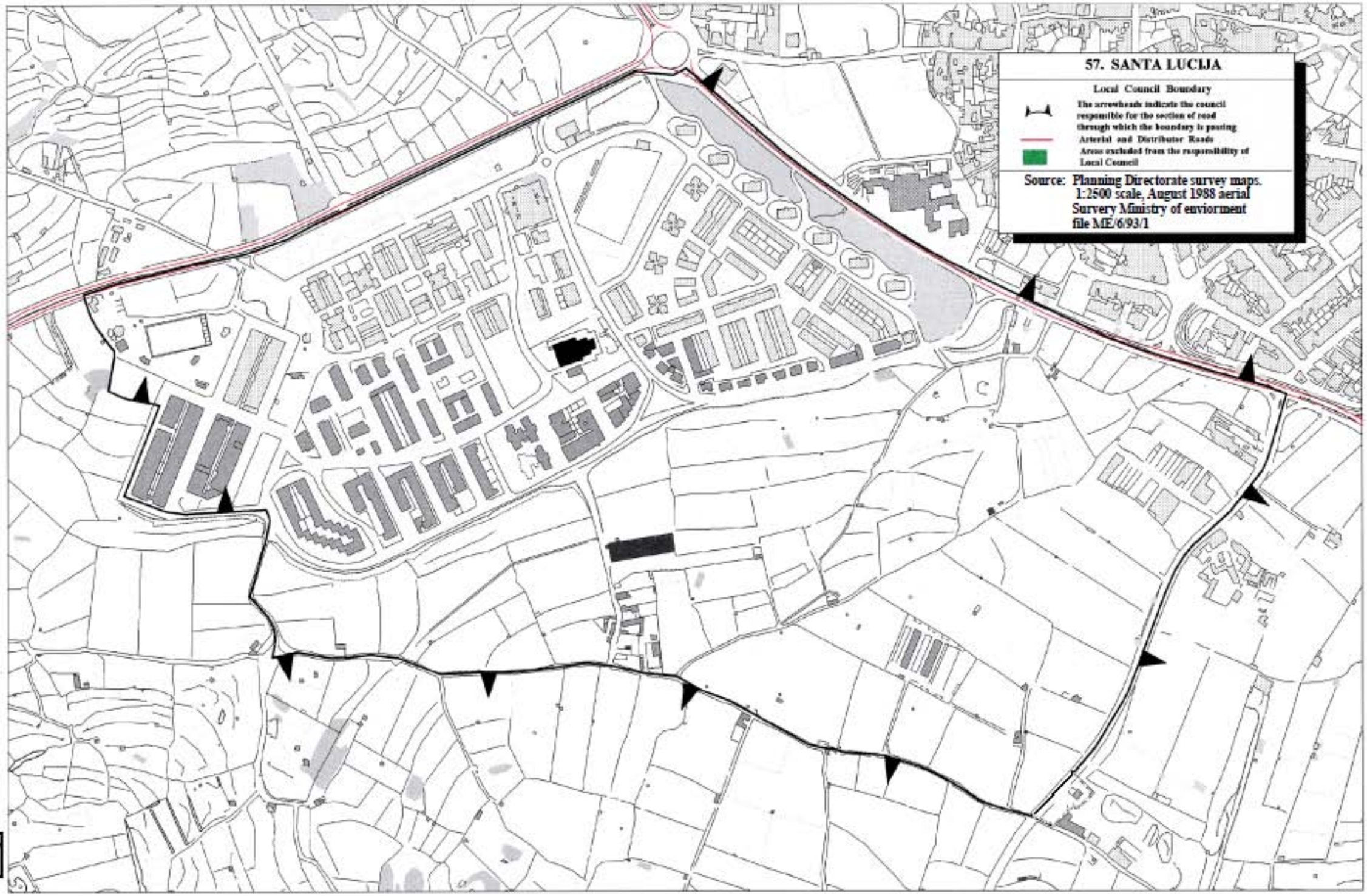
Local Council Boundary

The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

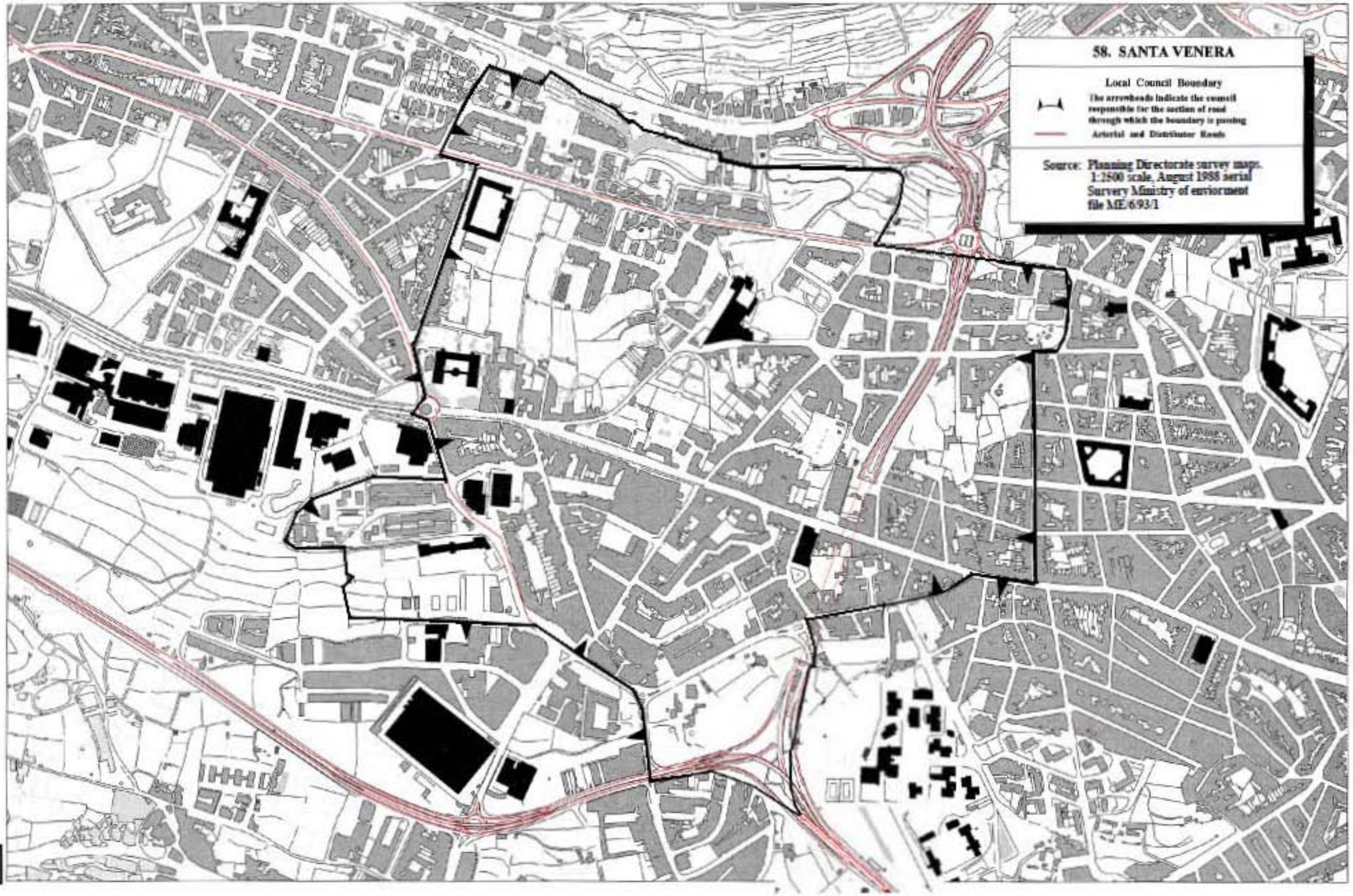
Arterial and Distributor Roads

Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1

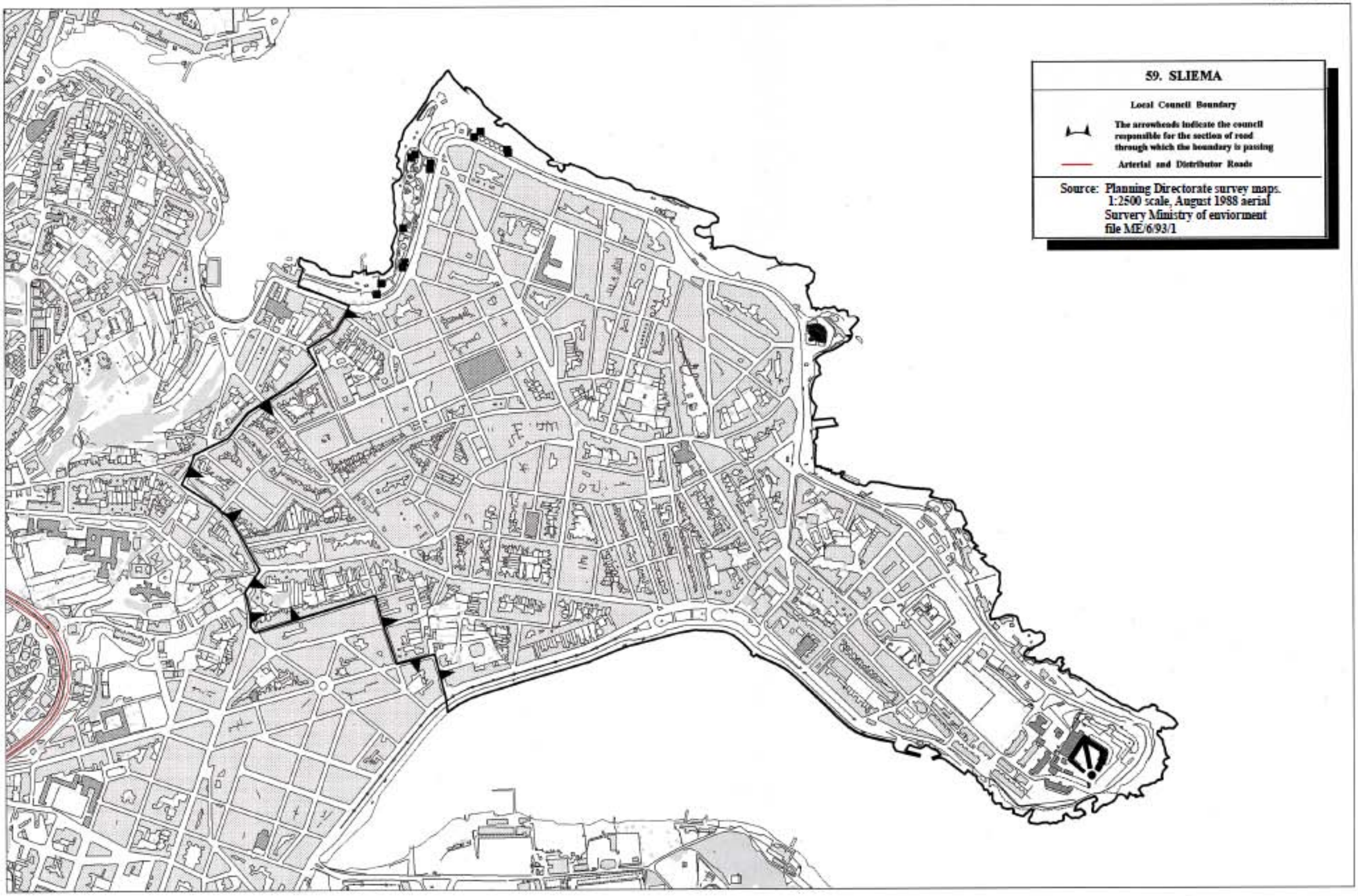
56


57. SANTA LUCIJA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviornment file ME/6/93/1

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58. SANTA VENERA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survey Ministry of enviorment file ME/6/93/1

58



59. SLIEMA

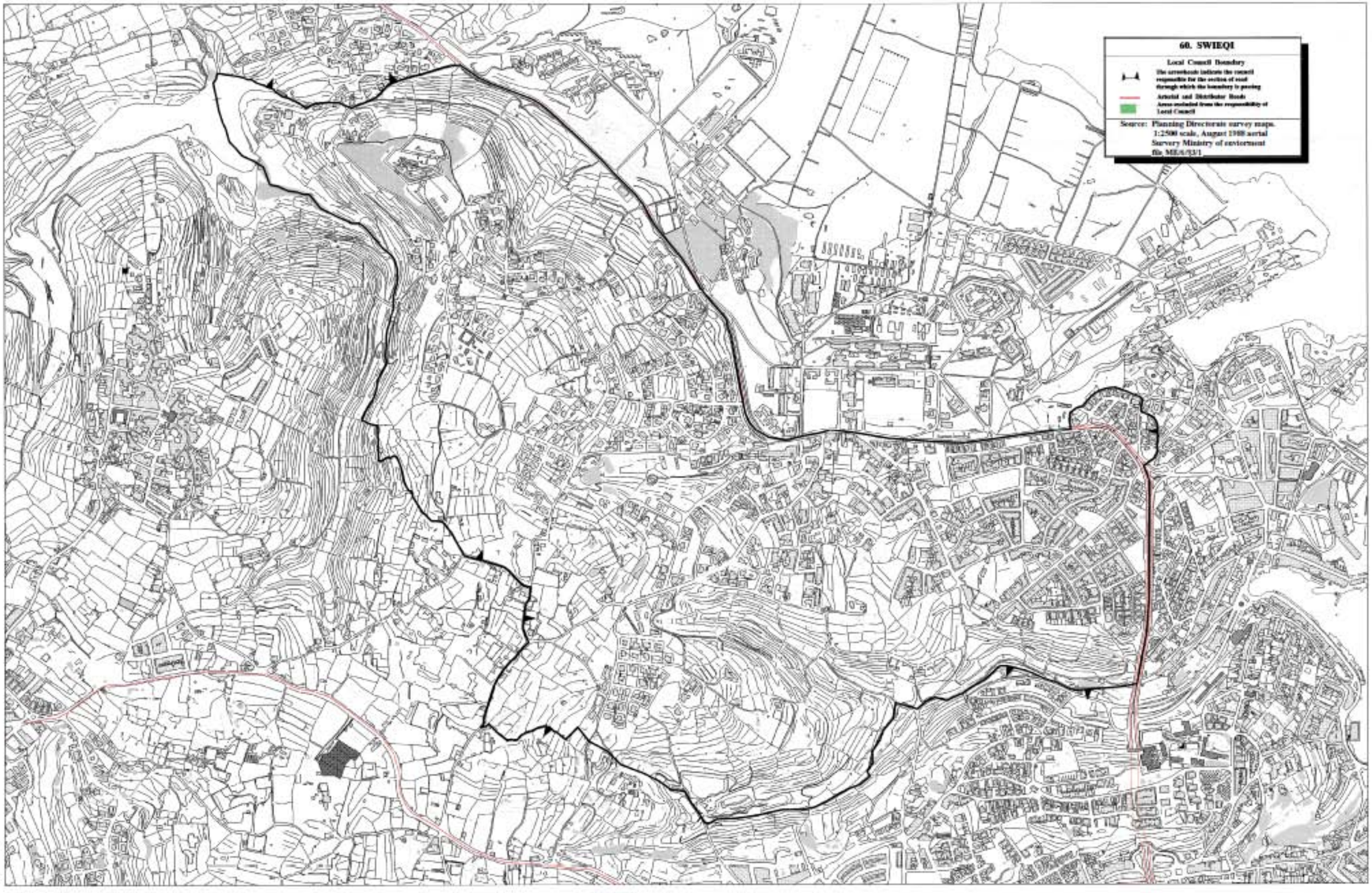
Local Council Boundary

The arrowheads indicate the council responsible for the section of road through which the boundary is passing

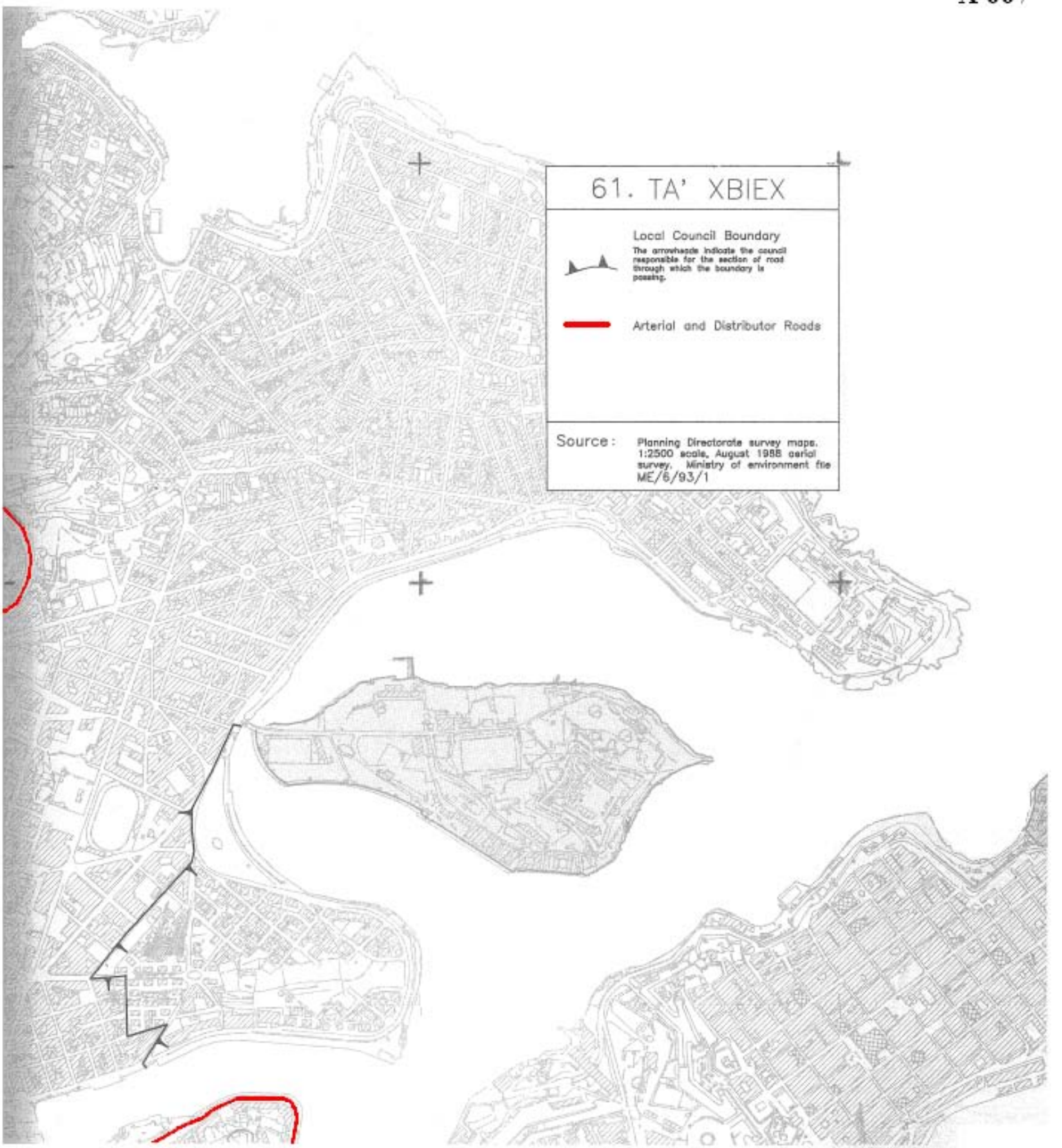
Arterial and Distributor Roads

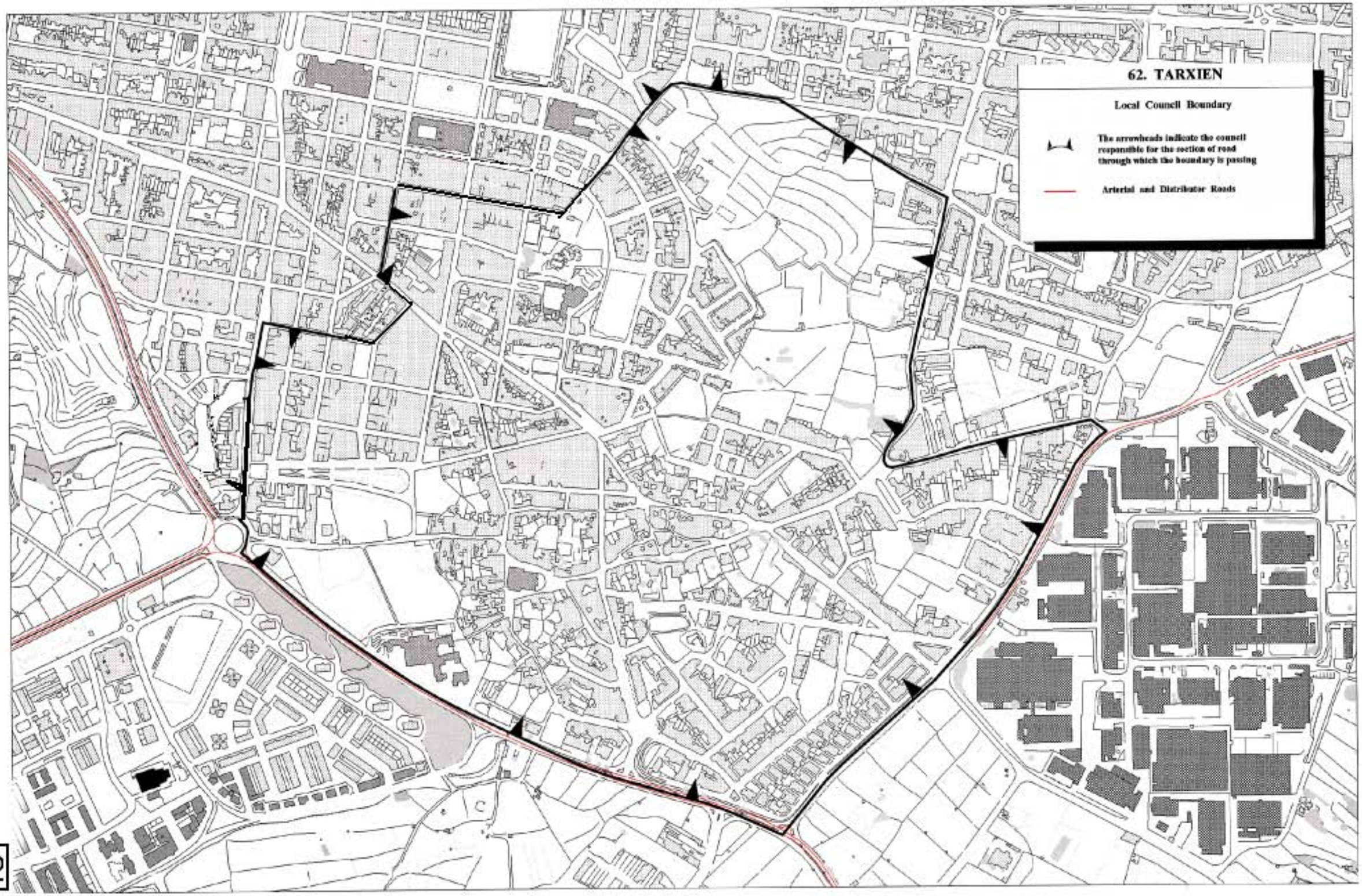
Source: Planning Directorate survey maps. 1:2500 scale, August 1988 aerial Survery Ministry of enviorment file ME/6/93/1

59

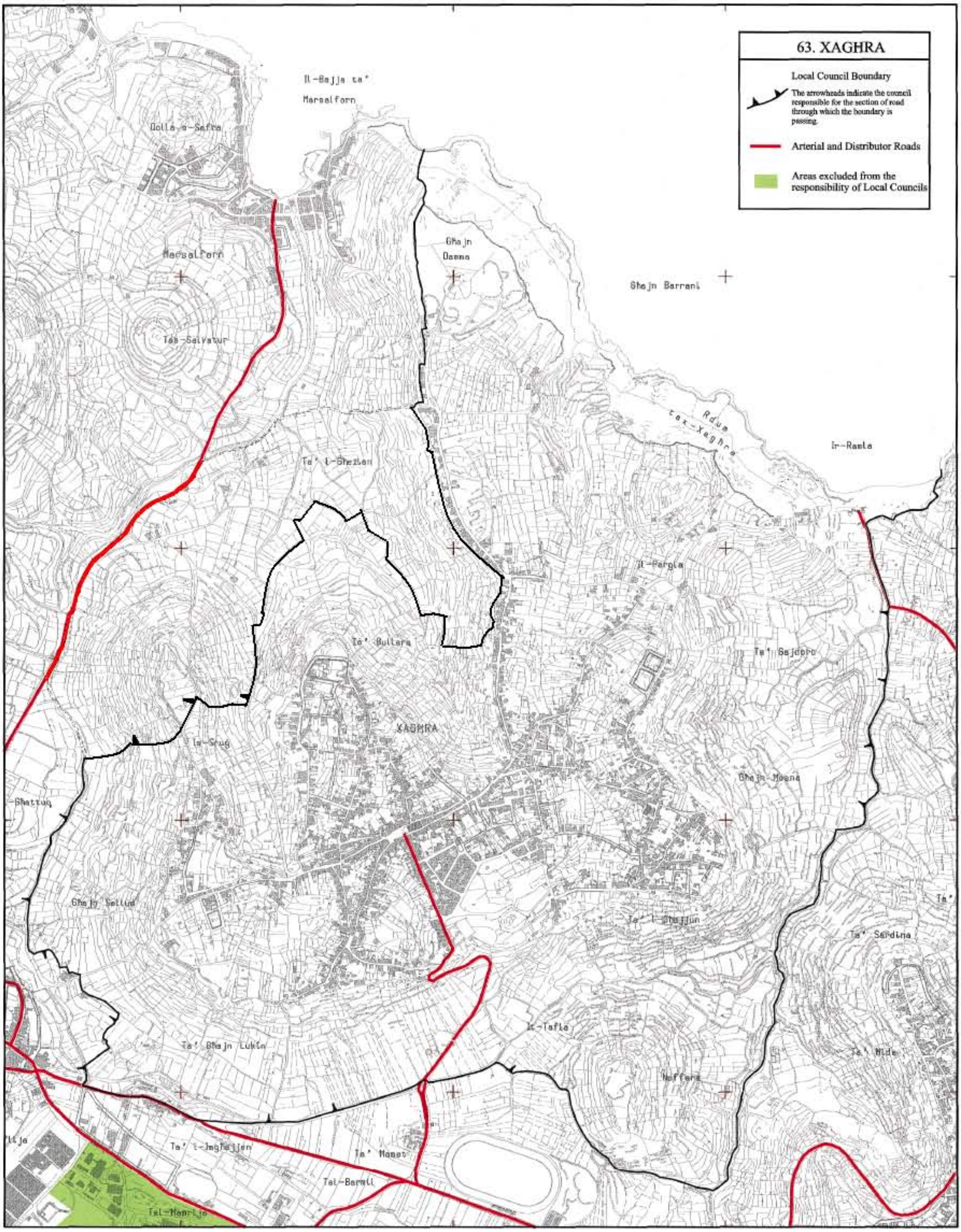

60. SWIEQI
Local Council Boundary
the arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
Source: Planning Directorate survey maps, 1:2500 scale, August 1988 aerial Survey Ministry of environment file ME/6/93/1

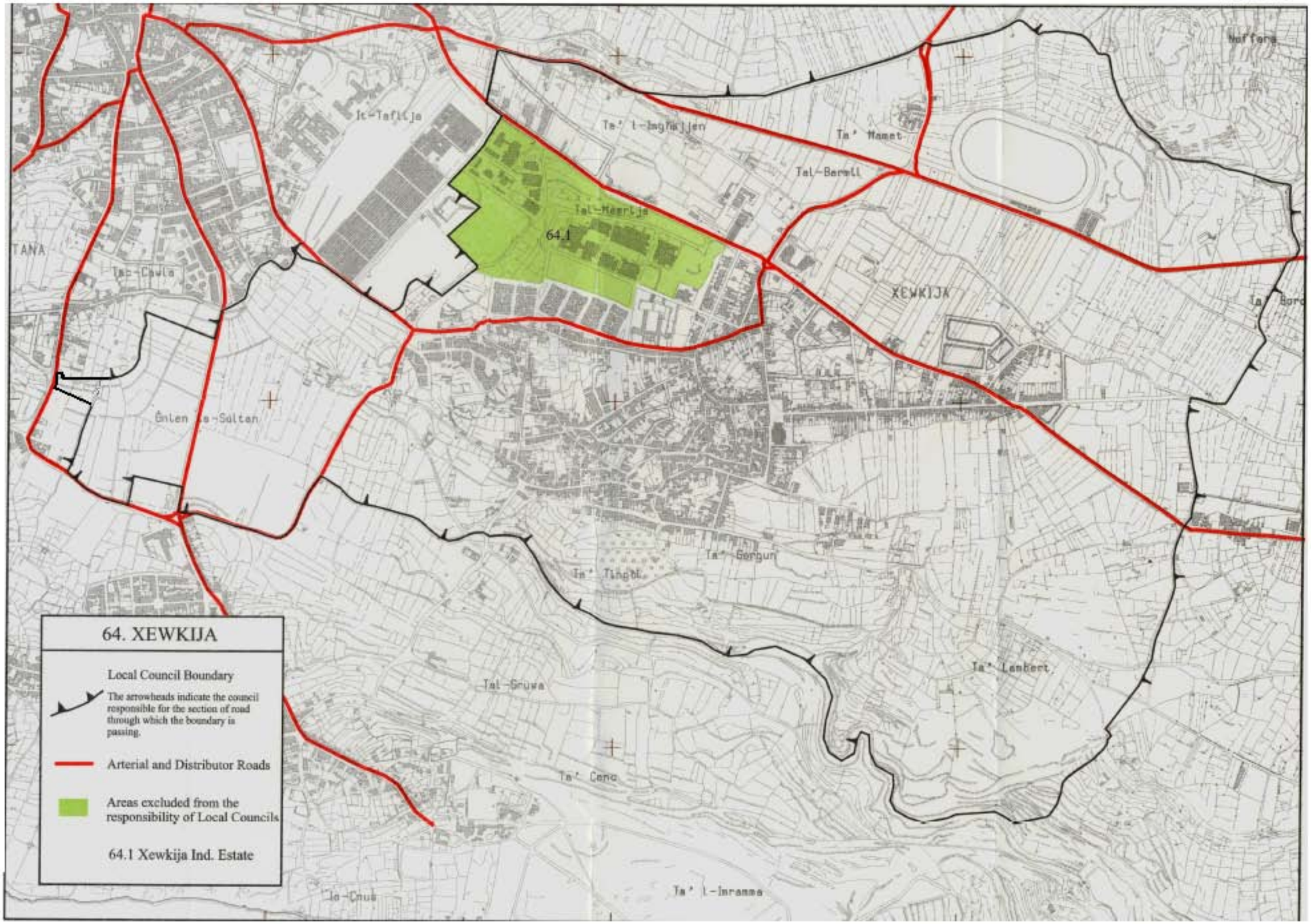
60

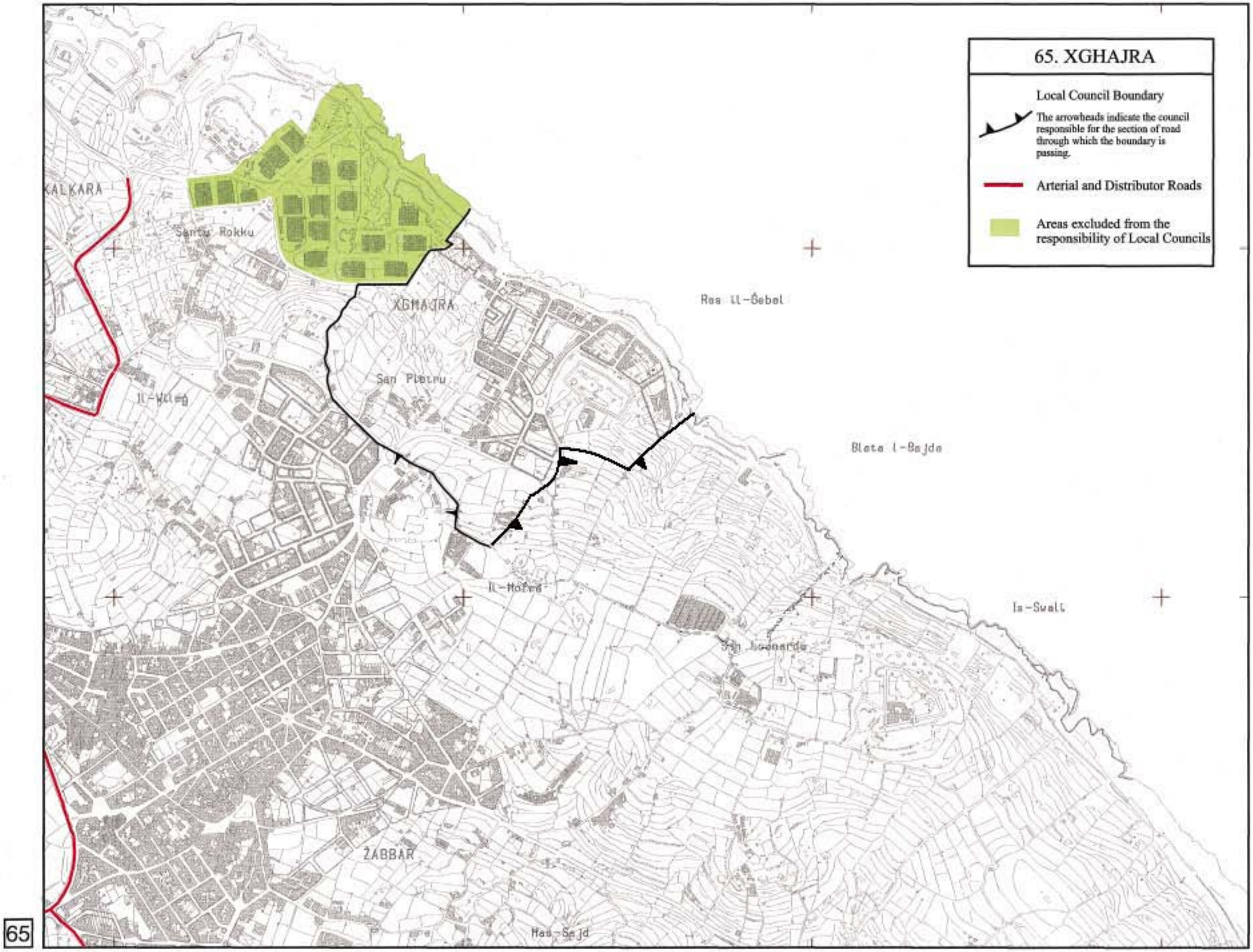

61. TA' XBIEX
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Source :
Planning Directorate survey maps. 1:2500 scale, August 1988 aerial survey. Ministry of environment file ME/6/93/1


62. TARXIEN
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads

62


63. XAGHRA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
Il-Bajja ta'
Marsalforn
Qolla ta-Sefra
Marsalforn
Ghajn Damma
Ghajn Barrani
Tas-Salvatur
Ta' l-Ghezben
Rdum tax-Xaghra
Ir-Ramla
Ta' Bullara
Il-Pergla
Ta' Sajdora
XAGHRA
Ix-Xewg
Ghajn Mosna
Ghattuq
Ghajn Settud
Ta' Ghajjun
Ta' Sardina
Ix-Xafla
Ta' Ghajn Lukin
Nuffiera
Ta' Mida
Ta' l-Imgarfaljen
Ta' Manet
Tal-Barmil
Tal-Mandja
63


64. XEWKIJA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
64.1 Xewkija Ind. Estate
64.1
Tal-Maqrtja
Ta' l-Imgħallaq
Ta' Mamet
Tal-Barrell
Ix-Xaftlija
TANA
Tac-Cawla
Ġnien is-Sultan
XEWKIJA
Ta' Gorgun
Ta' Tinghil
Tal-Gruwa
Ta' Lambert
Ta' Cenc
Ta' l-Imramma
Ix-Xhud
64


65. XGHAJRA
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Councils
KALKARA
Santu Rokku
XGHAJRA
San Pietru
Ras il-Ġebel
Blata l-Bajda
Il-Mara
San Leonardu
Is-Swali
ŻABBAR
Ħaż-Żejd

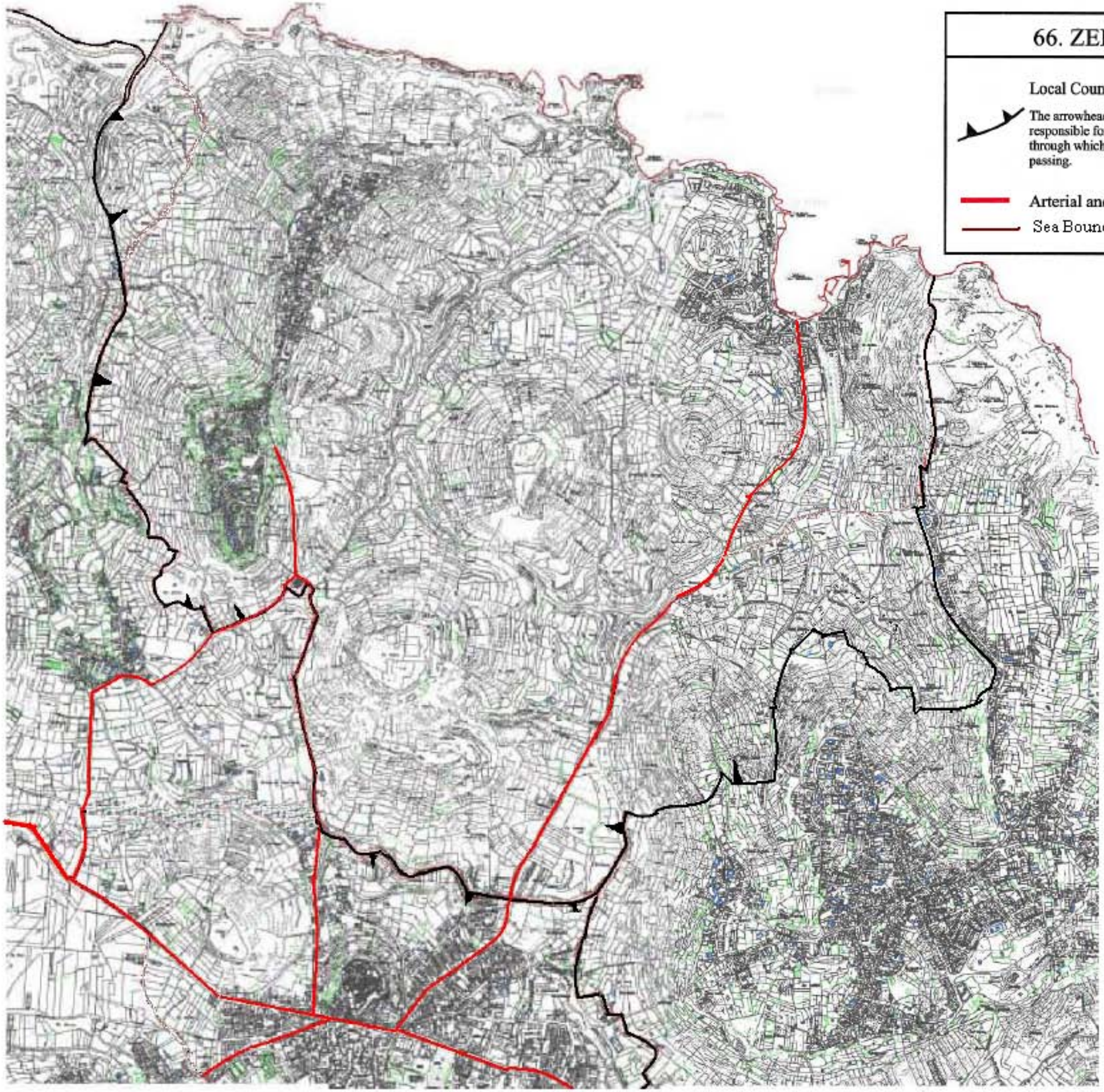
66. ZEBBUĠ

Local Council Boundary

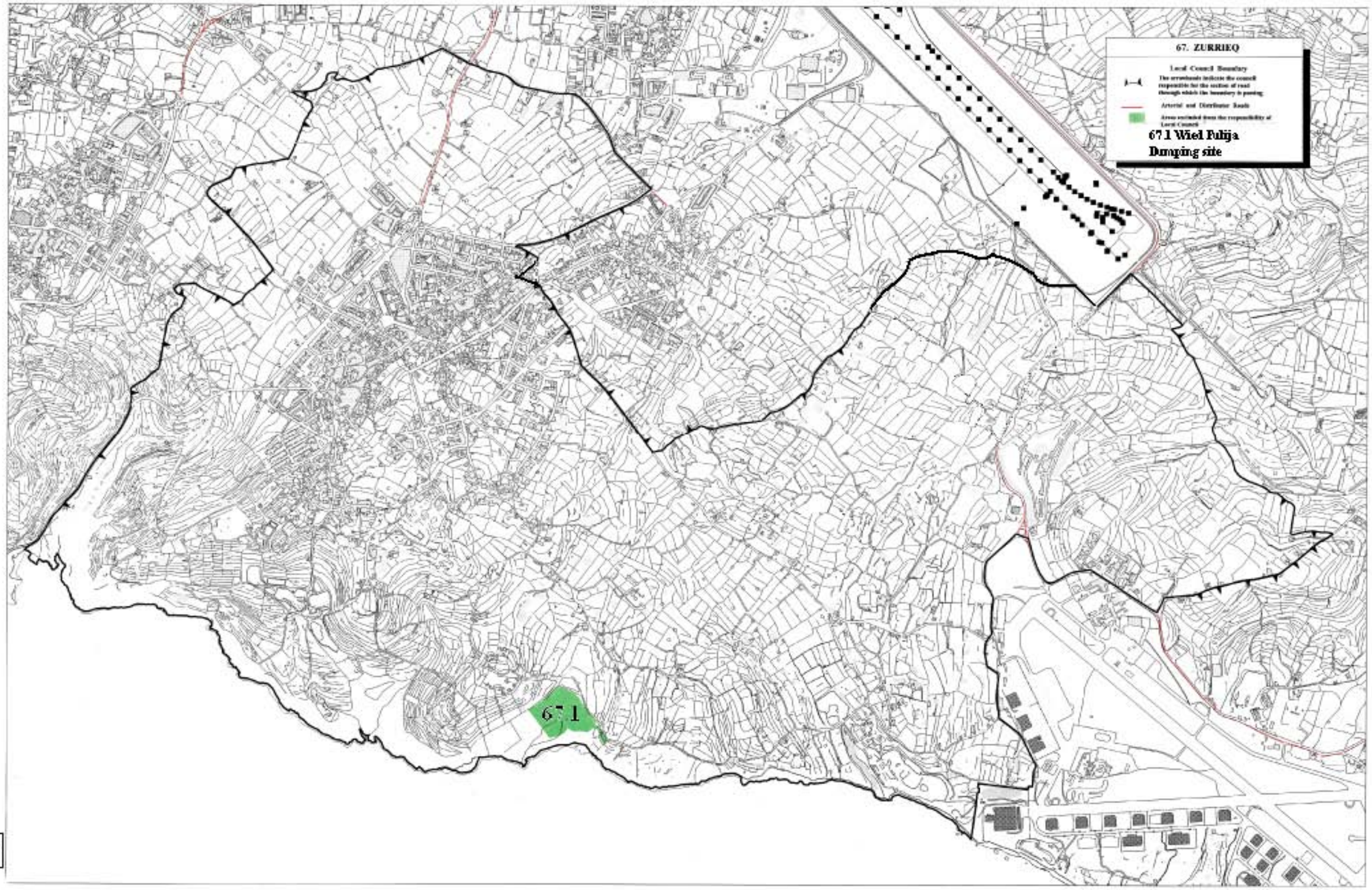
The arrowheads indicate the council responsible for the section of road through which the boundary is passing.

Arterial and Distributor Roads

Sea Boundary



66


67. ZURRIEQ
Local Council Boundary
The arrowheads indicate the council responsible for the section of road through which the boundary is passing
Arterial and Distributor Roads
Areas excluded from the responsibility of Local Council
67.1 Wied Fulija
Dumping site
67.1

IT-TIELET SKEDA

(Artikoli 5,8,9,23)

Regolamenti ta' l-1993 dwar l-Elezzjonijiet għall-Kunsilli Lokali

INDIĊI

TAQSIMA	I	Dispożizzjonijiet Ġenerali
TAQSIMA	II	Ir-Reġistru Elettorali għall-Kunsilli Lokali
TAQSIMA	III	Avviż għall-Elezzjoni, Dokumenti għall-Votazzjoni u Poloz tal-Votazzjoni
TAQSIMA	IV	Nomina ta' Kandidati
TAQSIMA	V	Assistenti Kummissjonarji
TAQSIMA	VI	Votazzjoni
TAQSIMA	VII	Votazzjoni fi Djar ta' l-Anzjani
TAQSIMA	VIII	Għadd tal-Voti
TAQSIMA	IX	Rikonċiljazzjoni tar-Rendikont ta' Poloz tal-Votazzjoni
TAQSIMA	X	Għadd u Klassifika tal-Voti
TAQSIMA	XI	Postijiet ta' Membri li Jitbattlu
TAQSIMA	XII	Atti Illegali
TAQSIMA	XIII	Atti ta' Korruzzjoni
TAQSIMA	XIV	Skuża f'Każ ta' Atti ta' Korruzzjoni u ta' Atti Illegali
TAQSIMA	XV	Nullità ta' Elezzjonijiet
TAQSIMA	XVI	Pubblikazzjoni ta' Riżultati f'kull Lokalità
TAQSIMA	XVII	Dispożizzjonijiet Penali
TAQSIMA	XVIII	Riserva dwar il-Jedd ta' Partiti Politiċi

L-EWWEL SKEDA:
Formula ta' Ġurament ta' Kariga li jieħdu
l-Kummissjonarji Elettorali.

IT-TIENI SKEDA:
Formula ta' Applikazzjoni għal Persuna li mhix Ċittadina ta' Malta
għar-Reġistrazzjoni bħala Elettur

IT-TIELET SKEDA:
Formula għal Persuna li mhix Ċittadina ta' Malta dwar Tibdiliet jew
Trasferiment ta' fejn toqgħod (Kunsilli Lokali)

IR-RABA' SKEDA:
Formula ta' Applikazzjoni għall-Korrezzjoni ta' Isem jew Indirizz ta'
Persuna li mhix Ċittadina ta' Malta (Kunsilli Lokali)

IL-ĦAMES SKEDA:
Applikazzjoni minn Eletturi Nisa li mhumiex Ċittadini ta' Malta għall
Korrezzjoni tal-Kunjom u l-Indirizz Wara Żwieġ
(Kunsilli Lokali)

IS-SITT SKEDA:
Formula ta' Avviż mill-Kummissjoni Elettorali

IS-SEBA' SKEDA:
Formula ta' Dokument għall-Votazzjoni

IT-TMIEN SKEDA:
Formula tal-Polza

ID-DISA' SKEDA:
Formula tan-Nomina

L-GĦAXAR SKEDA:
Formula tal-Ġurament li jittieħed mill-Assistenti Kummissjonarji
Elettorali Prinċipali u mill-Assistenti Kummissjonarji Elettorali

IL-ĦDAX-IL SKEDA:
Formula ta' Ġurament li Assistent Kummissjonarju
jista' jagħti lil Elettur

IT-TNAX-IL SKEDA:
Dikjarazzjoni tar-Riżultat tal-Votazzjoni

IT-TLETTAX-IL SKEDA:
Rapport ta' l-Ispiża ta' L-Elezzjoni

L-ERBATAX-IL SKEDA:
Formula li għandha titwaħħal f'kull Kamra tal-Votazzjoni

TAQSIMA I
Dispożizzjonijiet Ġenerali

Titolu fil-qosor

1. Dawn ir-regolamenti jistgħu jissejħu Regolamenti ta' l-1993 dwar l-Elezzjonijiet għall-Kunsilli Lokali.

Tifsir

2. (1) F'dawn ir-regolamenti kemm-il darba r-rabta tal-kliem ma tfissirx xort'oħra:

"Att" tfisser l-Att tal-1993 dwar il-Kunsilli Lokali;

"dokument għall-votazzjoni" tfisser id-dokument għall-votazzjoni li għandu jintbagħat lill-elettur taħt ir-regolament 17 ta' dawn ir-regolamenti;

"elezzjoni" tfisser elezzjoni għall-Kunsilli Lokali;

"Kamra" tfisser il-Kamra tad-Deputati mwaqqfa bil-Kostituzzjoni;

"kamra tal-votazzjoni" tfisser il-kamra li ġewwa fiha jattendu l-elettur f'jum il-votazzjoni sabiex jirċievu polza tal-votazzjoni, jiktbu fuqha u jitfgħuha fil-kaxxa tal-voti;

"karta ta' l-identità" tfisser dokument li hu karta ta' l-identità għall-finijiet ta' l-Att dwar il-Karti ta' l-Identità; Kap. 258

"Kummissjoni" għandha tfisser il-Kummissjoni Elettorali mwaqqfa bl-artikolu 60 tal-Kostituzzjoni;

"Kunsill Lokali" tfisser il-Kunsilli Lokali mwaqqfa bl-Att tal-1993 dwar il-Kunsilli Lokali;

"partit politiku" għandha, għall-finijiet biss tar-regolament 6, tfissir kull persuna jew għadd ta' persuni li, wara li jkunu kkontestaw l-elezzjonijiet ġenerali għall-membri tal-Kamra tad-Deputati taħt isem wieħed, ikunu rappreżentati fil-Kamra b'mill-anqas deputat wieħed, u fil-każijiet l-oħra kollha "partit politiku" tfisser kull persuna jew kull għadd ta' persuni li jikkontestaw l-elezzjoni ta' Kunsill Lokali bħala grupp wieħed taħt l-istess isem iżda d-drittijiet u l-obbligazzjonijiet ta' dak il-partit ikunu limitati għall-elezzjoni tal-Kunsill Lokali li għalih ikun qiegħed jikkontesta dak il-partit;

"post ta' votazzjoni" tfisser l-iskola, bini jew kumpless jew struttura oħra fejn ikunu jinsabu kamra jew kmamar tal-votazzjoni u tinkludi l-art appartenenti, jekk ikun hemm, għal dak il-kumpless jew struttura.

"Uffiċċju Elettorali" tfisser l-Uffiċċju Elettorali stabbilit bis-subartikolu (1) ta' l-artikolu 11 ta' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali.

(2) Kull meta b'dawn ir-regolamenti hija stabbilita piena għal xi att li jsir "qabel, matul jew wara" elezzjoni, ma għandux jittieħed kont ta' xi ħaġa li tkun saret qabel –

(a) fil-każ ta' xi elezzjoni miżmuma minħabba xoljiment ta' Kunsill Lokali skond l-artikolu 22 ta' l-Att, il-ħruġ ta' l-Avviż li jistabbilixxi l-ġurnata tal-votazzjoni;

(b) fil-każ ta' xi elezzjoni miżmuma minħabba xoljiment ta' Kunsill Lokali skond l-artikolu 8 ta' l-Att, tliet xhur qabel id-data ta' dak ix-xoljiment.

Estensjoni taż-żmien.

3. (1) Meta ż-żmien stabbilit fid-dispożizzjonijiet ta' dawn ir-regolamenti għat-twettiq fis-seħħ ta' xi proċedura jkun fil-fehma tal-Kummissjoni Elettorali mhux biżżejjed għal dak l-iskop, il-Kummissjoni Elettorali tista', b'avviż maħruġ fil-Gazzetta, itawwal dak iż-żmien kif jidhrilha li jkun jinħtieġ.

(2) Meta l-ewwel ġurnata taż-żmien stabbilit għal xi proċedura taħbat il-Ħadd jew festa pubblika oħra, dak iż-żmien jibda jgħodd mill-ewwel ġurnata tax-xogħol li tiġi wara dak il-Ħadd jew festa pubblika oħra.

(3) Meta l-aħħar ġurnata taż-żmien stabbilit għal xi proċedura taħbat il-Ħadd jew festa pubblika oħra, dak iż-żmien jagħlaq fl-ewwel ġurnata tax-xogħol li tiġi wara dak il-Ħadd jew festa pubblika, u d-data tal-bidu ta' kull żmien sussegwenti, li għandu jibda miexi minn għeluq dak iż-żmien, għandha tiġi differita bl-istess mod.

Ġurament li għandu jittieħed mill-Kummissjonarji.

4. Il-Kummissjonarji għandhom, mal-ħatra tagħhom, jieħdu quddiem l-Avukat Ġenerali l-ġurament tal-kariga muri fl-Ewwel Skeda li tinsab ma' dawn ir-regolamenti.

Setgħat tal-Kummissjonarji.

5. (1) Fl-esekuzzjoni tad-dmirijiet tagħhom taħt dawn ir-regolamenti, il-Kummissjonarji, fin-nuqqas ta' dispożizzjoni espressa f'dawn ir-regolamenti, għandhom jagħmlu dak kollu li jidhrilhom li hu meħtieġ għat-twettiq ta' dmirijiethom.

(2) Fl-esekuzzjoni tad-dmirijiet tagħhom taħt dawn ir-regolamenti, il-Kummissjonarji għandhom is-setgħat mogħtija mill-liġi lill-Qrati tal-Maġistrati sabiex iżommu l-ordni fis-seduti tagħhom u jassiguraw il-qima li tistħoqq lilhom.

Delegati tal-Partit.

6. (1) Kull partit politiku jkollu l-jedd li jinnomina żewġ delegati (hawnhekk iżjed 'il quddiem imsejħa "delegati tal-partit") biex jirrappreżentaw il-partiti mal-Kummissjoni.

(2) Id-delegati tal-partit għandhom jirrapreżentaw lil dak il-partit politiku li jkun għamel in-nomina tagħhom mal-Kummissjoni u jkollhom il-jedd b'mod ġenerali li jiġu avżati bis-seduti kollha u bid-deċiżjonijiet kollha meħudin fihom.

(3) Id-delegati tal-partit, minkejja d-dispożizzjonijiet ta' kull liġi oħra, għandu jkollhom kull dritt u ħelsien li jidħlu fl-Uffiċċju Elettorali, li jaraw kull dokumentazzjoni miżmuma f'dak il-lok u li jqabblu, jivverifikaw u jiksbu kull tagħrif dwar ix-xogħol ta' l-Uffiċċju Elettorali; iżda l-Kummissjoni jkollha d-dritt li tinnomina uffiċjal tal-Kummissjoni sabiex jakkumpanja lil dawk id-delegati f'kull ħin.

(4) Id-delegati tal-partit għandhom jibqgħu f'dik il-kariga sakemm huma jitneħħew mill-partit politiku li jkun għamel in-nomina tagħhom.

(5) Id-delegati tal-partiti għandhom id-dritt li jfittxu u jiksbu mingħand il-Kummissjonarji kif ukoll mingħand kull uffiċjal ieħor li għandu x'jaqsam mat-tmexxija, sorveljar jew sigurtà fl-elezzjonijiet jew ma' xi aspett tagħhom, informazzjoni li tkun tixhed dwar jekk dawk il-persuni jkunux qegħdin jieħdu jew ma jieħdux miżuri biżżejjed sabiex jikkonformaw ruħhom mad-dispożizzjonijiet tal-liġi fl-elezzjonijiet li jkunu sejrin jew qegħdin isiru, u l-Kummissjonarji jew dawk il-persuni oħra jkunu, minkejja kull liġi oħra jew regolament ieħor, marbutin li jagħtu dik l-informazzjoni minnufih.

(6) Minkejja kull dispożizzjoni f'dawn ir-regolamenti li tagħti lid-delegati tal-partit il-jedd li jistħarrġu u jiksbu tagħrif jew il-jedd tagħhom li jingħataw kopji ta' dokumenti u listi mill-Kummissjoni jew minn dipartimenti tal-Gvern, dak il-jedd ma jinkludix il-jedd ta' viżjoni ta' dokumenti mediċi jew ta' dokumenti dwar l-adozzjoni ta' eletturi w il-jedd ta' għarfien qabel il-jum tal-votazzjoni ta' aspetti ta' sigurtà li għandhom x'jaqsmu ma' poloz tal-votazzjoni, dokumenti għall-votazzjoni u t-timbru uffiċjali użat mill-Kummissjoni fuq il-poloz. Fejn it-tagħrif, dokumenti jew listi jkunu ta' natura konfidenzjali, id-delegati tal-partiti jkunu marbutin bl-istess obbligu ta' segretezza bħal persuna li minn għandha jinkiseb it-tagħrif, dokumenti jew listi.

(7) Id-delegati tal-partiti jkollhom jedd jitolbu li dak it-tagħrif, dokumenti u listi li l-Kummissjoni għandha tagħtihom, jingħatalhom, f'dik l-għamla elettro-manjetika li l-Kummissjoni tkun tista' b'mod raġonevoli tagħtihom permezz tat-tagħmir li jkollha.

TAQSIMA II
Ir-Reġistru Elettorali għall-Kunsilli Lokali

Dispożizzjonijiet applikabbli ta' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali Att XXI ta' l-1991.

7. Id-diżpożizzjonijiet kollha fl-Att tal-1991 dwar l-Elezzjonijiet Ġeneral u li għandhom x'jaqsmu mar-reġistrazzjoni, trasferiment u taħsir ta' reġistrazzjoni ta' eletturi fir-Reġistru Elettorali stabbilit b'dak l-Att, kif ukoll li għandhom x'jaqsmu mal-ħatra ta' uffiċċjali reviżuri u appelli lilhom għandhom "mutatis mutandis" japplikaw għar-Reġistru

Elettorali għall-Kunsilli Lokali mwaqqaf bl-artikolu 5 ta' dan l-Att.

Formuli ta' l-Iskedi.

8. Għall-finijiet tas-subartikolu (2) ta' l- artikolu 6 ta' l-Att, il-formula ta' applikazzjoni għal:

(a) reġistrazzjoni bħala elettur;

(b) korrezzjoni jew trasferiment;

(ċ) korrezzjoni ta' isem jew indirizz;

(d) korrezzjoni tal-kunjom u l-indirizz wara ż-żwieġ minn eletturi nisa;

għandhom ikunu dawk murija fit-Tieni, it-Tielet, ir-Raba', u l-Ħames Skedi rispettivament.

Reġistru Elettorali għall-Kunsilli Lokali.

9. (1) Il-listi tal-persuni kollha li jkollhom jedd ikunu reġistrati bħala eletturi għall-elezzjoni ta' Kunsilli Lokali skond id-dispożizzjonijiet ta' l-Att, għandhom jiffurmaw ir-Reġistru Elettorali għall-Kunsilli Lokali.

(2) Ir-Reġistru Elettorali għall-Kunsilli Lokali għandu jintgħamel skond id-dispożizzjonijiet ta' dawn ir-regolamenti.

(3) Ir-Reġistru Elettorali għall-Kunsilli Lokali għandu jintgħamel b'dak il-mod li l-pubbliku jsir jaf min huma dawk il-persuni li jkunu reġistrati eletturi, u b'dak il-mod li bih ikun jista' jintgħaraf kull elettur u sabiex kull elettur ikollu l-opportunità li joġġezzjona għad-dħul fil-lista ta' kull elettur ieħor skond id-dispożizzjonijiet ta' l-Att u ta' dawn ir-regolamenti.

Kif jintgħamel ir-Reġistru Elettorali għall-Kunsilli Lokali.

10. (1) Ir-Reġistru Elettorali għall-Kunsilli Lokali għandu jintgħamel minn daqstant taqsimiet daqskemm ikun hemm lokalitajiet, taqsima għal kull lokalità, u kull lokalità għandha terġa' tinqasam f'daqstant taqsimiet daqskemm il-Kummissjoni tqis li jkun meħtieġ jew konvenjenti.

(2) Kull taqsima tar-Reġistru Elettorali għall-Kunsilli Lokali għandha tintgħamel f'ordni alfabetiku skond l-isem ta' kull triq, u l-eletturi għandhom jidhru skond l-ordni alfabetiku ta' kunjomhom taħt isem it-triq fejn ikunu reġistrati, u għandhom jidhru maġenb isem kull elettur dak il-post fejn ikun soltu joqgħod u numru tad-dokument ta' identità tiegħu.

(3) Persuni li mhumiex ċittadini ta' Malta iżda li huma ntitolati li jiġu reġistrati bħala eletturi skond l-Att għandhom jiġu murija

f'taqsima għaliha iżda fl-istess ordni kif provdut f' paragrafu 2 ta' dan ir-regolament.

(4) Ir-Reġistru Elettorali għall-Kunsilli Lokali jista' jinkludi wkoll maġenb isem kull elettur kull partikolarità oħra li tista' titqies meħtieġa sabiex kull elettur ikun jista' jiġi identifikat sew.

(5) Kull żball ta' l-istampar f'xi partikolarità li tidher ma'għandhiex minnha nnifisha tolqot il-jedd ta' persuna li tivvota.

Kontenut tar-Reġistru Elettorali għall-Kunsilli Lokali.

11. (1) Ir-Reġistru Elettorali għall-Kunsilli Lokali għandu jinkludi lil dawk il-persuni kollha li għandhom jedd li jiġu reġistrati bħala eletturi skond id-dispożizzjonijiet ta' l-Att, fil-jum imsemmi fir-regolament li jiġi wara dan.

(2) Ir-Reġistru Elettorali għall-Kunsilli Lokali ma għandux jinkludi lil xi persuna li ma jkollhiex jedd li tiġi reġistrata bħala elettur skond id-dispożizzjonijiet ta' l-Att, fil-jum imsemmi fir-regolament li jiġi wara dan.

Pubblikazzjoni tar-Reġistru Elettorali għall-Kunsilli Lokali.

12. Il-Kummissjoni għandha tieħu ħsieb li jinħareġ Reġistru Elettorali għall-Kunsilli Lokali rivedut fil-Gazzetta darba fis-sena fix-xahar ta' Novembru. Dan ir-reġistru għandu jkun fih il-korrezzjonijiet, iż-żidiet, it-trasferimenti u t-taħsiriet kollha li jkun hemm fil-wieħed u tletin ta' Ottubru li jaħbat qabel il-ħruġ ta' dak ir-Reġistru.

Żidiet , taħsir u korrezzjonijiet magħmulin lir-Reġistru Elettorali għall-Kunsilli Lokali.

13. (1) Kull żieda, taħsira, jew korrezzjoni li tiġi ordnata li ssir fir-Reġistru Elettorali għal Kunsilli Lokali minn Uffiċjal Reviżur skond id-dispożizzjonijiet ta' dawn ir-regolamenti għandhom jiġu pubblikati mill-Kummissjoni fil-Gazzetta u jagħmlu parti mir-Reġistru Elettorali għal Kunsilli Lokali.

(2) Kull żieda, taħsira jew korrezzjoni li tiġi ordnata li ssir fir-Reġistru Elettorali kemm mill-Kummissjoni kif ukoll minn Uffiċċjal Reviżur skond id-dispożizzjonijiet ta' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali għandhom "mutatis mutandis" japplikaw għar-Reġistru Elettorali għall-Kunsilli Lokali.

L-eletturi f'elezzjoni huma dawk miġjuba fl-aħħar Registru Elettorali għall-Kunsilli Lokali.

14. Kull meta għandha ssir elezzjoni, l-eletturi jkunu l-persuni li isimhom ikun jidher fir-Reġistru Elettorali għall-Kunsilli Lokali rivedut li jkun ħareġ l-aħħar, suġġett għal dawk iż-żidiet, tifsiriet jew korrezzjonijiet li jiġu ordnati mill-Uffiċjal Reviżur, u l-Kummissjoni ma jkollhiex jedd li ma tagħtix jew tieħu lura xi dokument ta' votazzjoni minn elettur li jkun hekk reġistrat sakemm dak l-elettur ma jkunx miet:

Iżda xejn milli jinsab f'dan ir-regolament ma għandu jagħti jedd lil xi persuna li tivvota meta din ma jkunx għad għandha l-kwalifiki

meħtieġa biex tivvota, jew jeħles lil dik il-persuna minn xi pieni li jistgħu jistħoqqulha jekk tivvota hekk. Lanqas ma għandha ebda ħaġa f'dan ir-regolament tagħti l-jedd lil xi persuna li tivvota jekk ma tkunx tissodisfa l-ħtiġiet ta' dawn ir-regolamenti.

TAQSIMA III
Avviż għall-Elezzjoni, Dokumenti għall-Votazzjoni u Poloz tal-Votazzjoni

Avviż ta' l-Elezzjoni.

15. (1) Kull meta jmissha ssir elezzjoni, il-Kummissjoni Elettorali għandha tagħti avviż tagħha hawnhekk iżjed 'il quddiem imsejjaħ "l-Avviż", fil-formula miġjuba fis-Sitt Skeda li tinsab ma' dawn ir-regolamenti.

(2) Il-Kummissjoni għandha tagħti dan l-Avviż ta' l-anqas ħamsa u tletin ġurnata qabel il-ġurnata stabbilita għall-elezzjoni u għandha tieħu ħsieb biex l-Avviż jinħareġ fil-Gazzetta.

Avviż li għandu jinħareġ mill-Kummissjonarji.

16. Fil-jum ta' wara l-ħruġ ta' l-Avviż, il-Kummissjonarji għandhom jieħdu l-ħsieb li jinħarġu avviż jew avviżi fil-Gazzetta illi jkun fihom:

(a) il-lok, u d-data u l-ħin li fihom il-Kummissjonarji joqogħdu biex jirċievu n-nomini ta' kandidati għall-elezzjoni bħala Kunsillieri, u kull oppożizzjoni għal dawk in-nomini, u dan il-post huwa fl-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali imsejjaħ bħala l-Uffiċċju Elettorali. Iż-żmien li fih nomini ta' kandidati għall-elezzjoni jistgħu jsiru, għandu jkun ta' tlitt ijiem u ma jibdiex igħodd qabel sitt ijiem mid-data tal-pubblikazzjoni ta' l-avviż imsemmi f'dan ir-regolament u ż-żmien li matulu jistgħu jsiru l-oppożizzjonijiet għandu jkun ta' jumejn mit-temm taż-żmien stabbilit biex jiġu riċevuti n-nomini;

(b) il-postijiet u l-ġurnata u l-ħinijiet li fihom għandha ssir il-votazzjoni. Il-votazzjoni ma tistax issir qabel ma jgħaddu tlett ijiem mid-data tal-pubblikazzjoni ta' l-avviż imsemmi fil-paragrafu (3) tar-regolament 24 ta' dawn ir-regolamenti;

(ċ) il-post fejn il-kaxex tal-voti għandhom jittieħdu mill-Assistenti Kummissjonarji wara li ssir il-votazzjoni, li jkun ukoll il-post fejn il-Kummissjoni terfa' il-kaxex tal-voti u tgħodd il-voti mitfuha, tali post għandu jkun sakemm ikun prattikabbli fil-lokalità innfisha u, jekk possibbli, l-post użat bħala l-post tal-votazzjoni jew wieħed mill-postijiet tal-votazzjoni f'dik il-lokalità;

(d) id-data u l-ħin li fihom għandhom jinfetħu l-kaxex tal-voti u għandu jsir il-għadd tal-voti.

Dokument tal-Votazzjoni.

17. (1) Il-Kummissjoni għandha fi żmien mhux aktar tard mill-ħmistax-il jum wara l-pubblikazzjoni ta' l-Avviż, tibgħat lil kull elettur li ismu jkun jidher fl-aħħar Reġistru Elettorali għall-Kunsilli Lokali rivedut, dokument f'dawn ir-regolamenti imsejjaħ "dokument għall-votazzjoni", skond il-forma msemmija fis-Seba' Skeda li tinsab ma' dawn ir-regolamenti, u li jkun magħmul minn dak il-materjal u b'dik l-għamla li fil-fehma tal-Kummissjoni jipprovdi ħarsien biżżejjed kontra falsifikazzjoni. Id-dokumenti għall-votazzjoni għandhom jiġu enumerati b'mod konsekuttiv, b'dan li kull dokument ikollu numru distint stampat fuq quddiem:

Iżda kull meta l-Kummissjoni tkun sodisfatta li persuna li isimha jkun jidher fir-Reġistru Elettorali għall-Kunsilli Lokali tkun mejta, id-dokument għall-votazzjoni relattiv ma għandux hekk jingħadda, u meta dak id-dokument għall-votazzjoni jkun hekk ingħadda, il-Kummissjoni għandha tirtirah:

Iżda wkoll il-Kummissjoni ma għandiex tibgħat dokument għall-votazzjoni lil xi elettur li l-Kummissjoni ma jkollhiex ritratt fotografiku tiegħu, u dwar dawk l-eletturi il-Kummissjoni għandha timxi skond din il-proċedura:

(i) fi żmien ħamest ijiem mill-pubblikazzjoni ta' l-Avviż, il-Kummissjoni għandha tippubblika fil-Gazzetta lista ta' l-eletturi msemmija li tkun turi l-isem, kunjom, residenza u numru tal-karta ta' l-identità tagħhom;

(ii) l-ismijiet ta' dawk l-eletturi ma għandhomx jiġu pubblikati fil-lista msemmija fil-paragrafu (5) ta' dan ir-regolament;

(iii) id-dokument għall-votazzjoni ta' dawk l-eletturi għandu biss jinħareġ jekk l-elettur ikun jissodisfa l-ħtiġijiet tar-regolament 18 ta' dawn ir-regolamenti u għandu jkun skond id-dispożizzjonijiet ta' dak ir-regolament.

(2) Il-partiti politiċi għandhom jingħataw kull faċilità raġonevoli li josservaw l-istampar tad-dokumenti għall-votazzjoni kollha, li jivverifikaw l-eżattezza tagħhom u b'mod ġenerali li jassiguraw li jiġu stampati biss id-dokumenti għall-votazzjoni ta' eletturi li jkollhom jedd għalihom.

(3) Id-dokumenti għall-votazzjoni stampati skond il-paragrafu ta' qabel ta' dan ir-regolament għandhom, sakemm dawn jingħataw lill-eletturi, jinżammu f'kaxex siġillati bis-siġill tal-Kummissjoni. Id-delegati tal-partiti jkollhom il-jedd jagħmlu s-siġilli tagħhom fuq dawk il-kaxex u li jkunu preżenti kull meta dawk is-siġilli jinkisru. Dan ir-regolament għandu japplika wkoll *mutatis mutandis* għal dawk id-dokumenti għall-votazzjoni li jibqgħu ma jitqassmux,

skond il-paragrafu (4) ta' dan ir-regolament, meta jinħarġu d-dokumenti għall-votazzjoni skond il-paragrafu (6) ta' dan ir-regolament, u għal dawk id-dokumenti għall-votazzjoni li jibqgħu ma jitqassmux.

(4) Id-dokument għall-votazzjoni għandu jiġi nnotifikat lil kull elettur minn uffiċjal tal-Pulizija jew permezz ta' ittra reġistrata jew minn persuna oħra maħtura għaldaqshekk mill-Kummissjoni, u dan id-dokument jitqies li ġie nnotifikat bil-kunsinna tiegħu lill-elettur li għalih ikun indirizzat, jew lil persuna ta' l-età, li jew tkun toqgħod fl-istess indirizz jew li tkun fl-impieg tiegħu, fl-indirizz ta' l-elettur kif miġjub fir-Reġistru Elettorali għall-Kunsilli Lokali.

(5) Meta l-Kummissjonarji ma jkunux jistgħu jesegwixxu n-notifika tad-dokument hawn fuq imsemmi huma għandhom, mill-aktar fis li jista' jkun u fl-ebda każ mhux aktar tard minn tlett ijiem miż-żmien stabbilit f'paragrafu (1) ta' ir-regolament, joħorġu fil-Gazzetta lista bl-ismijiet, numru tal-karta ta' l-identità u indirizzi tal-persuni li majkunux ġew innotifikati bid-dokument għall-votazzjoni, u għandhom jagħtu r-raġuni li għaliha ma tkunx saret in-notifika.

(6) Kull min ma jkunx ġie nnotifikat bid-dokument għall-votazzjoni u li ismu jkun miġjub fuq il-lista maħruġa skond il-paragrafu ta' qabel dan, jista' sal-Ħamis sew sew qabel il-ġurnata ta' l-elezzjoni, jidher quddiem wieħed mill-Kummissjonarji jew xi persuna oħra delegata minnhom u jitlob il-kunsinna tad-dokument:

Iżda l-imsemmi dokument ma għandux jingħatalha kemm-il darba ma tipproduċix il-karta ta' l-identità tagħha lill-Kummissjonarji jew lill-persuna delegata minnhom.

(7) Kull Kummissjonarju jew kull min jiġi delegat minnhom jista' jeżamina bil-ġurament kull persuna sabiex jiżgura ruħu mill-identità tagħha u jara jekk għandhiex jedd li tirċievi d-dokument.

Dokument għall-Votazzjoni Speċjali.

18. Meta persuna li isimha jkun jidher fl-aħħar Reġistru Elettorali għall-Kunsilli Lokali rivedut, iżda li ma jkunx jidher il-lista pubblikata skond il-paragrafu (5) tar-regolament 17 ta' dawn ir-regolamenti, ma tkunx irċeviet id-dokument għall-votazzjoni jew, wara li tkun irċeviet dak id-dokument, tkun tilfitu jew iddistruġġietu, dik il-persuna tista' mhux iktar tard mis-6.00 p.m. ta' l-Erbgħa li jiġi minnufih qabel ma tibda l-votazzjoni, tidher quddiem wieħed mill-Kummissjonarji, u jekk: –

(a) tipprova l-identità tagħha billi tipproduċi l-kart ta' l-identità tagħha; u

(b) tagħmel dikjarazzjoni bil-ġurament quddiem dak il-

Kummissjonarju li ma tkunx irċeviet id-dokument għall-votazzjoni jew li, wara li tkun irċeviet dak id-dokument, tkun tilfitu jew iddistruġġietu, u dawk id-dikjarazzjonijiet l-oħra bil-ġurament li l-Kummissjonarju jista' jeħtieġ

din għandha tingħata dokument għall-votazzjoni maħruġ speċjali għal hekk; u f'kull każ bħal dak:

(i) isem dik il-persuna li jkun jidher fuq il-lista msemmija fil-paragrafu (1) tar-regolament 34 ta' dawn ir-regolamenti għandu jiġi markat "SPEĊJALI"; u

(ii) lista tal-persuni kollha li lilhom ikun inħareġ dokument għall-votazzjoni skond dan il-paragrafu għandha tinżamm fl-Uffiċċju Elettorali u tkun miftuħa għal spezzjoni minn kull kandidat, aġent tal-partit jew delegat tal-partit f'kull ħin xieraq sakemm tagħlaq il-votazzjoni.

Numru ta' Dokumenti għall-Votazzjoni.

19. (1) Mhux iktar tard mill-Ġimgħa qabel ma tibda l-votazzjoni, il-Kummissjonarji għandhom jieħdu ħsieb li jippubblikaw fil-Gazzetta lista li tkun turi n-numru ta' dokumenti għall-votazzjoni li ġew stampati, in-numru imqassam skond il-paragrafu (1) tar-regolament 17, l-ismijiet u l-indirizzi tal-persuni li sa dak il-ħin ikunu talbu l-kunsinna tad-dokumenti skond il-paragrafu (6) tar-regolament 17, in-numru ta' dokumenti għall-votazzjoni maħruġin skond l-artikolu 18 u l-isem, l-indirizz u n-numru tal-karta ta' l-identità tal-persuni li lilhom dawk id-dokumenti jkunu ġew kunsinnati, in-numru ta' dokumenti għall-votazzjoni li nżammu milli jingħataw u r-raġunijiet għal dan u l-ismijiet l-indirizzi u n-numri tal-karta ta' l-identità ta' l-eletturi konċernati u n-numru ta' dokumenti għall-votazzjoni li jkunu baqgħu ma nġabrux u l-ismijiet, l-indirizzi u n-numri tal-karta ta' l-identità ta' l-eletturi konċernati.

(2) Kull partit politiku jkollu d-dritt jinnomina rappreżentanti tiegħu sabiex ikunu preżenti waqt il-ħruġ tad-dokumenti għall-votazzjoni skond il-paragrafu (6) tar-regolament 17 u r-regolament 18 ta' dawn ir-regolamenti u għal dan il-għan il-partiti msemmijin għandhom jiġu provduti mill-Kummissjoni b'dak it-tagħrif kollu li jista' jinħtieġ minnhom u li huma jistgħu jqisu bħala li hu meħtieġ għall-aħjar qadi ta' dmirijiethom.

Poloz tal-votazzjoni.

20. (1) Tlett ijiem qabel il-bidu tal-votazzjoni, il-Kummissjoni għandha tieħu ħsieb li tippubblika fil-Gazzetta tal-Gvern in-numru ta' poloz tal-votazzjoni stampati għal kull lokalità u n-numru li jkun se jitqassam f'kull kamra tal-votazzjoni individwali.

(2) Il-Kummissjoni għandha tiżgura kemm ikun prattikament possibbli li l-poloz tal-votazzjoni jintgħamlu minn dik it-tip ta'

karta li tipprovdi sigurtà u li jkollhom dawk is-sinjali li jkunu jiżguraw li ma jistgħux jiġu duplikati.

(3) Il-polza ta' kull elettur għandha tkun magħmula minn karta bħal fil-formula li tidher fit-Tmien Skeda li tinsab ma' dawn ir-regolamenti, li jkun fiha lista tal-kandidati deskritti bl-isem (inkluż kull laqam), l-indirizz u l-professjoni jew ix-xogħol kif mogħtija fil-polza tan-nomina ta' kull wieħed minnhom u kif approvat mill-Kummissjonarji Elettorali.

(4) F'kull lokalità il-kandidati għandhom jitqassmu skond il-partit politiku u, f'kull grupp ta' kull partit alfabetikament skond kunjomhom. Jekk ikun hemm żewġ kandidati jew iktar ta' partit wieħed bl-istess kunjom, dawn jitqassmu fl-ordni ta' l-isem jew l-ismijiet l-oħra tagħhom.

(5) Kull partit politiku li jikkontesta l-elezzjoni għandu jagħti lill-Kummissjoni l-isem tal-kandidati li jkunu qegħdin jikkontestaw l-elezzjoni fl-interess tiegħu f'kull lokalità. Dik il-lista għandha tkun prova konklussiva dwar jekk kandidat partikolari jkunx jappartjeni għal dak il-partit politiku.

(6) Jekk mogħti mill-partit li miegħu jkun jagħmel, jista' jiġi stampat fuq il-polza quddiem l-isem ta' kull kandidat li jkun jagħmel ma' dak il-partit kull *badge* jew distintiv, approvat mill-Kummissjoni, li juri l-partit politiku, jekk ikun hemm, li miegħu l-kandidat jagħmel jew li b'xi mod ieħor jitqies li jgħin sabiex bih l-elettur jista' jagħraf lill-kandidat.

(7) Il-partiti jitniżżlu fuq il-polza fl-ordni alfabetiku.

Tqassim tal-Poloz.

21. (1) F'jum jew jiem kemm jista' jkun qrib il-jum ta' votazzjoni il-Kummissjoni għandha tipprepara f'pakketti differenti l-poloz u d-dokumenti oħra kollha u materjal li jkunu se jiġu kunsinnati lill-Assistenti Kummissjonarji fil-jum ta' votazzjoni.

(2) Il-Kummissjoni Elettorali għandha tibqa' żżomm il-pakketti kollha sal-jum tal-votazzjoni meta mbagħad tikkunsinnahom lill-Assistenti Kummissjonarji qabel ma tibda l-votazzjoni.

(3) Ir-rappreżentati tal-partiti politiċi għandhom jingħataw kull faċilità raġonevoli sabiex jissorveljaw l-istampar u l-verifika tal-poloz kollha, l-ippakkjar ta' dawk il-poloz u t-tqassim tagħhom lill-Assistenti Kummissjonarji, u li jagħmlu s-siġilli tagħhom fuq il-pakketti kollha preparati mill-Kummissjoni Elettorali għall-kunsinna lill-Assistenti Kummissjonarji.

TAQSIMA IV
Nomina ta' Kandidati

Nomina ta' Kandidati.

22. (1) Il-kandidat għal elezzjoni għandu jiġi nominat bil-miktub. Il-formula tan-nomina, li għandha tkun skond kif hemm fid-Disa' Skeda li tinsab ma' dawn ir-regolamenti, għandha tkun iffirmata mill-kandidat innifsu (jew, jekk ikun nieqes minn Malta, minn rappreżentant tiegħu maħtur għaldaqshekk), u mill-anqas minn erba' eletturi rreġistrati fil-lokalità li għaliha l-kandidat ikun nominat. Il-formula tan-nomina għandha tiġi kkunsinnata lil wieħed mill-Kummissjonarji fl-Uffiċċju Elettorali mill-kandidat innifsu, jew, jekk ma jkunx jista' minħabba mard jew għax ikun nieqes minn Malta, mir-rappreżentant leġittimu tiegħu, fiż-żmien miġjub fl-avviż imsemmi fir-regolament 16.

(2) Minnufih wara li l-formula tan-nomina tiġi kkunsinnata lill-Kummissjoni, l-isem tal-kandidat għandu jiġi mwaħħal fid-daħla tal-Uffiċċju Elettorali b'indikazzjoni tal-lokalità li għaliha l-kandidat ikun ġie nominat.

(3) Tista' ssir oppożizzjoni għal nomina minħabba li fiha d-deskrizzjoni tal-kandidat ma tkunx biżżejjed sabiex jiġi identifikat, minħabba li l-formula tan-nomina ma tkunx magħmula jew ma tkunx ġiet ikkunsinnata skond id-dispożizzjonijiet ta' l-Att jew ta' dawn ir-regolamenti jew minħabba li d-depożitu preskritt bir-regolament 23 ta' dawn ir-regolamenti ma jkunx tħallas.

Iżda ma tista' ssir ebda oppożizzjoni wara t-temm taż-żmien stabbilit biex issir dik l-oppożizzjoni fl-avviż imsemmi fir-regolament 16.

(4) Kull oppożizzjoni għandha tkun bil-miktub, iffirmata mill-persuna li tagħmilha u għandu jkun fiha r-raġuni li għaliha qiegħda ssir. Il-Kummissjoni nnifisha tista' tagħmel oppożizzjoni.

(5) Il-Kummissjonarji għandhom, mhux aktar tard mill-ġurnata wara li tiskadi l-ġurnata ffissata għad-dħul ta' l-oppożizzjoni jiddeċiedu dwar il-validità ta' kull oppożizzjoni li għarrfu lill-kandidati li għan-nomina tiegħu tirreferixxi l-oppożizzjoni jew lir-rappreżentant leġittimu tiegħu dwar id-deċiżjoni tagħhom u, jekk l-oppożizzjoni tiġi milqugħa, bir-raġuni tad-deċiżjoni tagħhom. Id-deċiżjoni tal-Kummissjonarji, meta l-oppożizzjoni ma tiġix milqugħa, hija finali, iżda meta l-oppożizzjoni tiġi milqugħa, jista' jsir appell minnha lill-Qorti ta' l-Appell b'ċitazzjoni preżentata b'kontestazzjoni mal-Kummissjonarji mhux aktar tard minn erbgħa u għoxrin siegħa wara li l-Kummissjoni tkun wasslet id-deċiżjoni tagħha lill-kandidati u l-Qorti ta' l-Appell għandha tittratta dik iċ-ċitazzjoni bl-ikbar ħeffa.

(6) Għall-finijiet ta' dan ir-regolament, kull elettur jista' jitlob lill-Kummissjonarji li jara u jeżamina kull formula ta' nomina aċċettata minnhom.

Depożitu minn Kandidati fl-Elezzjonijiet.

23. (1) Kull kandidat f'kull elezzjoni għandu jiddepożita, jew jieħu l-ħsieb li tiġi ddepożitata għalih, għand il-Kummissjoni, qabel ma n-nomina tiegħu tista' tiġi aċċettata, is-somma ta' erbgħin lira Maltin, u jekk ma jagħmilx dan, in-nomina ma tiġix aċċettata mill-Kummissjonarji:

Iżda l-Ministru jista' minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika ammont ogħla li f'kull każ ma jkunx aktar minn tliet mitt lira Maltin.

(2) Jekk wara li jsir id-depożitu l-kandidatura tiġi irtirata skond id-dispożizzjonijiet ta' dawn ir-regolamenti, id-depożitu jiġi mogħti lura lill-persuna li tkun għamlitu; u jekk il-kandidat imut wara li jsir id-depożitu u qabel ma tibda l-votazzjoni, id-depożitu, jekk ikun sar minnu, jiġi mogħti lura lill-werrieta tiegħu u jekk ma jkunx sar minnu, jingħata lura lill-persuna li tkun għamlitu.

(3) Jekk kandidat li jkun għamel id-depożitu meħtieġ ma jiġix elett, u n-numru ta' voti li jġib ma jkunx jiskorri minn għaxra waħda tan-numru ta' voti vvutati diviż bin-numru tal-kunsilliera li għandhom ikunu eletti għal dik il-lokalità, l-ammont iddepożitat jiġi kkonfiskat u mħallas mill-Kummissjonarji fil-Fond Konsolidat iżda f'kull każ l-ammont għandu jiġi mogħti lura lill-kandidat, fil-każ li jkun ġie elett, hekk kif huwa jieħu l-ġurament bħala Kunsillier, u fil-każ li ma jkunx ġie elett, mill-aktar fis li jista' jkun wara li jiġi ddikjarat ir-riżultat ta' l-elezzjoni.

(4) Għall-finijiet ta' dan ir-regolament n-numru ta' voti miġjubin minn kandidat ikun l-aqwa numru ta' voti li jiġi akkreditat lilu f'kull żmien matul il-għadd tal-voti.

Elezzjoni kkuntestata u mhux ikkuntestata.

24. (1) Jekk meta jagħlaq iż-żmien li fih għandhom jiġu preżentati n-nomini, in-numru ta' kandidati nnominati għal lokalità jkun daqs jew inqas minn dak in-numru ta' Kunsilliera li l-eletturi f'dak il-lokalità huma intitolati li jtellgħu, il-Kummissjonarji għandhom jiddikjaraw il-kandidati nominati bħala Kunsilliera eletti biex jirrappreżentaw dik il-lokalità u dak ir-rapport għandu jiġi maħruġ fil-Gazzetta.

(2) Jekk in-numru ta' kandidati nominati għal lokalità jkun anqas minn dak li l-eletturi f'dik il-lokalità huma intitolati li jtellgħu il-Kummissjoni għandha toħroġ Avviż ġdid għall-elezzjoni ta' Kunsilliera biex jimtlew il-postijiet battala li jkun fadal f'dik il-lokalità, u jekk meta jsir dan ma jkunux nominati kandidati oħra, jew jekk in-numru ta' kandidati nominati jkun inqas min-numru ta' postijiet battala, il-pos-

tijiet li wara dan jibqgħu battala jistgħu jimtlew bil-għażla ta' kunsillier jew kunsilliera mill-Kunsillier jew Kunsilliera eletti tal-lokalità u l-Kummissjoni ma għandiex toħroġ Avviż ġdid għalihom. Il-Kunsillier jew Kunsilliera hekk magħżula għandu jkollhom il-kwalifiki stabbiliti fl-artikolu 11 ta' l-Att.

(3) Jekk għall-lokalità jiġu nominati kandidati iżjed min-numru hawn fuq imsemmi, il-Kummissjonarji għandhom joħorġu avviż taħt il-firma tagħhom fil-Gazzetta, u fih jagħtu l-ismijiet tal-kandidati u l-lokalità li għaliha ġew nominati. Ebda persuna li l-isem tagħha ma jkunx ġie ippubblikat f' dak l-avviż ma tista' tiġi eletta bħala Kunsillier.

Il-Kandidatura tista' tiġi rtirata.

25. Kandidat jista', fiż-żmien stabbilit għan-nomina, jirtira l-kandidatura tiegħu billi jagħti lill-Kummissjoni avviż għaldaqshekk. Dan l-avviż għandu jkun iffirmat mill-kandidat jew jekk ikun nieqes minn Malta, mir-rappreżentant tiegħu maħtur għaldaqshekk.

TAQSIMA V
Assistenti Kummissjonarji

Ħatra ta' Assistenti Kummissjonarji.

26. (1) Bla ħsara għad-dispożizzjonijiet tar-regolamenti li ġejjin ta' dawn ir-regolamenti, il-Kummissjoni taħtar tant Assistenti Kummissjonarji Elettorali hawnhekk iżjed 'il quddiem imsejħin "Assistenti Kummissjonarji" daqs kemm ikunu meħtieġa, sabiex jissorveljaw l-elezzjoni bil-mod stabbilit f' dawn ir-regolamenti. Ebda Assistent Kummissjonarju ma jista' jiġi maħtur biex jissorvelja l-votazzjoni f' lokalità li fihajkun joqgħod jew f' lokalità li tikkonfina ma' dik il-lokalità li fiha jkun joqgħod jew li fiha jkun soltu jeżerċita l-professjoni jew ix-xogħol tiegħu.

(2) L-Assistenti Kummissjonarji għandhom jieħdu l-ġurament tal-kariga kif miġjub fl-Għaxar Skeda li tinsab ma' dawn ir-regolamenti, quddiem wieħed mill-Kummissjonarji u għandhom jimxu fl-esekuzzjoni tad-dmirijiet tagħhom skond l-istruzzjonijiet li tagħtihom il-Kummissjoni Elettorali.

Nomina ta' Assitenti Kummissjonarji.

27. (1) Kull partit politiku jkollu jedd, fi żmien sebat ijiem mill-pubblikazzjoni ta' l-Avviż, li jinnomina numru ta' persuni, li jkun daqs wieħed u nofs in-numru ta' kmamar tal-votazzjoni, sabiex jagħmluha ta' Assistenti Kummissjonarji, u sakemm dawk il-persuni jkunu kapaċi biżżejjed li jwettqu l-funzjonijiet ta' Assistent Kummissjonarju u ma jkunx skwalifikati milli jagħmluha ta' hekk bid-dispożizzjonijiet ta' dawn ir-regolamenti, il-Kummissjoni għandha taħtar Assistenti Kummissjonarji minn fost dawk il-persuni.

(2) Il-Kummissjoni għandha hi nnifisha iktar minn hekk

tinnomina bħala Assistenti Kummissjonarji dak in-numru ta' persuni li jkun meħtieġ sabiex f'kull kamra tal-votazzjoni jkun hemm jattendu f'kull żmien mill-inqas persuna waħda nominata mill-Kummissjoni biex tagħmilha ta' Assistent Kummissjonarju.

(3) F'ebda każ ma għandu jkun hemm inqas minn tliet Assistenti Kummissjonarji nominati biex jissorveljaw il-votazzjoni f'kull kamra tal-votazzjoni u jekk jiġri li l-partiti politiċi kollha jew xi wieħed minnhom jonqsu li jinnominaw l-Assistenti Kummissjonarji kollha jew xi wieħed minnhom skond il-paragrafu (1) ta' dan ir-regolament u fiż-żmien stabbilit fih, il-Kummissjoni nnifisha għandha tinnomina Assistenti Kummissjonarji oħrajn sabiex jiġi assigurat illi, mill-inqas, ikun hemm jattendu tliet Assistenti Kummissjonarji f'kull kamra tal-votazzjoni.

(4) Għall-fini taż-żmien stabbilit fil-paragrafu (1) ta' dan ir-regolament, il-Kummissjoni għandha, mhux iktar tard minn jumejn wara l-pubblikazzjoni ta' l-Avviż, tinforma lill-partiti bin-numru ta' Assistenti Kummissjonarji li kull partit ikun meħtieġ jinnomina.

Skwalifiki u pubblikazzjoni ta' l-ismijiet ta' l-Assitenti Kummissjonarji.

28. (1) Ħadd ma jista' jkun Assistent Kummissjonarju jekk ikun kandidat għall-elezzjoni għall-Kunsilli Lokali, jew jekk ikun qarib bil-konsangwinità jew biż-żwieġ sat-tieni grad ta' xi kandidat għall-elezzjoni, jew jekk fil-fehma tal-Kummissjoni, wara li tikkonsulta lid-delegati tal-partit, ikun bid-deher mhux idoneju biex iwettaq il-funzjonijiet ta' Assistent Kummissjonarju.

(2) Fi żmien jumejn wara l-ġurnata msemmija fil-paragrafu (1) tar-regolament 27 il-Kummissjoni għandha tagħti lill-partiti politiċi lista tal-persuni kollha nominati biex jagħmluha ta' Assistenti Kummissjonarji li fiha jiġu indikati l-ismijiet, numri tal-karta ta' l-identità, indirizzi u professjoni jew sengħa tagħhom.

Oġġezzjonijiet dwar l-Assitenti Kummissjonarji.

29. (1) Il-partiti politiċi jkollhom il-jedd li, mhux iżjed tard minn jumejn wara l-ġurnata msemmija fil-paragrafu (2) tar-regolament 28, joġġezzjonaw lill-Kummissjoni bil-miktub dwar in-nomina ta' persuni bħala Assistenti Kummissjonarji fuq xi waħda mir-raġunijiet imsemmija fil-paragrafu (1) tar-regolament 28.

(2) Meta l-Kummissjoni tirċievi xi oġġezzjoni skond il-paragrafu ta' qabel ta' dan ir-regolament, il-Kummissjoni għandha mhux iżjed tard mill-jum li jiġi minnufih wara, tlaqqa' d-delegati tal-partit sabiex jiddiskutu dwar dawk l-oġġezzjonijiet.

(3) Kull oggezzjoni li ssir skond il-paragrafi ta' qabel dan għandha tinqata' mill-Kummissjoni. Il-mod kif il-Kummissjoni taqta' dwar l-oġġezzjoni jkun wieħed konklussiv u li jorbot lil kull min ikollu

x'jaqsam mal-kwestjoni. Meta wara li tkun semgħet dawk l-oġġezzjonijiet il-Kummissjoni taqta' li persuna nominata minn partit politiku sabiex tinħatar bħala Assistent Kummissjonarju ma għandhiex hekk tinħatar, il-partit politiku li jkun innomina lil dik il-persuna jkollu jedd jinnomina persuna oħra minflokha.

(4) In-nomini ġodda msemmija fil-paragrafu ta' qabel ta' dan ir-regolament għandhom isiru minnufih wara li jinqatgħu l-oġġezzjonijiet kollha. Iż-żmien imsemmi fil-paragrafi (1) u (2) ta' dan ir-regolament għandu japplika għall-oġġezzjonijiet li jsiru għal persuni nominati bħala Assistenti Kummissjonarji skond il-paragrafu (3) ta' dan ir-regolament, u jekk il-Kummissjoni taslilha u tilqa' xi oġġezzjoni, il-Kummissjoni nnifisha għandha tinnomina persuna oħra sabiex tkun Assistent Kummissjonarju minflokha u dik in-nomina tkun konklussiva, u ma tista' ssir ebda oġġezzjoni dwarha.

(5) Meta l-Kummissjoni tkun qatgħet dwar l-oġġezzjonijiet kollha, hija għandha tqassam l-Assistenti Kummissjonarji fost id-diversi kmamar tal-votazzjoni; dak it-tqassim għandu jsir b'dak il-mod li jkun jassigura li f'kull kamra tal-votazzjoni jkun hemm, mill- inqas, Assistent Kummissjonarju wieħed nominat mill-Kummissjoni u, Assistent Kummissjonarju wieħed nominat minn kull partit li jkun qiegħed jikkontesta l-elezzjoni f'dik il-lokalità:

Iżda meta partit politiku ma jkunx innomina għadd biżżejjed ta' persuni sabiex jinħatru Assistenti Kummissjonarji, il-Kummissjoni tinħtieġ biss tassenja, għar-rigward ta' dak il-partit politiku, dawk l-Assistenti Kummissjonarji li jkunu ġew nominati minn dak il-partit u li jkunu nħatru Assistenti Kummissjonarji.

(6) Il-Kummissjoni għandha, fi żmien jumejn minn meta tinqata' l-aħħar oġġezzjoni msemmija fil-paragrafu ta' qabel, tieħu ħsieb li tiġi pubblikata lista fil-Gazzetta li turi l-isem, l-indirizz u n-numru tal-karta ta' l-identità u l-professjoni jew sengħa ta' kull Assistent Kummissjonarju maħtur, li tkun tindika l-kamra tal-votazzjoni fejn kull wieħed minnhom ikun tqassam, u li tkun tindika lil dawk l-Assistenti Kummissjonarji li ma jkunux hekk tqassmu fi kmamar iżda li jkunu qegħdin jinżammu f'riżerva.

(7) Wara d-distribuzzjoni finali ta' l-Assistenti Kummissjonarji kollha u sa tmiem il-votazzjoni, tkun il-Kummissjoni waħedha li jkollha l-jedd tissostitwixxi lill-Assistenti Kummissjonarji sakemm dan isir biss għal raġunijiet gravi u suffiċjenti u b'dak il-mod li jkun jassigura li meta l-Assistent Kummissjonarju sostitwit ikun wieħed nominat minn partit politiku, is-sostitut tiegħu għandha tkun persuna nominata mill-istess partit, sakemm għadd biżżejjed ta' Assistenti Kummissjonarji jkunu ġew nominati minn dak il-partit.

TAQSIMA VI
Votazzjoni

Ħatra ta' Aġenti ta' Partit.

30. (1) Kull partit politiku jkollu l-jedd jinnomina bħala aġenti tiegħu dak in-numru ta' persuni li jkun daqs in-numru ta' kaxex tal-voti u dawk il-persuni f'dawn ir-regolamenti jissemmew "aġenti ta' partit."

(2) Dawk l-aġenti ta' partit li hekk jinħatru jkollhom jedd li jkunu preżenti fil-kmamar tal-votazzjoni qabel ma tibda u fi tmiem il-votazzjoni għall-finijiet dwarhom provdut f'dawn ir-regolamenti.

(3) Il-partiti politici li jkunu qegħdin iwettqu l-jedd mogħti lilhom bil-paragrafu (1) ta' dan ir-regolament għandhom iressqu lista quddiem il-Kummissjoni li jkun fiha l-ismijiet tal-persuni nominati minnhom bħala aġenti ta' kull wieħed minnhom mhux iktar tard mill-ġurnata stabbilita għan-nomina ta' Assistenti Kummissjonarji skond ir-regolament 27 ta' dawn ir-regolamenti.

(4) Minkejja kull ħaġa li tinsab f'dawn ir-regolamenti, il-partiti politiċi jistgħu jinnominaw bħala aġenti tal-partit lill-stess persuna jew persuni li jkunu nnominaw bħala Assistenti Kummissjonarji.

Persuni ħatja ta' atti ta' korruzzjoni ma jistgħux jiġu maħtura Aġenti.

31. Ebda persuna ma tista' tinħatar aġent ta' partit jekk fis-seba' snin ta' qabel dik il-ħatra tkun instabet ħatja ta' att ta' korruzzjoni taħt dawn ir-regolamenti jew taħt l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali jew tkun ġiet stabbilita mill-Kummissjoni bħala bid-deher mhux idoneja li tagħmilha ta' dak l-aġent partikolari.

Indentifikazzjoni ta' Aġenti ta' Partit.

32. (1) Flimkien ma' l-isem, indirizz u numru tal-karta ta' l-identità ta' l-aġent ta' partit, il-partit politiku, għandu jagħti lill-Kummissjoni ritratt ta' l-aġent fid-daqs ta' ritratt tal-passaport, u l-Kummissjonarji għandhom mhux iktar tard minn sebat ijiem qabel ma tibda l-votazzjoni jagħtu lil dak l-aġent dokument ta' l-identità li ma jistax jitbagħbas li jkun fih ir-ritratt ta' l-aġent imbullat bis-siġill tal-Kummissjoni u li jkun juri l-isem, l-indirizz u n-numru tal-karta ta' l-identità tal-aġent u minn min ikun ġie nominat. Id-dokumenti ta' l-identità għandhom juru numru progressiv skond kif maħruġin, u jintlibsu b'mod li jidher sew mill-aġent partikular fit-twettiq ta' dmirijietu.

(2) Fiż-żmien stabbilit fil-paragrafu ta' qabel ta' dan ir-regolament, il-Kummissjoni għandha tagħti lill-partiti politiċi u twaħħal fl-entrata ta' l-Uffiċċju Elettorali lista ta' l-ismijiet, indirizzi u numri tal-karti ta' l-identità ta' kull aġent ta' partit nominat, b'mod li juri dwar kull aġent minn min ikun ġie nominat, u n-numru progressiv tad-dokument ta' l-identità lilu maħruġ.

Postijiet tal-Votazzjoni.

33. (1) Il-Kummissjoni għandha, kull meta jkun prattikabbli,

tipprovdi mhux aktar minn post tal-votazzjoni f'kull lokalità u għandha tiżgura li sakemm hu possibbli, dak il-post tal-votazzjoni jkun f'dik il-lokalità. F'kull post tal-votazzjoni l-Kummissjoni għandha tipprovdi kmamar tal-votazzjoni daqs kemm tista'.

(2) Il-Kummissjoni għandha, safejn hu possibbli, tipprovdi faċilitajiet sabiex persuni ħandikappati, inkluż persuni fuq *wheelchairs*, ikunu jistgħu jivvutaw bil-kumdità.

Postijiet u ġranet tal-votazzjoni.

34. (1) (a) F'kull kamra tal-votazzjoni għandha tinżamm mill-Assistenti Kummissjonarji lista ta' l-eletturi li jkollhom il-jedd li jivvutaw f'dik il-kamra tal-votazzjoni flimkien ma' kopji tar-ritratt fotografiku ta' kull votant. Kull paġna ta' dik il-lista u kull korrezzjoni jew taħsira li ssir fuqha, għandhom jiġu ffirmati minn Kummisjonarju u minn delegat ta' partit ta' kull partit politiku jew persuni nominati minnhom bil-miktub.

(b) Il-Kummissjonarji għandhom jagħtu kopji ta' dawk il-listi mingħajr ritratti lill-partiti politiċi kollha li jkunu qegħdin jikkontestaw l-elezzjoni mill-inqas ħmistax-il jum qabel il-jum stabbilit għall-elezzjoni u l-Kummissjoni għandha żżomm lill-partiti politiċi mgħarrfin dwar it-tibdiliet kollha li jsiru f'dawk il-listi. Il-listi għandhom jidentifikaw il-kamra tal-votazzjoni fejn kull elettur li jkollu l-jedd li jivvota jkun sejjer iwettaq dak il-jedd, jelenkaw l-eletturi li jkunu ser jivvotaw f'kull kamra tal-votazzjoni, f'ordni alfabetiku skond il-kunjomijiet ta' l-eletturi, billi jingħata lil kull votant numru distint u konsekuttiv u jiġi indikat isem, kunjom, l-indirizz, u numru tal-karta ta' identità ta' kull elettur kif ukoll in-numru ta' reġistrazzjoni tad-dokument għall-votazzjoni ta' kull elettur rispettiv.

(ċ) Isem kull elettur li juri dokument għall-votazzjoni u li tingħatalu polza tal-votazzjoni mill-Assistenti Kummissjonarji għandu jiġi mmarkat fuq dik il-lista li tinżamm għal dak il-għan mill-Assistenti Kummissjonarji b'dak il-mod li jiġi stabbilit mill-Kummissjoni.

(2) Il-votazzjoni għandha ssir f'jum li jkun is-Sibt. Il-votazzjoni għandha tibda fis-7.00 a.m. u tispiċċa fis-7.00 p.m.:

Iżda kull elettur illi fl-egħluq tal-ħin tal-votazzjoni jkun f'post ta' votazzjoni sabiex jivvota, għandu jedd li jirċievi l-polza tal-votazzjoni u li jivvota;

Iżda wkoll, meta l-Kummissjonarji jkunu sodisfatti li l-ħin tal-votazzjoni jkun tnaqqas jew ikun se jitnaqqas, għal xi raġunijiet li fuqhom ma jkollhomx kontroll fil-postijiet tal-votazzjoni kollha jew f'wieħed minnhom jew iktar, huma jistgħu, sew qabel jew wara li tkun bdiet il-votazzjoni, jtawlu l-ħin stabbilit għall-votazzjoni f'dak il-post jew f'dawk il-postijiet tal-votazzjoni sabiex jagħmlu tajjeb għall-imsemmi ħin mitluf;

Iżda wkoll, meta l-persuni kollha li kellhom dokument tal-votazzjoni mogħti lilhom, (u dan id-dokument tal-votazzjoni ma jkunx ġie meħud lura) jkunu vvutaw f'kamra tal-votazzjoni jew f'lokalità il-Kummissjoni tista' tagħlaq il-votazzjoni f'dik il-kamra tal-votazzjoni jew fil-lokalità qabel iż-żmien stipulat.

(3) F'kull kamra tal-votazzjoni l-Kummissjoni Elettorali għandha tipprovdi għadd ta' kompartimenti separati fejn kull votant ikun jista' jikteb il-vot tiegħu, u għandha f'kull kompartiment tipprovdi dawk il-faċilitajiet li tqis meħtieġa inkluż, ma' dan kollu, avviż fil-għamla speċifikata fl-Erbatax-il Skeda li tinsab ma' dawn ir-regolamenti.

Żamma ta' l-ordni sa distanza ta' 50 metru minn kull post ta' votazzjoni.

35. Matul il-ħin stabbilit għall-votazzjoni f'xi post tal-votazzjoni, ħadd, ħlief min ikun qed jistenna biex jivvota, ma jista' jitnikker f'distanza ta' ħamsin metru minn dak il-post ta' votazzjoni; u ħadd ma jista', f'dik id-distanza ta' ħamsin metru, jagħmel propaganda politika b'kull mod ikun x'ikun. Kull każin, ħanut jew stabbiliment pubbliku ieħor tul dik id-distanza għandu jinżamm magħluq fil-jum tal-votazzjoni.

Żamma ta' l-ordni f'distanza ta' aktar minn 50 metru minn post ta' votazzjoni.

36. Ebda persuni ma jistgħu jinġemgħu matul il-votazzjoni, f'xi triq, pjazza jew post ieħor, li jagħtu mill-post ta' residenza ta' xi elettur għal post ta' votazzjoni, f'dak in-numru jew xort'oħra b'dak il-mod li jistgħu jintimidaw xi elettur, jew li jfixkluh milli jersaq lejn jew jitlaq minn post ta' votazzjoni, jew li jwasslu għall-ksur tal-paċi pubblika.

Kaxxex tal-Voti u dokumenti għall-Kmamar tal-Votazzjoni.

37. Il-Kummissjoni għandha fil-ġurnata ta' l-Elezzjoni tikkonsenja lill-Assistenti Kummissjonarji f'kull kamra tal-votazzjoni kaxxa jew kaxex tal-voti, numru biżżejjed ta' poloz tal-votazzjoni, listi ta' eletturi li jkollhom jedd li jivvotaw f'dik il-kamra tal-votazzjoni u dokumenti oħra u materjal ieħor rilevanti.

Verifika ta' kaxex tal-voti minn aġenti jew delegati tal-Partit.

38. (1) Minnufih qabel ma tibda l-votazzjoni l-Assistenti Kummissjonarji għandhom, quddiem kull kandidat, jew aġent tal-partit jew delegat tal-partit skond il-każ, jivverifikaw li l-kaxex tal-votazzjoni lilhom konsenjati jkunu vojta billi jiftħu l-kaxxa tal-votazzjoni, u meta jagħmlu dan għandhom jissiġġillaw l-għatu tagħhom bis-siġill tal-Kummissjoni u jħallu kull kandidat jew kull aġent jew delegat tal-partit li jagħmel is-siġill tiegħu wkoll.

(2) Għall-finijiet ta' dan ir-regolament, meta l-Assistenti Kummissjonarji jaqtgħu illi minħabba f'nuqqas ta' spazju, ma jkunux jistgħu jintgħamlu s-siġilli kollha b'mod konvenjenti, huma jistgħu jagħtu direttivi li jkunu jillimitaw in-numru ta' siġilli li jintgħamlu b'mod li tiżgura madankollu li kull partit politiku għandu jingħata l-opportunità li jagħmel mill-inqas siġill wieħed fuq kull kaxxa tal-votazzjoni.

Votazzjoni.

39. (1) Kull elettur li jkun irid jivvota għandu jmur fil-kamra tal-votazzjoni speċifikata fid-dokument għall-votazzjoni li huwa jkun irċieva u għandu jikkonsenja dak id-dokument lill-Assistent Kummissjonarju f' dik il-kamra tal-votazzjoni matul il-ħinijiet stabbiliti għall-votazzjoni.

(2) Ebda persuna ma titħalla tivvota jekk ma tipproduċix u ma tikkonsenjax id-dokument għall-votazzjoni lill-Assistenti Kummissjonarji.

(3) Ma titħalla li ssir ebda investigazzjoni fil-waqt tal-votazzjoni dwar il-jedd ta' xi persuna li tivvota sakemm isem dik il-persuna jkun jidher fil-lista msemmija fil-paragrafu (1) tar-regolament 34 ta' dawn ir-regolamenti, iżda l-Assistenti Kummissjonarji jistgħu, qabel ma jagħtu l-polza tal-votazzjoni lill-elettur, jagħmlulu dawk il-mistoqsijiet li jidhrilhom xierqa sabiex jissodisfaw ruħhom mill-identità ta' dak l-elettur.

(4) L-Assistenti Kummissjonarji, mal-produzzjoni u l-konsenja lilhom tad-dokument għall-votazzjoni, wara li jkunu issodisfaw ruħhom mill-identità ta' l-elettur, għandhom iħassru isem l-elettur minn fuq l-imsemmija lista u jagħtuh f'idu, wara li jimmarkawha bit-timbri uffiċjali, polza tal-votazzjoni. Għall-finijiet ta' dawn ir-regolamenti, "timbru uffiċjali" tfisser it-timbru li l-Kummissjoni tordna lill-Assistenti Kummissjonarji sabiex jużaw; b'dan illi kull partit politiku jista' jordna lill-Assistent Kummissjonarju nominat minnu sabiex juża timbru minn ta' dak l-istess partit sabiex jittimbra l-poloz tal-votazzjoni, sakemm stampat tat-timbru li jiġi hekk użat ikun ġie depożitat għand il-Kummissjoni qabel ma tibda l-votazzjoni; dak it-timbru ma jkunx meħtieġ għall-validità tal-polza tal-votazzjoni.

(5) L-Assistenti Kummissjonarji jistgħu fid-diskrezzjoni tagħhom jagħtu l-ġurament lil kull elettur fil-formula murija fil-Ħdax-il Skeda li tinsab ma' dawn ir-regolamenti.

(6) Kull persuna li tirrifjuta li twieġeb għal xi mistoqsija li ssirilha skond il-paragrafu (3) ta' dan ir-regolament jew li tieħu l-ġurament imsemmi fil-paragrafu (5) ta' dan ir-regolament ma titħalliex tivvota.

(7) L-Assistenti Kummissjonarji ma jistgħux jirrifjutaw li jagħtu polza tal-votazzjoni lil persuna li isimha jkun jidher fil-lista msemmija fil-paragrafu (1) tar-regolament 34 ta' dawn ir-regolamenti u li xort'oħra tissodisfa l-ħtiġiet ta' dan ir-regolament ħlief jekk, fuq mistoqsijiet magħmulin taħt dan ir-regolament, il-persuna li tkun trid tivvota tkun tidher lill-Assistenti Kummissjonarji li ma tkunx il-persuna li isimha jidher fl-imsemmija lista jew li diġà tkun ivvotat fl-istess elezzjoni.

(8) L-Assistenti Kummissjonarji għandhom iżommu nota

bil-miktub ta' kull ġurament li jiġi mogħti lil xi persuna taħt dan ir-regolament u ta' kull każ li fih ma jħallux persuna tivvota.

(9) Ebda elettur ma jitħalla jivvota ħlief fil-kamra tal-votazzjoni speċifikata fid-dokument għall-votazzjoni ippreżentat minnu sabiex jivvota.

(10) Meta min jivvota jkun bi żball ħela l-polza tiegħu, jista' jkollu polza oħra flok l-oħra li jkun ħela u l-polza moħlija tiġi mħassra minnufih, kemm-il darba, meta jiġi biex jagħti lura lill-Assistent Kummissjonarju l-polza li jkun ħela, huwa juri lil dan l-Assistent Kummissjonarju li dan l-iżball ikun ħadu bla ma ried u b'mod li dana jista' jemmnu.

Kif wieħed jivvota.

40. (1) Kull elettur għandu jkollu vot wieħed trasferibbli (jew vot li jgħaddi minn kandidat għal ieħor).

(2) L-elettur meta jagħti l-vot tiegħu:

(a) għandu jikteb fuq il-polza n-numru l, quddiem l-isem tal-kandidat li lilu jagħti l-vot; u

(b) barra minn dan juri l-ordni tal-għażla jew preferenza tiegħu għal dawk il-kandidati l-oħra kollha li jogħġbuh, billi jikteb quddiem l-isem ta' kull wieħed minnhom in-numri, 2, 3, 4, 5, 6 u hekk dejjem numru wara l-ieħor skond l-ordni ta' preferenza li jagħti.

(3) Il-polza ma tkunx tiswa:

(a) jekk fuqha ma jkunx hemm miktub in-numru 1, li mqiegħed għalih waħdu, għandu juri l-ewwel preferenza li tingħata lil wieħed mill-kandidati fuq l-oħrajn kollha; jew

(b) jekk ikun hemm miktub quddiem l-isem ta' iżjed minn kandidat wieħed in-numru 1, li, imqiegħed għalih waħdu, għandu juri l-ewwel preferenza; jew

(ċ) jekk flimkien man-numru 1, li mqiegħed għalih għandu juri l-ewwel preferenza, jinkiteb xi numru ieħor quddiem l-isem ta' l-istess kandidat; jew

(d) jekk ma jkunx jista' jingħaraf sewwa għal liema kandidat ġiet mogħtija l-ewwel preferenza; jew

(e) jekk fil-polza jkun hemm xi kelma miktuba jew xi sinjal ieħor, li bih tista' tingħaraf il-persuna li tat il-vot; jew

(f) jekk fuqha ma jintgħamilx it-timbru uffiċjali kif imfisser fil-paragrafu (4) tar-regolament 39.

(4) L-elettur jagħti l-vot tiegħu b'mod sigriet ġewwa kompartiment fil-kamra tal-votazzjoni mgħammar għal din ir-raġuni u magħmul b'dak il-mod li l-elettur ma jkunx jidher filwaqt li jkun qiegħed jikteb fuq il-polza tal-votazzjoni tiegħu. Wara li jkun temm jikteb fuq il-polza tal-votazzjoni tiegħu, l-elettur għandu jitni l-polza tal-votazzjoni b'mod li ma jkunx jidher kif ivvota, u għandu mbagħad jitfa' l-polza tal-votazzjoni fil-kaxxa tal-voti quddiem l-Assistenti Kummissjonarji.

Eletturi analfabeti jew inkapaċi.

41. (1) Kull elettur li jiddikjara quddiem l-Assistenti Kummissjonarji, u juri għas-sodisfazzjon tagħhom, li hu ma jistax minħabba li jkun għama, minħabba raġuni oħra fiżika jew li jkun analfabeta jimmarka l-polza ta' votazzjoni tiegħu, jista' jitlob lill-Assistent Kummissjonarju biex jimmarka l-polza tal-votazzjoni floku, wara li jgħidlu għal liema kandidat jew kandidati huwa jrid jivvota u l-ordni li fih irid jagħti l-vot tiegħu:

Iżda l-elettur ma jistax jitlob għal xi Kummissjonarju Elettorali partikolari sabiex jimmarkalu l-polza f'ismu.

(2) L-Assistenti Kummissjonarji huma obbligati għas-sigriet dwar il-votazzjoni ta' persuna li huma jkunu għenu biex tivvota.

(3) Għandu jkun hemm preżenti mhux anqas minn żewġ Assistenti Kummissjonarji meta l-vot jingħata taħt id-dispożizzjonijiet tal-paragrafu (1) ta' dan ir-regolament, imma fil-kamra tal-votazzjoni ma għandu jkun hemm ebda persuna oħra.

(4) Meta Assistent Kummissjonarju huwa awtorizzat li jgħin elettur sabiex iniżżel il-vot tiegħu, l-Assistent Kummissjonarju għandu jġiegħel lill-elettur iwettaq b'ġurament id-dikjarazzjoni tiegħu, u meta jiżgura ruħu li d-dikjarazzjoni li għamillu hija vera, huwa jikteb il-vot ta' dak l-elettur fuq il-polza, skond ma jkun tah indikazzjoni li jagħmel dak l-elettur u skond din il-proċedura li ġejja:

(a) L-Assistent Kummissjonarju jistaqsi lill-elettur: "Liema mill-kandidati inti tixtieq l-iktar li jiġi magħżul?" u jikteb in-numru 1 quddiem l-isem tal-kandidat imsemmi mill-elettur.

(b) L-Assistent Kummissjonarju għandu mbagħad jistaqsi lill-elettur: "Liema mill-kandidati tixtieq li jiġi magħżul it-tieni wieħed?" u jikteb in-numru 2 quddiem l-isem tal-kandidat imsemmi mill-elettur.

(ċ) L-Assistent Kummissjonarju jkompli jagħmel il-

mistoqsijiet tiegħu għat-tielet preferenza jew preferenzi oħra, sakemm l-elettur jiddikjaralu li ma għandu ebda preferenza oħra xi jsemmilu.

(d) Sabiex dawk l-eletturi jkollhom kull għajnuna sabiex jindikaw il-preferenzi tagħhom, il-Kummissjonarji Elettorali għandhom iħallu fil-postijiet tal-votazzjoni l-wiri tar-ritratti fotografiċi tal-kandidati, jekk dawn jiġu provisti mill-kandidati nfushom jew minn partit politiku f'isimhom. Kull ritratt fotografiku jista' juri wkoll fuqu, b'żieda ma' l-isem tal-kandidati rappreżentat, il-*badge* u l-isem tal-partit, jekk dak il-kandidati ikollu partit tiegħu.

Dawk il-fotografiji għandhom ikunu ta' dak id-daqsu ta' dik l-għamla li l-Kummissjonarji Elettorali jistgħu jinħtiegu u għandhom jintwerew b'dak il-mod li huma jordnaw u f'dik l-ordni li fiha jidhru ismijiet il-kandidati fuq il-polza tal-votazzjoni.

(e) Kif jibda jagħmel dan, u mbagħad wara wkoll, l-Assistent Kummissjonarju għandu, jekk ikun mitlub mill-elettur, jaqralu wieħed wara l-ieħor, skond l-ordni li huma miktubin fuq il-polza, l-ismijiet tal-kandidati kollha, illi favur tagħhom l-elettur ma jkun għadu fisser ebda preferenza.

(f) Li kellu jiġri li elettur, madankollu, jitlob lil Assistent Kummissjonarju jaqralu l-ismijiet tal-kandidati ta' partit politiku wieħed partikulari biss, l-Assistent Kummissjonarju għandu jagħmel dan billi jaqra f'ordni alfabetiku l-ismijiet tal-kandidati li jkunu indikaw is-sħubija tagħhom f'dak il-partit politiku filwaqt li jħalli barra l-ismijiet tal-kandidati l-oħrajn.

L-Assistenti Kummissjonarji m'għandhomx jaraw kif jingħata l-vot.

42. Fil-ħin li l-elettur ikun jivvota, l-Assistenti Kummissjonarji għandhom joqogħdu f'bogħod biżżejjed li ma jkunux jistgħu jaraw kif jingħata l-vot .

Il-Polza tal-votazzjoni ma tistax tinħareġ mill-post tal-votazzjoni.

43. L-Assistenti Kummissjonarji ma għandhom f'ebda kaz iħallu lil ħadd jieħu polza tal-votazzjoni barra mill-kamra jew minn taħt għajnejhom sakemm tintefa' fil-kaxxa tal-voti.

L-Assistenti Kummissjonarji ma jistgħux jissuġerixxu kif wieħed għandu jivvota.

44. Ħlief fil-każ tar-regolament 41, ebda Assistent Kummissjonarju jew persuna oħra ma jistgħu jivvutaw għal elettur, jew, f'post ta' votazzjoni, jagħmlulu ebda suġġeriment, direttament jew indirettament, dwar il-kandidat jew kandidati li għalihom imissu jivvota jew dwar il-għażla jew preferenza tiegħu.

Ebda persuna mhux awtorizzata ma tista' tidħol f'post ta' votazzjoni.

45. Ħlief fejn imsemmi mod ieħor f'dawn ir-regolamenti, l-Assistenti Kummissjonarji m'għandhom iħallu ebda persuna, ħlief uffiċjal tal-Pulizija li jkun qiegħed servizz jew persuna legalment inkarigat mill-esekuzzjoni ta' servizz li għandu x'jaqsam ma' l-elezzjoni,

jew persuna li għandha l-jedd li tivvota f'dak il-post ta' votazzjoni, tidħol f'dak il-post ta' votazzjoni, lanqas m'għandhom iħallu elettur jew persuna oħra li jibqgħu fil-post tal-votazzjoni iżjed milli jenħtieġ.

Għluq tal-votazzjoni.

46. (1) Wara li jgħaddi ż-żmien stabbilit għall-votazzjoni jew fejn skond il-proviso għall-paragrafu (2) tar-regolament 34 il-votazzjoni f'kamra tal-votazzjoni jew f'lokalità tkun spiċċat, l-Assistenti Kummissjonarji għandhom jissiġillaw il-fetħa li jkun hemm fil-kaxxa tal-votazzjoni, iqegħdu f'pakkett kull polza tal-votazzjoni mhux użata u mħassra u kull dokumentazzjoni stampata jew miktuba li jkollhom, filwaqt li jwaħħlu s-siġilli tagħhom fuq dak il-pakkett, wara li jiddikjaraw u jiffirmaw fuq l-imsemmi pakkett in-numru ta' dawk il-poloz, u għandhom iqegħdu f'pakkett separat id-dokumenti għall-votazzjoni kollha lilhom mogħtijin. It-timbri uffiċjali li jintużaw mill-Assistenti Kummissjonarji nklużi dawk użati mill-Assistenti Kummissjonarji nominati mill-partiti politici għandhom jitqegħdu f'pakkett separat li jkun siġillat bis-siġill tal-Kummissjoni wara li l-Assistenti Kummissjonarji jkunu għamlu l-firma tagħhom fuq dak il-pakkett.

(2) Għall-finijiet tal-paragrafu ta' qabel ta' dan ir-regolament l-Assistenti Kummissjonarji għandhom igħoddu u jirrikonċiljaw wieħed wieħed in-numru ta' poloz tal-votazzjoni mhux użati u mħassrin, in-numru ta' persuni markati bħala li jkunu ivvutaw fuq il-lista msemmija fil-paragrafu (1) tar-regolament 34 u n-numru ta' dokumenti tal-votazzjoni lilhom mogħtijin.

(3) Wara l-għeluq tal-votazzjoni u qabel ma jinġarru l-kaxex tal-votazzjoni mill-kmamar tal-votazzjoni, l-Assistenti Kummissjonarji għandhom iwaħħlu avviz mal-bieb ta' kull kamra tal-votazzjoni u li jkun iffirmat mill-Assistenti Kummissjonarji kollha li jkun jiddikjara n-numru ta' eletturi li kellhom il-jedd jivvotaw f'dik il-kamra tal-votazzjoni, in-numru ta' poloz tal-votazzjoni li jkunu rċevew mingħand il-Kummissjoni, in-numru ta' dokumenti għall-votazzjoni lilhom mogħtijin filwaqt li jiddistingwu jekk dawn humiex ordinarji jew speċjali, in-numru ta' poloz tal-votazzjoni mħassrin u n-numru ta' poloz tal-votazzjoni mhux użati li huma jkunu qegħdin jagħtu lura lill-Kummissjoni u n-numru ta' persuni li jkunu vvutaw f'dik il-kamra tal-votazzjoni. Dak l-avviż għandu hawn iżjed 'il quddiem f'dan ir-regolament jissejjaħ "ir-rendikont ta' poloz tal-votazzjoni".

Kopja tar-rendikont ta' poloz tal-votazzjoni għandha titqassam mill-Assistenti Kummissjonarji lil kull partit politiku billi tingħata lil kandidat, jew lid-delegat jew aġent tal-partit li jirrappreżentaw dak il-partit u li jistgħu jkunu hemm, u dik il-kopja għandha wkoll tingħata lill-Kummissjoni fil-post imsemmi fil-paragrafu (ċ) tar-regolament 16 ta' dawn ir-regolamenti u l-Kummissjoni għandha minnufih li jsir dan tagħti kopja lid-delegati tal-partit.

(4) Mat-temm tad-dmirijiet kollha msemmija fil-paragrafu ta' qabel ta' dan ir-regolamnet, l-Assistenti Kummissjonarji għandhom iġorru il-kaxxa jew kaxex tal-votazzjoni u d-dokumenti u pakketti kollha fdati lilhom għal għand il-Kummissjoni fil-post imsemmi fil-paragrafu (ċ) tar-regolament 16 ta' dawn ir-regolamenti.

(5) Delegati tal-partit, kandidati, u aġenti tal-partit għandhom il-jedd jattendu filwaqt li tkun qed issir ir-rikonċiljazzjoni, u l-issiġillar tal-poloz u l-issiġillar tal-kaxex tal-votazzjoni, kif imsemmi fil-paragrafu ta' qabel ta' dan ir-regolament, u li jagħmlu s-siġill tagħhom personelli fuq il-pakketti tal-poloz u fuq il-kaxex tal-votazzjoni, u għandhom, bla ħsara għad-dispożizzjonijiet tal-paragrafi li ġejjin ta' dan ir-regolament, jingħataw faċilitajiet sabiex jissorveljaw u jakkumpanjaw il-ġarr tal-kaxex tal-votazzjoni mill-post tal-votazzjoni sal-konsenja tagħhom lill-Kummissjoni.

(6) (a) Mhux iktar minn aġent tal-partit wieħed minn kull partit politiku jista' jkun preżenti f'kull kamra tal-votazzjoni fl-istess waqt meta tkun qiegħda ssir il-proċedura għall-issiġillar tal-kaxex tal-votazzjoni;

(b) L-Assistenti Kummissjonarji għandhom jieħdu ħsieb li l-kandidati, aġenti tal-partit jew delegati tal-partit li jistgħu jinsabu fil-post għandhom jissejħu fil-kamra qabel ma huma jibdew il-proċeduri msemmija fil-paragrafi ta' qabel ta' dan ir-regolament dwar l-issiġillar ta' kaxex tal-votazzjoni u ta' pakketti u dwar ir-rikonċiljazzjoni;

(ċ) Il-kandidati, aġenti tal-partit u delegati tal-partit li jistgħu jkunu jinsabu fil-post għandhom jingħataw kull faċilità raġonevoli sabiex jissorveljaw, jiddokumentaw u jinħtieġu kull għadd mill-ġdid ta' dak kollu li jagħmlu l-Assistenti Kummissjonarji skond il-paragrafu ta' qabel ta' dan ir-regolament, u mingħajr preġudizzju għall-ġeneralità ta' dak imsemmi qabel –

(i) sabiex jirrikonċiljaw l-għadd ta' persuni li jkunu vvotaw kif dikjarat fir-rendikont ta' poloz tal-votazzjoni mal-għadd ta' persuni li l-Assistenti Kummissjonarji jkunu qatgħu minn fuq il-lista msemmija fir-regolament 34 ta' dawn ir-regolamenti u l-għadd ta' dokumenti għall-votazzjoni riċevuti mill-Assistenti Kummissjonarji;

(ii) sabiex jirrikonċiljaw l-ismijiet ta' l-elettur li l-Assistenti Kummissjonarji jkunu qatgħu minn fuq il-lista msemmija fir-regolament 34 ta' dawn ir-regolamenti ma' l-ismijiet jew mad-dokumenti għall-votazzjoni riċevuti minnhom;

(iii) sabiex jirreġistraw l-ismijiet tal-persuni li ma jkunux ivvotaw;

(d) Jekk tkun ser tintuża vettura għal ġarr tal-kaxxa tal-votazzjoni u wara li jkunu ntemmu l-proċeduri kollha msemmija fil-paragrafu ta' qabel ta' dan il-paragrafu, l-Assistenti Kummissjonarji għandhom iżommu l-kaxxa tal-votazzjoni u d-dokumenti u l-pakketti kollha fil-kamra tal-votazzjoni sa dak il-ħin meta l-vettura mibgħuta mill-Kummissjoni għat-trasferiment tal-kaxex tal-votazzjoni tasal fil-post tal-votazzjoni. Kull kandidat, jew aġent tal-partit jew delegat tal-partit li jistgħu jkunu jinsabu fil-kamra jkollhom il-jedd ukoll li jibqgħu f'dik il-kamra ta' votazzjoni;

(e) Waqt il-ġarr mill-post tal-votazzjoni sal-post stabbilit mill-Kummissjoni għall-konsenja tal-kaxex tal-votazzjoni skond il-paragrafu (3) tar-regolament 16 mhux iktar minn rappreżentant wieħed minn kull partit politiku ma jista' jirkeb il-vettura mibgħuta mill-Kummissjoni għall-ġarr relattiv;

(f) Ir-rappreżentanti msemmija fil-paragrafu ta' qabel ta' dan il-paragrafu għandhom jintgħażlu mill-partiti politiċi fi żmien sebat ijiem minn meta jiġu avżati mill-Kummissjoni bin-numru ta' persuni li għandhom jinħatru, u għandhom ikunu debitament awtorizzati mill-Kummissjoni u għandu jkollhom dokument ta' identifikazzjoni bħal dawk meħtieġa bil-paragrafu (1) tar-regolament 32 u għandu jkollhom isimhom pubblikat skond ma hemm provdut fil-paragrafu (2) tar-regolament 32 ta' dawn ir-regolamenti;

(ġ) Jekk l-ebda vettura ma tintuża għall-ġarr tal-kaxxa tal-voti, l-Assistenti Kummissjonarji flimkien ma' kull kandidat, delegat tal-partit jew aġent tal-partit li jitsgħu jkunu jinsabu fil-post tal-votazzjoni, għandhom wara li jkunu ntemmu l-proċeduri kollha indikati fil-paragrafi ta' qabel ta' dan ir-regolament, iġorru il-kaxxa tal-voti u jikkunsenjawha lill-Kummissjoni fil-post indikat fil-paragrafu (ċ) tar-regolament 16 ta' dawn ir-regolamenti;

(ħ) Ir-rifjut ta' Assistent Kummissjonarju li jiffirma xi dikjarazzjoni jew xi dokument ma għandux, fih innifsu, jinvalida l-kontenut ta' dik id-dikjarazzjoni jew dokument.

L-Assistenti Kummissjonarji għandhom iżommu l-bon-ordni.

47. L-Assistenti Kummissjonarji għandhom iżommu l-bon-ordni fil-post tal-votazzjoni li tiegħu jkollhom l-inkarigu u huma responsabbli għal kull irregolarità f'dak il-post sa fejn dik l-irregolarità setgħat tiġi evitata minnhom.

TAQSIMA VII
Votazzjoni fi Djar ta' l-Anzjani

Dar ta' l-Anzjani.

48. Għall-finijiet ta' din it-Taqsima, "dar ta' l-anzjani" tfisser dak il-post jew dawk il-postijiet prinċipalment użati għall-ku a ta' persuni anzjani li fihom ikunu, mill-inqas, joqogħdu ħamsin elettur u r-residenti ta' dak il-post jew postijiet huma eletturi reġistrati f'dik il-lokalità:

Iżda d-dispożizzjonijiet tal-paragrafu (a) tal-paragrafu (3) tar-regolament 49, tal-paragrafu (b) tal-paragrafu (1) tar-regolament 50 u tar-regolament 51 ma għandhomx japplikaw għal djar ta' l-anzjani li ma jkunux immexxijin jew amministrati mill-Gvern.

Sotto-Kumitat għal Djar ta' l-Anzjani.

49. (1) Fi żmien erbgħa u għoxrin siegħa mill-pubblikazzjoni ta' l-Avviż għall-elezzjoni ta' Kunsilliera, il-Kummissjoni għandha twaqqaf sotto-kumitat li jkun magħmul minn Kummissjonarju, li jagħmilha ta' *chairperson*, u minn rappreżentant ta' kull wieħed mill-partiti politiċi u l-Kummissjoni Elettorali għandha tiddelega lis-sotto-kumitat it-tmexxija ta' l-elezzjoni fid-djar ta' l-anzjani kollha.

(2) Is-sotto-kumitat ikollu d-dmir li jieħu ħsieb li ma ssir ebda pressjoni fuq eletturi fi djar ta' l-anzjani, li jingħataw faċilitajiet xierqa u adegwati lill-partiti politiċi kollha għall-*canvassing* ta' dawk l-eletturi, li jsiru arranġamenti adegwati għall-votazzjoni meta wieħed jikkunsidra l-bżonnijiet speċjali ta' dawk l-eletturi u li ebda partit politiku ma jiġi li jkollu xi vantaġġ inġust.

(3) Mingħajr preġudizzju għall-ġeneralità tad-dispożizzjonijiet ta' qabel, is-sotto-kumitat għandu jiżgura illi:

(a) jittieħdu passi immedjati sabiex għal xi żmien jitneħħew u jiġu sostitwiti membri tal-*personnel* li dwarhom ikun hemm suspett gravi ta' tentattiv li jinfluwenzaw lill-eletturi;

(b) isiru arranġamenti sabiex jiddaħħal u jitqassam sew materjal ta' propaganda u sabiex isir *canvassing* waqt il-ħinijiet ta' attendenza mill-barranin, minn kandidati u minn partiti politiċi li jkunu qegħdin jikkontestaw dik il-lokalità;

(ċ) l-ilmenti li jsiru mill-partiti politiċi u, jew mill-kandidati jiġu nvestigati u, meta jkunu ġustifikati, rimedjati bil-għaġġla.

Dmirijiet ta' persuni responsabbli għat-tmexxija ta' djar ta' l-anzjani.

50. (1) Fi żmien tlitt ijiem mill-pubblikazzjoni ta' l-Avviż il-persuna responsabbli mit-tmexxija ta' dar ta' l-anzjani għandha tibgħat lis-sotto-kumitat:

(a) lista tal-persuni kollha residenti f'dik id-dar ta' l-anzjani,

li fiha juru l-isem, in-numru tal-karta ta' l-identità, l-aħħar indirizz magħruf, l-età, in-numru tal-*ward* jew tal-kamra, l-isem u l-indirizz ta' l-eqreb qarib u jekk dik il-persuna tkunx reġistrata bħala elettur fl-indirizz ta' dik id-dar ta' l-anzjani jew ta' x'imkien ieħor;

(b) lista tal-personell kollu fid-dar ta' l-anzjani li turi l-isem, in-numru tal-karta ta' l-identità, l-indirizz, il-kariga u l-ħinijiet tax-xogħol sal-għada tal-jum stabbilit għall-votazzjoni.

(2) Meta s-sotto-kumitat jirċievi l-listi msemmija, dan għandu minnufih jagħti kopji ta' dawk il-listi lill-partiti politiċi.

(3) L-amministratur ta' kull dar ta' l-anzjani għandu jżomm dawk il-listi aġġornati u għandu minnufih jibgħat lis-sotto-kumitat kull emenda li ssir fihom. Is-sotto-kumitat għandu minnufih igħarraf lill-partiti politiċi b'dawk l-emendi.

(4) Kull membru tal-personell fi djar ta' l-anzjani hu espressament projbit milli jieħu sehem u jagħmel propaganda għal xi partiti jew kandidat politiku u jekk xi impjegat jikser id-dispożizzjonijiet ta' dan ir-regolament huwa jkun ħati ta' reat u jeħel meta jinsab ħati l-piena ta' interdizzjoni ġenerali għal perijodu ta' għaxar snin u d-dispożizzjonijiet ta' l-Att dwar il-*Probation* ta' Ħatjin u tar-regolament 22 tal-Kodiċi Kriminali ma għandhomx japplikaw. Kap. 152. Kap 9.

51. (1) Id-dokumenti għall-votazzjoni li jkunu reġistrati fi djar ta' l-anzjani għandhom jitqassmu lill-eletturi personalment. L-elettur jista' jagħżel li jikkonsenja d-dokument għall-votazzjoni lill-amministratur tad-dar sabiex jieħu ħsiebu fiż-żgur, u dak l-amministratur għandu jikkonsenja lura d-dokument lill-elettur fil-jum stabbilit għall-votazzjoni jew f'dak il-jum li jiġi aktar qabel hekk kif l-elettur jista' jitlob li jsir. Votazzjoni fid-djar ta' l-anzjani.

(2) L-eletturi fi djar ta' l-anzjani għandu jkollhom l-għażla li jmorru fil-post tal-votazzjoni;

(a) mingħajr ma jkollhom l-assistenza ta' ebda persuna;

(b) bl-assistenza ta' membri tal-*personnel*;

(ċ) bl-assistenza ta' membri tal-familja tagħhom;

u s-sotto-kumitat ikun responsabbli li jara li titwettaq l-għażla partikulari ta' kull elettur.

(3) L-eletturi li jagħżlu li jkollhom l-assistenza tal-membri tal-*personnel* għandhom ikunu akkumpanjati minn membri tal-*personnel* magħżulin minn fost ġemgħa minnhom nominati f'numri indaqs

mill-partiti politiċi kollha, b'dan li dawk in-nominazzjonijiet isiru mill-anqas għaxart ijiem qabel ma tibda l-votazzjoni. Il-partiti politiċi jkollhom id-dmir li jitolbu, u l-Kummissjoni jkollha d-dmir li tiżgura, illi jekk il-*personnel* ordinarju f'dawk id-djar ma jkunux biżżejjed għall-finijiet ta' dan ir-regolament, għandhom jintbagħtu persuni oħra f'dawk id-djar għal dawk il-finijiet.

(4) Dawk l-eletturi li jagħżlu li jkunu akkumpanjati minn membri tal-*personnel* jew minn membri tal-familji tagħhom, minkejja kull dispożizzjoni oħra ta' dawn ir-regolamenti, jiġu hekk akkumpanjati sal-bieb tal-kamra tal-votazzjoni relattiva.

(5) Matul il-jum stabbilit għall-votazzjoni ħadd ħlief membri tas-sotto-kumitat, membri tal-*personnel* u qraba ta' pazjenti li jkunu qabel ġew awtorizzati jakkumpanjaw lill-eletturi sabiex imorru jivvotaw, ma għandhom mingħajr l-awtorità espressa tal-Kummissjoni, jitħallew jidħlu fi djar ta' l-anzjani.

(6) Ħlief bl-awtorizzazzjoni speċjali tas-sotto-kumitat, ebda elettur f'dar ta' l-anzjani li jkun għażel li jivvota waħdu jew li jkun akkumpanjat minn membri tal-familja tiegħu ma jista' jittieħed sabiex jivvota minn membri tal-*personnel*.

Il-Kummissjoni Elettorali tgħid x'għandu jsir.

52. Is-sotto-kumitat maħtur skond ir-regolament 49 ta' dawn ir-regolamenti għandu jiffunzjona taħt id-direzzjoni ġenerali tal-Kummissjoni u jkun marbut li jwettaq id-deċiżjonijiet tal-Kummissjoni.

TAQSIMA VIII
Għadd tal-Voti

Bidu ta' l-għadd tal-voti.

53. L-għadd tal-voti għal kull lokalità għandu jinżamm fl-imkien u fil-ħin stabbiliti fl-avviżi imsemmija fil-paragrafi (c) u (d) tar-regolament 16 ta' dawn ir-regolamenti u għandu jitmexxa skond id-dispożizzjonijiet ta' dawn ir-regolamenti. L-għadd għandu jinbeda meta l-kaxex tal-votazzjoni ta' dik il-lokalità jkunu tqegħdu fil-kamra maħsuba għal dak il-għan mill-Kummissjoni, il-pakketti li jkun fihom il-karti u l-materjal ieħor użat mill-Assistenti Kummissjonarji jkunu ġew konsenjati lill-Kummissjoni u la l-kaxex tal-votazzjoni u anqas il-pakketti ma jkunu ġew dikjarati li huma fi stat li jagħti lok għal suspett li jkunu tbagħbsu.

Tbagħbis mal-kaxex tal-votazzjoni.

54. (1) Il-partiti politiċi li jikkontestaw l-elezzjonijiet għandu jkollhom il-jedd li jinnominaw għadd suffiċjenti ta' aġenti, li jiġi stabbilit mill-Kummissjoni, sabiex jissorveljaw f'kull żmien id-dħul tal-kaxex tal-votazzjoni, dokumenti u pakketti li jsiru għand il Kummissjoni mingħand l-Assistenti Kummissjonarji u l-ħażna tal-kaxex tal-

votazzjoni msemmija, dokumenti u pakketti wara d-dħul tagħhom. Dawk l-aġenti għandhom minn hawnhekk iżjed 'il quddiem f'dawn ir-regolamenti jissejħu "aġenti konsenjatarji".

(2) Id-delegati tal-partit, kandidati u aġenti konsenjatarji jkollhom il-jedd jissorveljaw id-dħul ta' kaxex tal-votazzjoni għand il-Kummissjoni Elettorali mingħand l-Assistenti Kummissjonarji u sabiex jagħmlu l-ilmenti tagħhom dwar dan.

(3) Jekk xi Kummissjonarju jew xi delegat ta' partit, kandidat jew aġent konsenjatarju jivvanta li xi kaxxa tal-votazzjoni jew pakkett ikunu daħlu f'sura li tagħti lok għal suspett li setgħu tbagħbsu, il-Kummissjoni tordna li dik il-kaxxa jew dak il-pakkett għandhom jiġu trattati separatament mill-kaxex jew pakketti l-oħrajn, u ssejjaħ laqgħa ta'l-istess Kummissjoni minnufih; f'dik il-laqgħa l-Kummissjoni jkollha s-setgħa li tisma' dik ix-xiehda li tingħata bil-ġurament li tista' tqis meħtieġa.

(4) Meta l-Kummissjoni tiddeċedi li ma hemmx prova li tiġġustifika s-suspett li l-kaxxa jew il-pakkett ikunu tbagħbsu, iddeċizjoni tagħha tkun waħda finali u ma jista' isir ebda appell minnha.

(5) Kull ilment bħal dawk imsemmija fil-paragrafi ta' qabel ta' dan ir-regolament għandu jsir hekk kif il-kaxxa tal-votazzjoni jew il-pakkett jiġu konsenjati mill-Assistenti Kummissjonarji lill-Kummissjoni u għal dan il-għan il-Kummissjoni għandha tiżgura li d-delegati ta' partit, kandidati jew aġenti konsenjatarji jingħataw faċilitajiet xierqa sabiex jiflu b'attenzjoni l-kaxex tal-votazzjoni, id-dokumenti jew pakketti.

(6) Ikun id-dmir tal-Kummissjoni li tiżgura il-preċiżjoni matematika tal-konteġġ tal-poloz tal-votazzjoni u li dan jaqbel malgħadd dikjarat tad-dokumenti għall-votazzjoni li jitreġġgħu lura mill-Assitenti Kummissjonarji. Partiti politiċi jkollhom il-jedd li jitolbu li l-Kummissjoni għandha għal dak il-għan tiftaħ xi pakketti li jkun fihom id-dokumenti għall-votazzjoni relattivi għal mhux iktar minn għaxra filmija tal-kaxex tal-votazzjoni kollha sabiex issir verifika materjali talpreċiżazzjoni ta' dak id-dħul lura li jkun sar.

(7) Il-partiti politiċi għandhom jagħżlu l-kaxex tal-votazzjoni li dwarhom il-pakketti li jkun fihom id-dokumenti għall-votazzjoni għandhom jinfetħu filwaqt li ssir il-konsenja tal-kaxex tal-votazzjoni għand il-Kummissjoni u qabel il-ħażna tal-kaxex tal-votazzjoni.

(8) Hekk kif kull kaxxa tal-votazzjoni tiddaħħal u tintlaqa' mill-Kummissjoni skond dan ir-regolament, din għandha tittieħed ġewwa l-kamra maħsuba mill-Kummissjonarji għall-ħażna tal-kaxex tal-votazzjoni kollha skond ir-regolament 16 ta' dawn ir-regolamenti.

(9) Hekk kif ikun prattiku wara li l-kaxex tal-votazzjoni kollha jkunu ddaħħlu u ntlaqgħu skond dan ir-regolament u qabel ma jibda l-proċess tal-għadd, il-Kummissjoni Elettorali għandha tistqarr pubblikament x'kien l-għadd totali ta' voti li jkunu ġew dikjarati mitfugħin skond il-konteġġi tal-poloz tal-votazzjoni konsenjati mill-Assistenti Kummissjonarji kif ukoll l-għadd ta' voti f'kull kaxxa tal-votazzjoni kif joħrog mill-istess konteġġ.

(10) Il-Kummissjoni għandha żżomm sal-pubblikazzjoni tar-riżultat uffiċjali ta' l-ewwel elezzjoni li jkun imiss il-karti kollha li jingħatawlhom mill-Assistenti Kummissjonarji, kif ukoll il-poloz ta' votazzjoni mhux użati u d-dokumenti għall-votazzjoni, f'pakketti separati u siġillati li jkunu juru fuq kull pakkett minnhom ix-xorta tad-dokumenti ta' ġewwa l-pakkett, u l-lokalità li jkollhom x'jaqsmu miegħu.

(11) Fuq kull pakkett bħal dak imsemmi fil-paragrafu ta' qabel, għandu jintgħamel is-siġill tal-Kummissjoni Elettorali u l-firma ta' mill-inqas żewġ Kummissjonarji, u ta' xi delegat ta' partit, kandidat jew aġent konsenjatarju li jistgħu jagħżlu li jiffirmaw.

Persuni li jgħoddu, li jissorveljaw u li jikkalkolaw.

55. (1) Il-Kummissjoni għandha taħtar għadd ta' persuni li jagħmluha ta' persuni li jgħoddu, li jissorveljaw u li jikkalkolaw sabiex igħinu lill-Kummissjoni fl-għadd u fit-trasferiment tal-voti f'kull lokalità li għandu jitwettaq taħt is-superviżjoni diretta tal-Kummissjoni.

(2) Id-dispożizzjonijiet tal-paragrafu (1) tar-regolament 28 ta' dawn ir-regolamenti għandhom ikunu japplikaw *mutatis mutandis* għall-kariga ta' persuna li tgħodd, tissorvelja jew tikkalkola l-istess kif japplikaw għall-kariga ta' Assistent Kummissjonarju.

(3) Lista ta' dawk il-persuni maħturin li jgħoddu, li jissorveljaw u li jikkalkolaw għandha tiġi pubblikata mill-Kummissjoni fil-Gazzetta, flimkien mal-lista ta' persuni maħturin bħala Assistenti Kummissjonarji u l-proċedura stabbilita għan-nomina minn partiti politiċi, u għall-oġġezzjonijiet dwar l-Assistenti Kummissjonarji għandha tapplika wkoll *mutatis mutandis* għal persuni li jissorveljaw u li jgħoddu.

(4) Għandhom jinħargu lil dawk il-persuni kollha li jgħoddu, li jissorveljaw u li jikkalkolaw, dokumenti ta' l-identità li jkunu juru d-dettalji bħal ma jintwerew fil-każ ta' aġenti ta' partit. Id-dokumenti ta' l-identità għandhom jintlibsu f'kull waqt mill-persuni li jgħoddu, jissorveljaw u jikkalkolaw filwaqt li jkunu fiż-żona ta' l-imkien fejn ikun qiegħed isir l-għadd tal-voti.

(5) Il-persuni li jikkalkolaw għandhom jagħmlu dawk il-kalkoli matematiċi kollha li jkollhom x'jaqsmu ma' l-għadd tal-voti u l-

Kummissjoni għandha tiżgura li l-persuni hekk magħżulin ikunu jafu jagħmlu kalkoli matematiċi sew.

(6) Il-persuni li jissorveljaw għandhom ikunu responsabbli għal għadd ta' persuni li jgħoddu u għandhom jissorveljaw il-ftuħ tal-kaxex tal-votazzjoni, il-klassifika u l-għadd ta' poloz tal-votazzjoni għal kull mejda ta' l-għadd tal-voti. Il-Kummissjoni Elettorali għandha tiżgura li f'kull waqt matul l-għadd tal-voti ma jkunx hemm inqas minn żewġ persuni li jissorveljaw għal kull mejda ta' l-għadd tal-voti u li l-partiti politiċi jkunu rappreżentati b'mod xieraq fl-għażla ta' persuni li jagħmluha ta' persuni li jissorveljaw għal kull mejda ta' l-għadd tal-voti.

(7) Il-persuni li jgħoddu għandhom jaħdmu taħt id-direzzjoni ta' persuni li jissorveljaw; huma għandhom materjalment jikklassifikaw u jgħoddu l-poloz tal-votazzjoni. Il-Kummissjoni Elettorali għandha tiżgura li jkun hemm għadd biżżejjed ta' persuni li jgħoddu f'kull mejda ta' l-għadd tal-voti sabiex jiżguraw li jkun hemm proċess ta' għadd mgħaġġel u effiċjenti u li l-partiti politiċi jkunu rappreżentati b'mod xieraq f'kull waqt matul l-għadd tal-voti fl-għażla ta' persuni li jagħmluha ta' persuni li jgħoddu f'kull mejda ta' l-għadd tal-voti.

Il-Kummissjonarji jistgħu jaħtru persuni biex igħinuhom fil-għadd tal-voti.

56. (1) Il-Kummissjoni tista' tawtorizza wieħed jew iżjed mill-membri tagħha jew persuna jew persuni oħra maħturin minnha, biex jagħmlu minflokha kull ħaġa li għandha x'taqsam mad-dħul u l-ħażna tal-kaxex tal-votazzjoni u mal-għadd u t-trasferiment tal-voti, u kull ħaġa magħmula bis-saħħa ta' dik l-awtorizzazzjoni titqies bħallikieku tkun saret mill-Kummissjoni.

(2) Minkejja d-dispożizzjonijiet kontenuti f'xi taqsima oħra ta' dawn ir-regolamenti, il-Kummissjoni Elettorali tista' għall-fini tal-għadd tal-voti taħtar kull numru li jidhrilha xieraq ta' Assitenti Kummissjonarji Elettorali Prinċipali li jagħmlu minflokha kull ħaġa li l-Kummissjoni jidhrilha xieraq biex jissorveljaw l-għadd tal-voti f'kull lokalità u kull ħaġa magħmula mill-Assistenti Kummissjonarji Elettorali Prinċipali tiġi meqjusa bħallikieku magħmula mill-Kummissjoni Elettorali.

(3) Il-Kummissjonarji jew wieħed jew iżjed minnhom għandhom jagħtu, lil kull persuna awtorizzata biex taġixxi minflok il-Kummissjoni taħt id-dispożizzjonijiet ta' dan ir-regolament, ġurament li taqdi bil-fedeltà d-dmirijiet li l-Kummissjonarji jkunu tawha.

Kandidati u Aġenti għall-Għadd.

57. (1) Sakemm dawn ir-regolamenti ma jipprovdux xort'oħra, kandidati u delegati tal-partit għandu jkollhom dħul ħieles fl-imkien fejn ikun qed isir l-għadd tal-voti, u fis-sala tal-għadd tal-voti, f'kull waqt.

(2) Kull partit politiku għandu barra minn hekk ikollu jedd jinnomina għadd ta' aġenti li jkun daqs l-għadd ta' kandidati preżentati minnu sabiex jikkontestaw l-elezzjoni u dawk l-aġenti għandhom f'kull waqt ikunu jistgħu jidħlu f'dak l-imkien u fis-sala tal-għadd tal-voti f'kull waqt. Dawk l-aġenti għandhom minn hawnhekk 'il quddiem f'dawn ir-regolamenti jissejħu "aġenti għall-għadd".

Il-lista ta' dawk l-aġenti għandha tingħata lill-Kummissjoni mill-inqas wieħed u għoxrin jum qabel ma tibda l-votazzjoni; il-Kummissjoni għandha tinforma lill-partiti politiċi bl-aġenti kollha hekk nominati sabiex il-partiti politiċi msemmija jista' jkollhom opportunità li jressqu ilmenti quddiem il-Kummissjoni qabel ma din taċċettahom jew tiċħadhom; l-aġenti li jiġu hekk nominati għandhom ikunu ta' karattru tajjeb u li jiġu aċċettati mill-Kummissjoni u ġaladarba nominati u aċċettati mill-Kummissjoni, dawk l-aġenti ma jistgħux, għal ebda raġuni, jinbidlu mill-partit politiku li jkun għamel in-nomina tagħhom.

Il-lista ta' dawk l-aġenti għandha, mill-inqas sebat ijiem qabel il-bidu tal-votazzjoni, tintbagħat lill-partiti politiċi u titwaħħal fl-entrata ta' l-Uffiċċju Elettorali b'dan li turi l-isem, l-indirizz u n-numru tal-karta ta' l-identità ta' kull aġent u tal-partit li jkun qiegħed jagħmel in-nomina tiegħu.

(3) Id-delegati ta' partit, kandidati, u aġenti għall-għadd għandu jinħarġilhom dokument ta' l-identità u dak id-dokument ta' l-identità għandu jintlibes f'kull waqt meta dawn il-persuni jidħlu u jkunu ġewwa l-imkien jew bini fejn ikunu qegħdin jingħaddu l-voti.

L-imkien fejn isir l-għadd tal-voti.

58. Dwar l-imkien maħsub mill-Kummissjoni għall-għadd tal-voti l-Kummissjoni għandha tiżgura illi:

(a) faċilitajiet adegwati jkunu provduti għall-mezzi kollha tax-xandir kif ukoll għall-partiti politiċi;

(b) żona biswit is-sala tal-għadd tal-voti u li tkun imniffda magħha għandha tkun provduta għall-ħażna tal-kaxex tal-votazzjoni u li fil-waqt li l-kaxex ikunu maħżuna f'dik iż-żona dawn għandhom f'kull waqt ikunu jidħru mill-bnadi kollha tas-sala tal-għadd tal-voti;

(ċ) fis-sala tal-għadd tal-voti nnifisha l-persuni li jgħoddu għandhom ikunu mifrudin mill-kandidati u mill-aġenti u li ħlief fil-każi espressament stabbiliti f'dawn ir-regolamenti, id-dħul fiż-żona maħsuba mill-Kummissjoni għall-għadd tal-voti għandu jkun biss permess għal dawk il-kandidati u aġenti li jkollhom il-kunsens espress tal-Kummissjoni; b'dan illi d-delegati tal-partit u żewġ sostituti tagħhom f'kull lokalità fejn tkun qed issir elezzjoni

u li jkunu ġew nominati minn dawk id-delegati, għandu jkollhom dħul ħieles fiż-żona tal-għadd tal-voti f'kull waqt;

(d) l-għamla taż-żona tal-għadd tal-voti għandha tkun ta' dik is-sura li kemm jista' jkun il-process kollu tal-għadd tal-voti jkun jidher sew minn fejn jinstabu l-kandidati, aġenti u delegati tal-partiti;

(e) jiġu provduti biżżejjed faċilitajiet sussidjarji għal kull qtugħ ta' servizzi mogħtija, b'mod speċjali dak tad-dawl u elettriku;

(f) jittieħdu miżuri ta' sigurtà raġonevoli f'kull waqt fl-imkien innifsu u madwaru, li d-dħul fih ikun ristrett biss għal persuni awtorizzati u li ebda strument li jweġġa' jew joqtol, jew strumenti li jistgħu jintużaw biex iweġġgħu jew joqtlu, ma jiddaħħlu fil-bini;

(ġ) mill-inqas ħmistax-il jum qabel ma tibda l-votazzjoni l-Kummissjonarji għandhom juru lid-delegati ta' partit kif ikunu bi ħsiebhom jallokaw u jifirdu ż-żoni differenti ta' l-imkien imsemmi u għandhom iqisu suġġerimenti li jsirulhom mid-delegati msemmija f'dan ir-rigward;

(ħ) minkejja kull ħaġa oħra li tinsab f'dawn ir-regolamenti, id-delegati ta' partit u s-sostituti tagħhom, għandhom f'kull waqt ikollhom kull dħul f'kull zona ta' l-imkien bil-għan li jiżguraw li d-dispożizzjonijiet ta' dawn ir-regolamenti ikunu qegħdin jitwettqu.

Rappurtaġġ tal-mezzi kollha tax-xandir.

59. Il-Kummissjoni għandha tiżgura li sakemm ikun prattikabbli għandu jitħalla rappurtaġġ tal-gazzetti u tax-xandir sħiħ u kostanti tal-għadd u trasferiment tal-voti u għal dan il-għan għandha tippermetti lil personnel tax-xandir *bone fide* li jidħol f'dak l-imkien bl-apparat meħtieġ tagħhom.

Ċirkostanzi Straordinarji.

60. F'ċirkostanzi straordinarji l-Kummissjoni tista' tħalli jidħlu f'dak l-imkien u fis-sala tal-għadd tal-voti kull persuna oħra li jqisu xierqa iżda f'ebda każ ma għandu jitħalla jidħol il-pubbliku in ġenerali.

Ilmenti lill-Kummissjonarji.

61. Minkejja kull ħaġa oħra li tinsab f'dawn ir-regolamenti, il-kandidati u l-aġenti għall-għadd għandhom f'kull waqt jedd li jkellmu lill- Kummissjonarji bil-għan li jressqu l-ilmenti tagħhom f'isimhom proprju jew f'isem il-kandidat jew il-partit minnhom rappreżentat.

Tmexxija ta' l-imkien fejn isir l-għadd tal-voti.

62. Il-Kummissjoni għandha tkun l-uniku korp li jkun responsabbli għat-tmexxija ta' l-imkien fejn ikollu jsir l-għadd u t-trasferiment tal-voti u jkollha l-jedd li tagħti dawk l-ordnijiet li jkunu meħtieġa għażżamma ta' l-ordni u s-sigurtà f'dak l-imkien.

TAQSIMA IX

Rikonċiljazzjoni tar-Rendikont ta' Poloz tal-Votazzjoni

Għadd tal-voti f'lokalità.

63. Il-Kummissjoni għandha tara li jingħaddu l-voti kollha mitfugħa f'lokalità sabiex jiġi stabbilit x'inhu l-għadd ta' voti mitfugħin f'dik il-lokalità.

Ġarr tal-kaxex tal-votazzjoni minn *strong room*.

64. (1) Qabel ma jsir il-ġarr ta' kull kaxxa tal-votazzjoni mill-kamra stabbilita mill-Kummissjoni sabiex fiha jitqegħdu l-kaxex tal-votazzjoni kollha skond ir-regolament 16 ta' dawn ir-regolamenti, id-delegati ta' partit jew is-sostituti tagħhom għandu jkollhom il-jedd li jeżaminaw is-siġilli magħmulin fuq kull kaxxa tal-votazzjoni.

(2) Kull ilment li jsir mid-delegati ta' partit jew mis-sostituti tagħhom dwar l-integrità ta' dawk is-siġilli għandu jiġi eżaminat mill-Kummissjoni li d-deċiżjoni tagħha fuq din il-ħaġa tkun waħda konklussiva u mhux suġġetta għal ebda appell.

Ftuħ ta' kull kaxxa tal-votazzjoni.

65. Il-kaxex tal-votazzjoni għandhom jinfetħu waħda waħda u qabel il-ftuħ ta' kull kaxxa tal-votazzjoni l-Kummissjoni għandha tieħu ħsieb li r-rendikont ta' poloz tal-votazzjoni għal dik il-kaxxa tal-votazzjoni jkun twaħħal b'dak il-mod li kemm il-kandidati u l-aġenti jkunu jistgħu jarawh sew u l-Kummissjoni għandha turi lill-kandidati u lill-aġenti s-siġilli fuq il-kaxxa tal-votazzjoni sabiex huma jkunu jistgħu jaċċertaw ruħhom li dawk is-siġilli jkunu sħaħ u mhux mimsusin.

Oġġezzjonijiet dwar il-ftuħ ta' kaxxa tal-votazzjoni.

66. Kull delegat ta' partit, kandidat jew aġent jista', qabel ma tinfetaħ il-kaxxa tal-votazzjoni, jagħmel ilment fejn jallega li s-siġilli tal-kaxxa jkunu tbagħbsu. Meta ssir oġġezzjoni bħal dik, il-kaxxa ma għandhiex tinfetaħ sakemm il-Kummissjoni Elettorali, wara li tikkonsulta d-delegati ta' partit jew is-sostituti tagħhom, tkun tat dawk id-direttivi u adottat dawk il-miżuri li tista' tqis li jkunu meħtieġa.

Verifika tar-rendikont ta' poloz tal-votazzjoni.

67. Meta ma jsirux oġġezzjonijiet u meta l-Kummissjoni tagħti direttiva bis-saħħa tar-regolament ta' qabel dan ta' dawn ir-regolamenti, il-kaxxa tal-votazzjoni għandha tinfetaħ u l-għadd ta' poloz tal-votazzjoni misjubin fiha għandhom jingħaddu, wiċċhom l-isfel, sabiex jiġi aċċertat li n-numru ta' voti f'dik il-kaxxa tal-votazzjoni jkun jikkorrispondi mar-rendikont ta' poloz tal-votazzjoni.

Għadd ta' poloz tal-votazzjoni li ma jaqbilx mar-rendikont.

68. Il-Kummissjoni għandha titgħarraf meta l-poloz tal-votazzjoni fil-kaxxa tal-votazzjoni ma jkunux jaqblu mar-rendikont ta' poloz tal-votazzjoni, u l-Kummissjoni għandha, wara konsultazzjoni mad-delegati ta' partit, jew is-sostituti tagħhom, tagħti dawk id-direttivi kif tista' tqis xierqa u d-deċiżjoni tagħha tkun waħda konklussiva.

Qbil fl-għadd tal-poloz tal-votazzjoni mar-rendikont.

69. Meta l-poloz tal-votazzjoni fil-kaxxa tal-votazzjoni ikun jaqbel mar-rendikont ta' poloz tal-votazzjoni, il-voti għandhom jitqegħdu flimkien u klassifikati f'garżella li tkun turi n-numru tal-kaxxa tal-votazzjoni. Il-garżella u l-poloz tal-votazzjoni għandhom ikunu jidhru f'kull waqt mill-partiti, kandidati u aġenti. Il-poloz tal-votazzjoni f'kull garżella għandhom jitqegħdu f'pakketti ta' ħamsin polza kull wieħed b'dan illi kull polza li tifdal titqiegħed fil-qiegħ tal-mazz u l-persuna li tissorvelja għandha tiżgura li kull pakkett jingħadd sabiex tiġi verifikata l-eżattezza tiegħu minn iktar minn persuna waħda li jgħoddu.

Għandhom jinfetħu l-kaxex tal-votazzjoni kollha.

70. Il-proċess imsemmi fir-regolamenti 63 sa 69 ta' dawn ir-regolamenti għandu jittenna sakemm il-kaxex tal-votazzjoni kollha jkunu nfetħu sabiex jiġi aċċertat li l-poloz tal-votazzjoni f'kull kaxxa tal-votazzjoni jkunu jaqblu mar-rendikont ta' poloz tal-votazzjoni relattiv għal dik il-kaxxa.

Għadd ta' voti mitfugħin.

71. Wara li l-kaxex tal-votazzjoni kollha jkunu nfetħu u ġew rikonċiljati mar-rendikont ta' poloz tal-votazzjoni relattiv, il-Kummissjoni Elettorali għandha, qabel ma tgħaddi biex tikklassifika l-voti, tiddikjara xi jkun l-għadd kollu ta' voti mitfugħin u t-tqassim tagħhom skond kull kaxxa tal-votazzjoni.

TAQSIMA X
Għadd u Klassifika tal-Voti

Klassifika tal-poloz tal-votazzjoni.

72. (1) Il-poloz tal-votazzjoni għandhom jiġu klassifikati skond din it-Taqsima ta' dawn ir-regolamenti.

(2) F'din it-Taqsima, sakemm ir-rabta tal-kliem ma teħtieġx xort' oħra:

(a) Il-kelma "kandidat ta' wara" tfisser kandidat mhux elett u mhux eskluż mill-votazzjoni.

(b) Il-kelma "l-ewwel preferenza" tfisser in-numru "1" miktub waħdu quddiem isem ta' kandidat; il-kelma "it-tieni preferenza" tfisser in-numru "2" miktub waħdu quddiem isem ta' kandidat u l-kelma "it-tielet preferenza" tfisser in-numru "3" miktub waħdu quddiem isem ta' kandidat, u hekk għall-bqija.

(ċ) Il-kelma "il-preferenza ta' wara" tfisser it-tieni jew preferenza ta' wara li tkun skond in-numri ta' wara xulxin favur il-kandidat ta' wara, u mingħajr ma jiġu ikkalkulati dawk il-preferenzi ta' wara miktubin fuq il-polza favur il-kandidati li jkunu diġa ġew eletti jew li jkunu esklużi mill-għadd tal-voti.

(d) Il-kelma "polza trasferibbli" tfisser polza li fuqha, wara l-ewwel preferenza, tinkiteb it-tieni jew preferenza ta' wara skond in-numri ta' wara xulxin għal kandidat ta' wara.

(e) Il-kelma "polza mhux trasferibbli" tfisser polza li fuqha ma jkun hemm imniżżla favur kandidat ta' wara ebda preferenza tat-tieni numru jew numri ta' wara:

Iżda l-polza ma tibqax iżjed trasferibbli, kemm-il darba:

(i) l-ismijiet ta' żewġ kandidati jew iżjed (sew jekk ikunu jew ma jkunux minn ta' wara) huma immarkati bl-istess numru u jaħbtu wara, skond l-ordni tal-preferenza; jew

(ii) l-isem tal-kandidat ta' wara, skond l-ordni tal-preferenza (sew jekk ikun jew ma jkunx minn ta' wara) hu immarkat jew b'numru li ma jiġix wara dak ta' xi numru ieħor miktub fuq il-polza; jew b'żewġ numri jew iżjed; jew

(iii) għal xi raġuni oħra li għaliha ma tistax taqta' sewwa għal liema wieħed mill-kandidati l-oħra ingħatat il-preferenza li baqgħet wara.

(f) Il-kelmiet "vot oriġinali" għal dak li hu kandidat, ifissru vot li ġej minn polza li fuqha ingħatat lil dak il-kandidat l-ewwel preferenza.

(ġ) Il-kelmiet "vot trasferit" jew "vot imgħoddi minn fuq kandidat ieħor" għal dak li hu kandidat, ifissru vot li hu ġej minn polza li fuqha ingħatat lil dak il-kandidat it-tieni preferenza jew dik ta' warajha.

(ħ) Il-kelmiet "iż-żejjed" jew "voti żejda" ifissru n-numru ta' voti li bihom in-numru kollu ta' voti, sew oriġinali kemm trasferiti, mogħti lil kandidat ikun 'il fuq minn dak tal-kwota.

(i) Il-kelma "għadd" tfisser:

(i) ix-xogħol kollu li jsir fil-għadd ta' l-ewwel preferenzi mogħtijin favur il-kandidati; jew

(ii) ix-xogħol kollu li jsir fit-trasferiment tal-voti żejda ta' kandidat elett; jew

(iii) ix-xogħol kollu li jsir fit-trasferiment tal-voti ta' kandidat jew ta' żewġ kandidati jew iżjed esklużi flimkien mill-votazzjoni.

Klassifika ta' Poloz tal-Votazzjoni.

73. Il-Kummissjoni għandha tordna li l-poloz tal-votazzjoni jiġu klassifikati f'pakketti skond l-ewwel preferenza tagħhom kif tkun ġiet reġistrata għal kull kandidat, filwaqt li jiġu skartati dawk il-voti li jkunu invalidi.

Kif issir il-klassifika.

74. Il-klassifika tal-poloz tal-votazzjoni imsemmija fir-regolament ta' qabel għandha ssir b'dan il-mod li ġej:

(a) il-persuna li tissorvelja kull mejda fejn isir l-għadd għandu jieħu l-ogħla mazz ta' poloz tal-votazzjoni minn kull garzella u, b'mod li jkun jidher sew mill-kandidati u mill-aġenti, iqiegħed il-mazz fuq xkaffa sabiex jgħaddihom lill-persuni li jgħoddu;

(b) meta jkun ittieħed pakkett poloz tal-votazzjoni minn kull garzella u tqiegħed fuq l-ixkaffa kif provdut fil-paragrafu ta' qabel ta' dan ir-regolament, il-persuna li tissorvelja għandha tgħaddi lil kull persuna li tgħodd pakkett wieħed kull darba sabiex il-poloz tal-votazzjoni jistgħu jiġu klassifikati;

(ċ) il-persuni li jgħoddu għandhom jifthu kull pakkett li jkun fih il-poloz tal-votazzjoni u jivverifikaw jekk kull polza tkunx waħda valida jew invalida;

(d) jekk il-persuni li jgħoddu jiddeċiedu li hemm possibiltà illi, għal xi raġuni li toħroġ mill-Att u minn dawn ir-regolamenti, polza tal-votazzjoni tista' tkun invalida, jew jekk ikun hemm xi kandidat jew aġent li għall-istess raġuni jgħid l-istess ħaġa, il-persuna li tgħodd għandha tqiegħed dik il-polza tal-votazzjoni f'kontenitur markat bil-kelma "Dubbjużi";

(e) jekk il-polza tal-votazzjoni titqies li tkun valida il-persuna li tgħodd għandha tqiegħed il-polza tal-votazzjoni f'kontenitur li jkun hemm għal kull kandidat li jkun ingħatalu l-ewwel preferenza fuq dik il-polza tal-votazzjoni.

Tkomplija tal-proċess ta' klassifika.

75. (1) Meta persuna li tgħodd tkun hekk ħelset mill-pakkett ta' poloz tal-votazzjoni imsemmi fir-regolament ta' qabel, hija għandha tingħata pakkett ieħor x'tikklassifika bl-istess mod u tibqa' sejra hekk sakemm il-pakketti kollha fuq l-ixkaffa jkunu ingħaddu.

(2) Meta l-pakketti kollha ta' fuq l-ixkaffa jkunu ngħaddu,

il-persuna li tissorvelja għandha tieħu l-ogħla pakkett ta' poloz tal-votazzjoni li jkun imiss minn kull garzella filwaqt li ttenni l-proċess ta' klassifika imsemmi fir-regolament 74 u fil-paragrafu (1) ta' dan ir-regolament u tibqa' sejra hekk sakemm il-poloz tal-votazzjoni kollha jkunu, ftit ftit, tneħħew mill-garzelli, tqegħdu fuq l-ixkaffa, u ġew klassifikati.

Voti dubjuži.

76. (1) Kull meta l-persuna li tissorvelja li tkun inkarigata mill-klassifika tal-voti taqtagħha li fil-kontenitur markat "Dubbjużi" jkun hemm għadd biżżejjed ta' poloz tal-votazzjoni, hija għandha ssejjaħ lil wieħed mill-Assistenti Kummissjonarji Elettorali Prinċipali sabiex jiġbor dawk il-poloz.

(2) Il-poloz tal-votazzjoni dubbjużi jistgħu jitneħħew biss mill-kontenitur minn Assistent Kummissjonarju Elettorali Prinċipali li jeħodhom personalment fuq il-mejda li tkun ġiet imħejjija għal dak il-għan.

(3) Il-Kummissjoni Elettorali jew l-Assistenti Kummissjonarji Prinċipali għandhom, wara li jisimgħu l-ilmenti tad-delegati ta' partit, jew tas-sostituti tagħhom dwar kull polza, jaqtgħuha jekk polza tkunx valida jew invalida, u jekk jaqtgħuha li tkun invalida huma għandhom jittimbraw dik il-polza bħala tali fuq il-wiċċ tagħha.

(4) Id-deċiżjoni ta' l-Assistenti Kummissjonarji Elettorali Prinċipali tista' tiġi appellata lil xi membru tal-Kummissjoni Elettorali indikat mill-Kummissjoni biex jisma' appelli bħal dawn u d-deċizzjoni tiegħu tkun konklussiva.

(5) Ġaladarba l-poloz tal-votazzjoni dubbjużi kollha jkunu ġew dikjarati validi jew invalidi, dawn għandhom jitreġgħu lura minn Assistent Kummissjonarju Elettorali Prinċiplai li jgħaddihom lil persuna li tissorvelja.

(6) Il-persuna li tissorvelja għandha tieħu ħsieb li l-poloz tal-votazzjoni invalidi jitqegħdu f'kontenitur markat "Invalidi" filwaqt li l-poloz tal-votazzjoni validi għandhom jiġu klassifikati skond ir-regolamenti ta' qabel.

Għadd tal-poloz.

77. (1) Il-Kummissjoni għandha mbagħad tgħodd in-numru tal-poloz fil-kontenitur ta' kull kandidat, u tagħti lil kull kandidat numru ta' voti li jkun jaqbel man-numru tal-poloz validi li fuqhom ingħatat l-ewwel preferenza lil dak il-kandidat, u għandha tiżgura ruħha min-numru kollu tal-poloz validi.

(2) Fl-għadd tan-numru tal-poloz imqegħdin fil-kontenitur ta' kull kandidat, il-persuna li tissorvelja għandha tordna li dawk il-

poloz jinġabru f'mazzi ta' ħamsin polza kull wieħed u li kull mazz mill-inqas jingħadd minn żewġ persuni li jgħoddu.

Kif issib il-kwota.

78. Il-Kummissjoni għandha mbagħad tiddividi n-numru kollu tal-poloz validi b'numru ta' wieħed 'l fuq minn dak tal-postijiet battala li għandhom jimtlew. In-numru li joħroġ, miżjud b'wieħed, (mingħajr ma tiġi ikkalkulata l-frazzjoni li tibqa') ikun in-numru ta' voti li jinħtieġu biex kandidat jiġi elett. Dan in-numru f'dawn ir-regolamenti hu msejjaħ il-"kwota".

Il-kandidat li jġib il-kwota jiġi elett.

79. Jekk, wara li jingħaddu l-voti li kandidat iġib, jinsab illi dan in-numru ta' voti jlaħħaq il-kwota jew jaqbeż il-kwota, dan il-kandidat ikun b'daqshekk elett.

Trasferiment taż-żejjed ta' voti.

80. (1) Jekk, wara li jingħaddu l-voti, jinsab illi n-numru ta' voti mogħtijin lil kandidat hu akbar mill-kwota, iż-żejjed imur, skond ma hu meħtieġ minn dan ir-regolament, fuq il-kandidati l-oħra li lilhom ingħataw il-preferenzi ta' wara li jkun hemm immarkati fuq il-poloz tal-mazz tal-kandidat li ġie elett f'dak il-għadd.

Liema voti żejda għandhom jitqassmu l-ewwel.

(2) Iż-żejjed ta' voti li jkun hemm f'kull għadd ta' voti għandu jitqassam qabel dak iż-żejjed li jkun hemm fil-għadd ta' wara.

(3) Jekk fl-istess għadd ikun hemm iktar minn kandidat wieħed li jġib numru ta' voti żejda, l-ewwel ma għandu jitqassam dak iż-żejjed ta' voti li hu l-akbar.

Meta l-voti żejda jkunu ndaqs.

(4) Jekk żewġ kandidati jew iżjed ikollhom kull wieħed, fl-istess għadd, numru ta' voti żejda ndaqs, għandu l-ewwel jitqassam iż-żejjed ta' dak il-kandidat li jkun ġieb l-akbar numru ta' voti fl-ewwel għadd li fih dawn il-kandidati ma kellhomx numru ta' voti ndaqs. Kemm-il darba n-numru ta' voti miġjubin minn dawn il-kandidati jkun indaqs f'kull għadd li jkun sar, il-Kummissjoni taqta' bix-xorti liema mill-voti żejda għandhom jitqassmu l-ewwel.

Meta l-kandidat hu elett bil-voti ewlenin biss.

(5) (a) Jekk il-voti mogħtija lil kandidat li ġie elett ikunu voti ewlenin biss, il-Kummissjoni għandha teżamina l-poloz kollha tal-mazz tal-kandidat li ġie elett illi iż-żejjed tiegħu għandu jmur fuq il-kandidati l-oħra.

Meta l-kandidat hu elett bil-voti ewlenin u b'dawk li marru fuqu.

(b) Jekk il-voti mogħtijin lil kandidat li ġie elett ikunu voti ewlenin u voti li marru fuqu, jew huma biss voti li marru fuqu, il-Kummissjoni għandha teżamina l-poloz ta' l-aħħar mazz, li ngħataw lill-kandidat elett u li ż-żejjed tiegħu għandu jmur fuq il-kandidati l-oħra.

Għażla u taqsim ta' poloz skond il-preferenza li jkun hemm wara.

(ċ) F'kull wieħed minn dawn iż-żewġ każijiet, il-Kummissjoni għandha tagħżel u tqassam il-poloz trasferibbli f'mazzi

ġodda skond il-preferenza li jkun hemm mogħtija wara, immarkata fuq dawn il-poloz jagħmlu mazz għalih ta' dawk il-poloz li mhumiex trasferibbli u jaraw kemm hemm poloz f'kull mazz ġdid ta' poloz trasferibbli u kemm hemm poloz fil-mazz ġdid ta' poloz li mhumiex trasferibbli.

Jekk in-numru ta' poloz trasferibbli hu ndaqs jew inqas mill-voti żejda.

(6) Jekk in-numru kollu ta' poloz fil-mazzi ġodda ta' poloz trasferibbli mhux akbar minn dak tal-voti żejda, il-Kummissjoni għandha tgħaddi l-mazz kollu ġdid tal-poloz trasferibbli lill-kandidat ta' wara li fihom ikollu mmarkat in-numru tal-preferenza ta' wara mogħtija mill-eletturi, u dawk il-poloz, li mhumiex trasferibbli u li ma jinħtiġux għall-kwota tal-kandidat magħżul, għandhom jitwarrbu f'mazz għalihom. Dawn il-poloz speċjali li jitwarrbu għalihom ikunu dawk il-poloz li fl-aħħar jitqiegħdu fil-mazz ġdid ta' poloz li ma jkunux trasferibbli.

Jekk in-numru ta' poloz trasferibbli jkun 'l fuq miż-żejjed ta' voti jsir it-trasferiment proporzjonali.

(7) (a) Jekk in-numru kollu ta' poloz trasferibbli jkun akbar mill-voti żejda, il-Kummissjoni minn kull mazz ġdid ta' poloz trasferibbli għandha, lill-Kandidati li jibqa' bil-jedd tal-preferenza ta' wara mogħtija mill-eletturi, tgħaddilu dak in-numru ta' poloz bl-istess proporzjon man-numru ta' poloz fil-mazz ġdid, li kien hemm bejn in-numru ta' voti żejda u n-numru kollu tal-poloz trasferibbli.

Kif issib in-numru ta' poloz li għandhom jinxeħtu fuq il-kandidati l-oħra.

(b) In-numru tal-poloz li minn kull mazz ġdid għandhom igħaddu għal fuq kandidati oħra jinsab billi timmoltiplika in-numru tal-poloż li jkun hemm fil-mazz ġdid bin-numru ta' voti żejda u tiddividi r-riżultat bin-numru kollu ta' poloz trasferibbli. Għandha tinżamm nota tal-frazzjonijiet, li jibqgħu, ta' kull numru ta' poloz li b'hekk jinsab.

Trasferiment tal-frazzjonijiet.

(ċ) Jekk minħabba dawn il-frazzjonijiet, in-numru tal-poloz li għandhom igħaddu għal fuq il-kandidati l-oħra jkun inqas miż-żejjed ta' voti, għandhom jingħaddu bħala numru sħiħ dawk il-frazzjonijiet, li meħudin wieħed wara l-ieħor, skond liema minnhom hu l-akbar, tibda mill-akbar wieħed, ikun meħtieġ biex bihom iġġib in-numru kollu ta' poloz li għandhom igħaddu għal fuq il-kandidat jew kandidati l-oħra, numru li jkun jaqbel ma' dak tal-voti żejda, mingħajr ma tagħti każ tal-frazzjonijiet l-oħra li jibqgħu.

Meta l-frazzjonijiet huma ndaqs.

(d) Jekk żewġ frazzjonijiet jew iżjed huma ta' kobor wieħed, għandha titqies li hija l-akbar waħda dik il-frazzjoni li tkun ġejja mill-akbar mazz ġdid, u jekk il-mazzi ġodda li jkunu hemm fl-idejn ikun fihom l-istess numru ta' poloz, għandha titqies bħala l-akbar waħda dik il-frazzjoni li messet lil dak il-kandidat li fl-ewwel għadd kellu l-akbar numru ta' voti u li fih il-kandidati li jkunu hemm ma kellhomx l-istess numru ta' voti. Kemm-il-darba

fil-għadd kollu li jkun sar, in-numru ta' voti mogħtijin lil dawn il-kandidati ikun l-istess, il-Kummissjoni għandha itella' ix-xorti sabiex jaqtaw liema frazzjoni minnhom kollha għandha titqies li hi l-akbar waħda.

Trasferiment ta' poloz minn mazzi ġodda.

(e) Dawk il-poloz li għandhom jingħażlu sabiex imorru fuq kandidat jew kandidati oħra minn kull mazz ġdid, ikunu dawk il-poloz li tqiegħdu fl-aħħar fuq dan il-mazz ġdid, u kull polza li tkun tqiegħdet b'dan il-mod għandha tiġi immarkata bin-numru tal-għadd li fih ikun sar dan it-trasferiment.

Meta l-kandidat jintafa' 'l barra mill-votazzjoni.

81. (1) Jekk fl-aħħar tal-għadd ebda kandidat ma jġib voti żejda u jibqa' battal post wieħed jew iżjed minn post wieħed, il-Kummissjoni tħalli barra mill-għadd tal-voti l-kandidat li jkun ġieb l-inqas numru ta' voti; teżamina l-poloz kollha ta' dan il-kandidat; tagħżlu u tiġbor il-poloz trasferibbli f'mazzi ġodda, skond il-preferenzi mmarkati fuqhom li għandhom jingħataw lill-kandidati ta' wara; tgħaddi kull mazz ġdid lill-kandidat li lilu ġiet mogħtija din il-preferenza u tiġbor f'mazz wieħed għalih dawk il-poloz li mhumiex trasferibbli.

Żewġ kandidati jew iżjed maħruġin mill-votazzjoni.

(2) Jekk il-voti kollha ta' żewġ kandidati jew iżjed, li jġibu l-inqas voti, huma inqas min-numru ta' voti mogħtijin lil dak il-kandidat li jiġi wara l-ewwel wieħed, il-Kummissjoni tista' fl-istess għadd tħalli barra mill-għadd dawn il-kandidati u tixħet il-voti tagħhom fuq il-kandidati l-oħra skond ma jingħad f'dan ir-regolament.

Liema mill-kandidati għandu joħroġ barra mill-votazzjoni.

(3) Jekk, meta għandu jiġi maħruġ kandidat mill-votazjoni, ikun hemm żewġ kandidati jew iżjed, kull wieħed minnhom bl-istess numru ta' voti, u dawn ikollhom l-inqas numru ta' voti, għandu jmur barra dak il-kandidat li fl-ewwel għadd ikun ġieb l-inqas numru ta' voti u fejn l-għadd ta' voti mogħtijin lil dawk il-kandidati jkunu ġiebu l-istess f'kull għadd li sar, il-Kummissjoni taqta' bix-xorti min minnhom joħroġ mill-għadd.

Postijiet li fl-aħħar jibqgħu battala.

82. Minkejja dak kollu li hemm imsemmi f'dawn ir-regolamenti:

(1) Ma jsir ebda trasferiment ieħor ta' voti jekk wara li jingħaddu il-voti, in-numru tal-kandidati eletti ikun jaqbel man-numru ta' postijiet battala li jridu jimtlew.

(2) Jekk wara li kandidat jew iżjed minn kandidat jintafa' l-barra mill-għadd, in-numru tal-kandidati l-oħra li jibqgħu jkunu daqs in-numru ta' postijiet battala, dawn il-kandidati ta' wara jiġu minnufih eletti u ma jsir ebda trasferiment ieħor ta' voti.

X'għandu jsir fit-trasferiment ta' poloz.

83. (1) Meta jitgħaddew xi voti minn fuq kandidat għal ieħor kull mazz ġdid ta' poloz trasferuti għandu jitqiegħed fuq wiċċ il-mazz

jekk ikun hemm tal-poloz tal-kandidat li fuqu jitgħadda l-vot u dak il-kandidat jieħu dak in-numru ta' voti li jkun jaqbel man-numru ta' poloz li jgħaddi għal fuqu.

Poloz li ma humiex trasferibbli jingħażlu għalihom.

(2) Il-poloz li ma humiex trasferibbli (barra minn dawk li fit-trasferiment ta' voti żejda jistgħu jiswew għall-kwota tal-kandidat magħżul) għandhom jitqiegħdu għalihom, bħala mazz għalih flimkien ma' kull mazz ieħor ta' voti mhux trasferibbli u li jkun diġà mqiegħed għalih.

Poloz miżmumin għall-kwota.

(3) Wara li jsir it-trasferiment tal-voti żejda ta' kandidat elett, il-poloz kollha li ma jkunux għaddew għal fuq il-kandidati l-oħra ta' wara u li ma jitqegħdux għalihom, kif hemm imsemmi fil-paragrafu ta' qabel ta' dan ir-regolament, għandhom jitqiegħdu flimkien f'mazz wieħed bħala kwota tal-kandidat magħżul, u l-mazz jiġi immarkat bl-isem tal-kandidat elett.

Għadd mill-ġdid ta' xi poloz.

84. Kull kandidat, jew il-persuna li tidher floku, jista', wara kull għadd li jkun sar, jitlob lil-Kummissjoni sabiex terġa' teżamina u tgħodd il-poloz kollha jew polza li jkunu tlestew f'dak il-għadd, u l-Kummissjoni għandha minnufih teżamina u tgħodd mill-ġdid dawn il-poloz skond, ma jiġi mitlub mingħajr ma tagħmel ebda tibdil fit-taqsim tal-poloz li jkun hemm f'dawk il-mazzi, ħlief meta jkun meħtieġ li jsir dan it-tibdil minħabba xi żball li jinsab fil-għadd li jkun ra ġa' sar. Il-Kummissjoni tista' wkoll skond il-fehma tagħha terġa' tgħodd il-poloz għal darba jew iżjed, kull meta ma tkunx żgura mill-għadd ta' qabel; għalkemm b'dan kollu l-Kummissjoni ma hijiex fid-dmir li tgħodd mill-ġdid il-poloz għal iktar minn darba.

Talba biex titħassar elezzjoni.

85. (1) Meta ssir talba sabiex titħassar elezzjoni, il-Qorti tista' tordna biex il-poloz kollha jew biċċa minnhom jerġgħu jiġu magħdudin u sabiex jaraw sewwa r-riżultat tal-elezzjoni skond dawn ir-regolamenti.

(2) Meta jiġi li jerġa' jsir dan il-għadd, taħt dak it-tibdil li jkun meħtieġ minħabba xi ordni tal-Qorti, kull polza li fil-bidu kienet mgħoddija b'valida, kemm-il darba jsir it-trasferiment ta' voti, għandha titmexxa bħal qabel fuq il-għadd tal-voti li jkun sar fil-bidu.

Deċiżjoni ta' l-uffiċċjali inkarigati fuq it-trasferiment ta' voti.

86. (1) Jekk tqum xi kwistjoni fuq it-trasferiment ta' voti, id-deċiżjoni mogħtija mill-Kummissjoni tkun ta' l-aħħar, sew jekk din id-deċiżjoni tagħtiha bil-fomm kemm jekk tidher li tkun tatha bl-egħmil tagħha, kemm-il darba xi kandidat jew il-persuna li tidher floku ma jmurx kontra tagħha bil-miktub, qabel ma jingħata ir-riżultat tal-voti F'dan il-każ id-deċiżjoni tal-Kummissjoni tista' titraġġa' lura wara rikors li jsir il-Qorti biex titħassar l-elezzjoni.

(2) Jekk id-deċiżjoni tal-Kummissjoni titraġġa' lura, it-

trasferiment li hawn imsemmi u x-xogħol kollu li jkun sar minħabba f'dan it-trasferiment ma jibqgħux jiswew u l-Qorti tordna xi trasferiment għandu jsir flok dan it-trasferiment li fuqu hemm kwistjoni, u għandha ġġiegħel li jitmexxa x-xogħol li jkun meħtieġ, u sabiex ir-riżultat ta' l-elezzjoni jittieħed skond dawn ir-regolamenti.

Riżultat ta' l-elezzjoni. Formola tad-Dikjarazzjoni.

87. Meta jingħata r-riżultat tal-votazzjoni, fih għandu jkun hemm imsemmi t-trasferiment tal-voti li jkun sar skond dawn ir-regolamenti, kif ukoll għandu jkun hemm imsemmi it-total tal-voti mogħtijin lil kull kandidat, wara kull trasferiment, u dan għandu jsir skond il-formula li hemm fit-Tnax-il Skeda ta' dawn ir-regolamenti jew skond formula bħalha.

Taqsima XI
Postijiet ta' Membri li Jitbattlu

Avviż ta' postijiet battala.

88. Meta post jitbattal f'xi Kunsill Lokali, il-Kummissjoni fi żmien tlitt ijiem mid-data tan-notifika mis-Segretarju tal-Kunsill għandha tagħti avviż, li joħroġ fil-Gazzetta, li sa ssir elezzjoni biex jimtela l-post battal.

Nomini.

89. Fi żmien ħamest ijiem wara li joħroġ dan l-avviż, kull persuna

(a) f'elezzjoni li tkun saret minnufih qabel ma' tbattal dan il-post kienet kandidat għall-għażla ta' Kunsillier għal dik il-lokalità li fiha jkun tbattal il-post u ma kinetx telqet minn kandidat u lanqas ma ġiet magħżula, u

(b) li għad għandha l-kwalifikazzjonijiet meħtieġa sabiex tiġi eletta bħala Kunsillier

tista', bil-kunsens tagħha, tiġi nominata bħala kandidat għal dak il-post battal.

Avviż ta' nomini.

90. Fi żmien tlitt ijiem, wara l-aħħar ġurnata għad-dħul tan-nomini, il-Kummissjoni għandha tagħti d-deċiżjoni tagħha dwar il-validità tan-nomina tal-kandidati u toħroġ fuq il-formula stabbilita, l-ismijiet u partikolaritajiet tal-persuni nominati, u l-lokalità li fiha hemm il-post battal li jrid jimtela.

Jekk ikun hemm żewġ nomini jew iżjed, jiġu eżaminati l-poloz tal-Kunsillier illi l-post tiegħu hu battal.

91. Jekk ikun hemm kandidati illi n-nomina tagħhom tkun tiswa, il-Kummissjoni għandha f'erbat ijiem żmien, tibda teżamina l-poloz tal-mazz issiġillat ta' dak il-Kunsillier illi l-post tiegħu tbattal u timxi fuq dak li hemm stabbilit hawn taħt:-

(1) Għandhom jitqiesu li huma maħruġin mill-votazzjoni dawk kollha li fl-elezzjoni kienu ħarġu bħala kandidati għal lokalità,

ħlief dawk illi jkunu mressqin bi dritt bħala kandidati għal dak il-post battal.

(2) Il-poloz li jkunu merfugħin taħt is-siġill skond dawn ir-regolamenti fil-mazz ta' dak il-Kunsillier li l-post tiegħu hu battal, għandhom jiġu eżaminati u mgħoddijin lil dawk li jkunu mressqin bi dritt bħala kandidati u li jistgħu minn ta' l-ewwel jieħdu l-preferenza skond l-ordni li tkun immarkata f'dawn il-poloz, u lil kull wieħed minn dawn li jkunu imressqin bħala kandidati jingħata vot għal kull polza li tgħaddi għal fuqhom.

(3) Fejn ikun hemm kandidat wieħed biss bin-nomina li tiswa, jekk dan il-kandidat ikollu numru ta' voti daqs in-nofs jew iżjed min-nofs tan-numru tal-poloz fil-mazz tal-Kunsillier illi postu jkun battal, dana jiġi iddikjarat bħala elett.

(4) Fejn ikun hemm żewġ kandidati jew iżjed illi n-nomina tagħhom tkun tiswa, il-Kummissjoni għandha tħalli barra mill-votazzjoni dak il-kandidat li jkollu l-inqas numru ta' voti u tgħaddi l-voti tiegħu, skond il-preferenza tan-numri ta' wara li tibqa' kif tkun immarkata fuq il-poloz, għal fuq il-kandidat jew kandidati ta' wara. Il-proċedura biex jitħalla barra dak il-kandidat li jkun ġieb l-inqas numru ta' voti u biex jitgħaddew il-voti skond il-preferenzi li jkun hemm, għandha titkompla sakemm jibqa' kandidat wieħed. Jekk in-numru ta' voti mogħtijin lil dan il-kandidat ikun daqs in-nofs jew iżjed min-nofs tan-numru ta' poloz fil-mazz tal-Kunsillier illi postu jkun battal, dan il-kandidat jiġi iddikjarat bħala elett:

Iżda kemm-il-darba jkun hemm kandidat li jkollu numru ta' voti 'l fuq mis-somma totali tal-voti tal-kandidati l-oħra kollha u fl-istess ħin din is-somma tkun daqs in-nofs jew iżjed min-nofs tan-numru ta' poloz li jkun hemm fil-mazz tal-Kunsillier illi postu jkun battal, dan il-kandidat jiġi iddikjarat bħala elett mingħajr ma jsir ebda trasferiment ieħor ta' voti.

F'każijiet speċjali l-elezzjoni ta' Membru ssir b'għażla.

92. (1) Jekk jitbattal post li jkun imtela skond din it-Taqsima ta' dawn ir-regolamenti jew fil-każ imsemmi fil-paragrafu (1) tar-regolament 24 ta' dawn ir-regolamenti, jew jekk wara li jitbattal post ma jiġi mressaq bi dritt ebda kandidat, jew jekk wara li jiġu eżaminati l-poloz tal-Kunsillier li jkollu postu battal ma jiġi elett ebda kandidat, il-post jiġi mimli bil-għażla ta' Kunsillier skond is-subartikolu (4) ta' l-artikolu 8 ta' dan l-Att.

(2) Meta jiġi biex jimtela l-post ta' Kunsillier bil-għażla, għandhom jitqiesu li kemm jista' jkun, ikun hemm l-istess interessi u fehmiet li kien jidher għalihom u li kellu dak il-Kunsillier illi postu jkun tbattal.

TAQSIMA XII
Atti Illegali

Kuntratti dwar spejjeż ta' elezzjoni.

93. Il-kuntratt, li bis-saħħa tiegħu jintefqu spejjeż għal elezzjoni jew dwar it-tmexxija jew direzzjoni ta' elezzjoni, ma jobbligax kandidat f'dik l-elezzjoni, ħlief jekk ikun magħmul mill-kandidat stess.

Il-ħlas ta' l-ispejjeż.

94. (1) Barra minn fil-każijiet permessi f'dawn ir-regolamenti, ebda ħlas jew antiċipu jew depożitu ma jista' jsir qabel, matul jew wara dik l-elezzjoni, għal spejjeż minfuqa għal elezzjoni, jew għat-tmexxija jew direzzjoni ta' elezzjoni, ħlief mill-kandidat, u kull somma ta' flus maħruġa minn persuna li ma tkunx il-kandidat għal spejjeż minfuqa għal elezzjoni jew għat-tmexxija jew direzzjoni ta' l-elezzjoni, sew bħala rigal, self, antiċipu jew depożitu, għandha titħallas lill-kandidat u mhux xort'oħra;

Iżda dan ir-regolament ma jitqies li jgħodd għal ebda somma maħruġa minn persuna minn flusha għal spejjeż li tkun għamlet skond il-liġi liema somma ma tkunx taqbeż mitejn u ħamsin liri Maltin, kemm-il darba din is-somma ma tiġix imħallsa lura lilha;

Iżda wkoll il-Ministru jista' minn żmien għal żmien, b'avviż fil-gazzetta jispeċifika ammont ogħla li f'kull każ ma jkunx aktar minn ħames mitt liri Maltin.

(2) Għandu jitbgħat lill-kandidat fiż-żmien limitat b'dawn ir-regolamenti rendikont tad-dettalji ta' kull pagament hekk magħmul minn xi persuna oħra skond il-paragrafu ta' qabel ta' dan ir-regolament biex jiġu aċċettati id-drittijiet ta' ħlasijiet lura u miegħu għandha tintbagħat irċevuta.

(3) Kull min jikser dan ir-regolament billi jagħmel ħlas, antiċipu, jew depożitu jew iħallas flus maħruġa kif jingħad hawn fuq skond dan ir-regolament, ikun ħati ta' att illegali.

Żmien li fih għandhom jintalbu u jitħallsu spejjeż ta' elezzjoni.

95. (1) Kull ħlas magħmul minn kandidat għal spejjeż li jkunu saru għal elezzjoni jew għat-tmexxija jew direzzjoni ta' elezzjoni, barra minn meta s-somma tkun ta' anqas minn ħamsa u għoxrin liri Maltin, għandu jidher minn kont bid-dettalji kollha u minn irċevuta;

Iżda l-Ministru jista' minn żmien għal żmien b'avviż fil-Gazzetta jispeċifika ammont ogħla li f'kull każ ma jkunx aktar minn mitt lira Maltin.

(2) Kull talba kontra kandidat f'elezzjoni għall-ħlas ta' spejjeż li jkunu saru għal elezzjoni jew għat-tmexxija jew direzzjoni ta' elezzjoni, li ma tiġix mibgħuta lill-kandidat fiż-żmien stabbilit f'dawn

ir-regolamenti, tiġi preskritta u m'għandhiex tiġi mħallsa; u barra minn dawk l-eċċezzjonijiet li jista' jkun hemm bis-saħħa ta' f'dawn ir-regolamenti kull kandidat li jħallas kont b'kontravenzjoni ta' dan ir-regolament ikun ħati ta' att illegali.

(3) Hlief fil-każijiet permessi f'dawn ir-regolamenti, iż-żmien stabbilit f'dawn ir-regolamenti biex jintbagħtu talbiet għal ħlas huwa ta' tletin ġurnata wara dik li fiha l-kandidat li tela' jiġi ddikjarat elett.

(4) L-ispejjeż kollha minfuqa minn kandidat f'elezzjoni jew f'ismu, u li jkunu ġew hekk minfuqa għall-elezzjoni jew għat-tmexxija jew direzzjoni ta' dik l-elezzjoni, għandhom jitħallsu fiż-żmien stabbilit f'dawn ir-regolamenti u mhux xort'oħra; u, barra minn dawk l-eċċezzjonijiet li jista' jkun hemm bis-saħħa ta' dawn ir-regolamenti, kull kandidat li jagħmel ħlasijiet b'kontravvenzjoni ta' din id-disposizzjoni jkun ħati ta' att illegali.

(5) Hlief fil-każijiet permessi f'dawn ir-regolamenti, iż-żmien stabbilit f'dawn ir-regolamenti għall-ħlas ta' dawn l-ispejjeż kif jingħad hawn fuq huwa erbgħin ġurnata wara dik li fiha l-kandidat li tela' jiġi ddikjarat elett.

(6) Jekk il-kandidat jikkontesta talba għall-ħlas mibgħuta lilu fiż-żmien stabbilit f'dawn ir-regolamenti, jew jirrifjuta jew jonqos li jħallasha fiż-żmien hawn fuq imsemmi ta' erbgħin ġurnata, dik it-talba għall-ħlas titqies li hija talba kkontestata.

(7) Min jagħmel talba għall-ħlas li tiġi kkontestata jista', jekk irid, jagixxi għall-ħlas fil-Qorti Ċivili kompetenti; u kull somma li titħallas mill-kandidat skond is-sentenza jew digriet ta' dik il-Qorti titqies li ġiet imħallsa fiż-żmien stabbilit f'dawn ir-regolamenti.

(8) Meta tiġi pprovata raġuni tajba għas-sodisfazzjon tal-Qorti Ċivili kompetenti, il-Qorti fuq rikors ta' min jagħmel it-talba għall-ħlas, jew tal-kandidat, tista', b'digriet, tagħti permess li titħallas mill-kandidat talba kkontestata, jew talba għal spejjeż kif jingħad hawn fuq, għalkemm tkun ġiet mibgħuta wara ż-żmien li fih skond dan ir-regolament għandhom jintbagħtu t-talbiet, jew għalkemm it-talba għall-ħlas tkun intbagħtet lill-kandidat.

(9) Kull somma speċifikata f'dak id-digriet tista' titħallas mill-kandidat u meta tiġi mħallsa skond dak il-permess titqies li ġiet imħallsa fiż-żmien stabbilit f'dawn ir-regolamenti.

Spejjeż żgħar.

96. (1) Kull persuna tista', jekk tkun hekk awtorizzata bil-miktub mill-kandidat, tħallas l-ispejjeż meħtieġa ta' kartolerija, pustaġġ,

telegrammi, u spejjeż żgħar oħra sa ammont li kollu kemm hu ma jiskorrix l-ammont imsemmi fl-awtorizzazzjoni, iżda kull somma 'l fuq minn dak l-ammont għandha titħallas mill-kandidat.

(2) Dikjarazzjoni bid-dettalji tal-ħlasijiet magħmulin minn persuna hekk awtorizzata għandha tintbagħat lill-kandidat fiż-żmien li fih skond dawn ir-regolamenti għandhom jintbagħtu t-talbiet għall-ħlas, u għandha tkun imwettqa b'kont bl-irċevuta ta' dik il-persuna.

Spiża li taqbeż il-*maximum* hija att illegali.

97. (1) Barra minn dawk l-eċċezzjonijiet li jista' jkun hemm bis-saħħa ta' dawn ir-regolamenti, ebda somma ma tista' titħallas u ebda spiża ma tista' ssir minn kandidat f'elezzjoni, sew qabel, matul, jew wara l-elezzjoni, għall-elezzjoni jew għat-tmexxija jew direzzjoni ta' dik l-elezzjoni, iżjed minn ħames mitt lira Maltin jew għaxar ċenteżmi għal kull elettur reġistrat fil-lokalità li għaliha jkun ikkontesta l-kandidat, liema waħda tkun l-ogħla:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika ammont ogħla li li f'kull każ ma jkunx aktar minn elf lira Maltin jew għaxar ċenteżmi Maltin għal kull elettur reġistrat fil-lokalità li għaliha jkun ikkontesta l-kandidat, liema waħda tkun l-ogħla.

(2) Fil-każ ta' kandidati li joħorġu għal elezzjoni fl-istess lokalità bħala membri ta' l-istess partit politiku, l-ispejjeż ta' dawk il-kandidati jistgħu jingħaddu flimkien u ma jitqiesx li kien hemm kontravvenzjoni għal dan ir-regolament ħlief jekk l-ispejjeż kollha ta' dawk il-kandidati, magħdudin flimkien, jiskorru jew is-somma ta' ħames mitt lira Maltin moltiplikata bin-numru ta' dawk il-kandidati jew is-somma ta' għoxrin elef lira Maltin skond liema minnhom tkun l-iżgħar:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika ammont ogħla li f'kull każ ma jkunx aktar minn elf lira Maltin moltiplikata bin-numru ta' dawk il-kandidati jew is-somma ta' erbgħin elf lira Maltin, skond liema minnhom tkun l-iżgħar:

Iżda wkoll jekk is-somma kollha ta' dawk l-ispejjeż tiskorri waħda mis-somom hawn fuq imsemmija, l-ispejjeż ta' kull wieħed minn dawk il-kandidati jiġu separati mill-ispejjeż ta' l-oħrajn u jgħoddu d-dispożizzjonijiet tal-paragrafu 1 ta' dawn ir-regolamenti.

(3) Kull kandidat li xjentement jikser dan ir-regolament ikun ħati ta' att illegali.

Ċerti spejjeż huma att illegali.

98. (1) Ebda ħlas jew kuntratt għall-ħlas bl-iskop li jgħin jew jipprokura li jitla' kandidat f'elezzjoni, ma jista' jsir għat-trasport ta' eletturi għal post ta' votazzjoni jew minn dan il-post ħlief biex jinkrew vetturi.

(2) Barra minn dawk l-eċċezzjonijiet li jista' jkun hemm taħt dawn ir-regolamenti, jekk jiġi xjentement magħmul ħlas jew kuntratt għall-ħlas b'kontravvenzjoni ta' dan ir-regolament sew qabel, matul, jew wara elezzjoni, il-persuna li tagħmel dak il-ħlas jew kuntratt tkun ħatja ta' att illegali, u kull min jirċievi dak il-ħlas jew ikun parti f'dak il-kuntratt, meta jaf li hu b'kontravvenzjoni ta' dan ir-regolament, ikun ukoll ħati ta' att illegali.

Ċerti impiegi huma illegali.

99. (1) Ħadd ma jista', biex jgħin jew jipprokura li jitla' kandidat f'elezzjoni, jiġi mqabbad jew impjegat bi ħlas jew b'wegħda ta' ħlas għal ebda skop u f'ebda kwalità, ħlief għal numru raġonevoli ta' assistenti u nies professjonali, skond il-kobor tal-lokalità u n-nurmru ta' eletturi mniżżlin fir-Reġistru Elettorali għall-Kunsilli Lokali għal dik il-lokalità.

(2) Barra minn xi eċċezzjoni li jista' jkun hemm taħt dawn ir-regolamenti, jekk persuna tiġi mqabbda jew impjegata b'kontravvenzjoni ta' dan ir-regolament, sew qabel, matul jew wara elezzjoni, il-persuna li tqabbadha jew li timpjegaha tkun ħatja ta' att illegali.

Riserva għal kredituri.

100. Id-disposizzjonijiet ta' dawn ir-regolamenti li jipprojbixxu ċerti ħlasijiet jew kuntratti għal ħlasijiet, u l-ħlas ta' somom, u l-infieq ta' spejjeż li jiskorru ċerti ammonti stabbiliti, ma jippreġudikawx il-jedd ta' ebda kreditur illi, meta saru l-kuntratt jew l-ispiża ma kienx jaf li saru b'kontravvenzjoni ta' dawn ir-regolamenti.

Rapport u dikjarazzjoni dwar spejjeż elettorali.

101. (1) Fi żmien sittin ġurnata wara l-ħruġ tar-riżultat ta' elezzjoni fil-Gazzetta, kull kandidat f'dik l-elezzjoni għandu jibgħat lill-Kummissjonarju rapport ta' l-ispejjeż elettorali tiegħu, li għandu jkun fih il-partikolaritajiet imsemmijin fit-Tlettax-il Skeda li hawn ma' dawn ir-regolamenti, u għandu jkun iffirmat mill-kandidat. Fil-każ li l-kandidat ma jkunx jinsab Malta, id-dmirijiet imposti fuqu jistgħu jitwettqu minn rappreżentant tiegħu li jkun ġie debitament maħtur għal daqshekk.

(2) Dan ir-rapport għandu jkun fih iddikjarati l-ħlasijiet kollha magħmulin mill-kandidat jew minn persuni oħra f'isem il-kandidat jew fl-interess tiegħu, għall-ispejjeż li jkunu saru għall-elezzjoni, jew għat-tmexxija jew direzzjoni ta' l-elezzjoni, u għandu jkun fih iddikjarat ukoll kull dejn ieħor li jkun għadu mhux imħallas, dwar dawk l-ispejjeż, li huwa jkun jaf bih.

(3) Ir-rapport għandu jkollu miegħu d-dikjarazzjonijiet li għandhom isiru bil-ġurament mill-kandidat quddiem Maġistrat, Kummissarju għall-Ġustizzja jew Kummissjonarju fil-formula miġjuba fit-Tlettax-il Skeda li tinsab ma' dawn ir-regolamenti.

(4) Kull kandidat illi jikser id-disposizzjonijiet ta' dan ir-regolament, ikun ħati, bla ħsara tad-disposizzjonijiet tar-regolament 107, ta' att illegali.

Pubblikazzjoni ta' avviż dwar ir-rapport ta' spejjeż elettorali.

102. Meta r-rapport ta' l-ispejjeż elettorali, u d-dikjarazzjonijiet dwarhom jiġu ppreżentati lill-Kummissjonarji, dawn għandhom, mill-iktar fis li jista' jkun, jieħdu ħsieb li avviż tad-data li fiha ġew ippreżentati r-rapport u d-dikjarazzjonijiet, u tal-ħin u tal-lok li fihom jistgħu jiġu eżaminati jiġi mwaħħal f'post fejn jidher sewwa fl-Uffiċċju Elettorali u ppubblikat fil-Gazzetta, u kull min irid, bil-ħlas ta' dritt ta' lira Maltija, għandu l-jedd jara dak ir-rapport jew dawk id-dikjarazzjonijiet u, bil-ħlas ta' lira Maltija għal kull faċċata ta' mija u għoxrin kelma, jista' jitlob kopja jew kopji ta' kull parti tagħhom.

Piena għal min jinsab ħati ta' att illegali.

103. (1) Kull min jagħmel att illegali jeħel, meta jinsab ħati, multa ta' mhux iżjed minn ħames mitt lira Maltin u bħala konsegwenza talli jiġi hekk misjub ħati, isir inkapaċi, għal żmien ta' erba' snin mid-data li fiha jiġi misjub ħati, li jkun irreġistrat bħala elettur jew li jivvota f'elezzjoni jew li jkun elett Kunsillier, u jekk qabel dik id-data jkun ġie elett Kunsillier, il-post tiegħu, jsir battal mid-data li huwa jiġi misjub hekk ħati;

Iżda l-Ministru jista', minn żmien għal żmien b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ mma jkunux aktar minn multa ta' tlett elef lira Maltin.

(2) Ebda proċediment għal att illegali ma' jista' jinbeda mingħajr il-permess ta' l-Avukat Ġenerali.

TAQSIMA XIII
Atti ta' Korruzzjoni

Personifikazzjoni.

104. Kull min f'elezzjoni li ssir taħt l-Att jitlob polza ta' votazzjoni taħt l-isem ta' persuna oħra, sew jekk dak l-isem ikun ta' persuna ħajja jew mejta jew ta' persuna ivvintata, jew, wara li jkun ġà ivvota darba f'dik l-elezzjoni, jitlob fl-istess elezzjoni polza ta' votazzjoni f'ismu nnifsu, ikun ħati ta' reat ta' personifikazzjoni.

Trattament.

105. (1) Kull min, b'korruzzjoni, huwa nnifsu jew bil-mezz ta' persuna oħra, qabel, matul jew wara elezzjoni, direttament jew indirettament, jagħti jew jipprovdi, jew iħallas l-ispiża kollha jew biċċa mill-ispiża biex jingħata jew jiġi pprovdut ikel, xorb, trattament, jew proviżjon lil persuna, jew għal xi persuna, bil-ħsieb li b'korruzzjoni jinfluwixxi fuq dik il-persuna jew fuq persuna oħra biex tagħti jew biex ma tagħtix il-vot tagħha f'elezzjoni, jew minħabba li dik il-persuna jew persuna oħra tkun tat jew ma tkunx tat il-vot, jew minħabba li tkun sejra

tivvota jew sejra ma tivvotax f'elezzjoni, ikun ħati ta' reat ta' trattament.

(2) Kull elettur li b'korruzzjoni jaċċetta jew jieħu ikel, xorb, trattament, jew proviżjon, kif jingħad hawn fuq, ikun ħati ta' reat ta' trattament.

Użu ta' influwenza illegali.

106. Kull min, direttament jew indirettament, huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, juża jew iħedded li juża forza, vjolenza jew restrizzjoni, jew jikkaġuna jew ihedded li jikkaġuna, huwa nnifsu jew bil-mezz ta' ħaddieħor, offiża, dannu, ħsara jew telf temporali jew spiritwali fuq persuna jew kontra persuna sabiex iħajjar jew iġiegħel lil dik il-persuna tivvota jew ma tivvotax, jew minħabba li dik il-persuna tkun ivvotat jew ma tkunx ivvotat f'elezzjoni, u kull min b'serq tal-persuna, bi vjolenza, jew b'att jew mezz qarrieqi, jimpedixxi jew ma jħallix l-eżerċizzju liberu tal-jedd tal-vot ta' elettur, jew b'hekk iġiegħel, iħajjar jew jipperswadi elettur biex jagħti jew biex ma jagħtix il-vot tiegħu f'elezzjoni, ikun ħati tar-reat ta' użu ta' influwenza illegali.

Korruzzjoni.

107. Hu ħati tar-reat ta' korruzzjoni:

(a) kull min, direttament jew indirettament, huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, jagħti, jislef jew jiftiehem li jagħti jew jislef, jew joffri, iwiegħed jew iwiegħed li jipprokura jew li jfittex li jipprokura , flus jew xi ħaġa li tiswa flus lil jew għal xi elettur; jew lil jew għal persuna oħra fl-interess ta' elettur, jew lil jew għal xi persuna oħra, biex iħajjar elettur jivvota jew ma jivvotax, jew b'korruzzjoni jagħmel xi att kif jingħad hawn fuq minħabba li dan l-elettur ikun ivvota jew ma jkunx ivvota f'elezzjoni taħt dan l-Att;

(b) kull min, direttament jew indirettament, huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, jagħti jew jipprokura, jew jiftiehem li jagħti jew li jipprokura, jew joffri, iwiegħed jew iwiegħed li jipprokura jew li jfittex li jipprokura kariga, post jew impieg lil jew għal xi elettur jew lil jew għal xi persuna fl-interess ta' elettur jew lil jew għal xi persuna oħra biex iħajjar elettur jivvota jew ma jivvotax, jew jagħmel b'korruzzjoni xi att kif jingħad hawn fuq minħabba li elettur ikun ivvota jew ma jkunx ivvota f'elezzjoni taħt dan l-Att;

(ċ) kull min direttament jew indirettament huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, jirregala, jislef, joffri, iwiegħed jipprokura jew jiftiehem, bil-mod fuq imsemmi, lil jew ma' xi persuna sabiex iħajjar lil din il-persuna li tipprokura jew li jfittex li tipprokura l-elezzjoni ta' xi ħadd bħala Kunsillier, jew li tipprokura jew tfittex li tipprokura l-vot ta' xi elettur f'elezzjoni li ssir taħt dan l-Att;

(d) kull min, wara jew minħabba dak ir-rigal, self, offerta, wegħda, prokurament jew ftehim kif jingħad hawn fuq, jipprokura jew jobbliga ruħu, iwiegħed jew ifittex li jipprokura l-elezzjoni ta' persuna bħala Kunsillier jew il-vot ta' xi elettur f'elezzjoni li ssir taħt dan l-Att;

(e) kull min joħroġ flus jew iħallas jew iġiegħel li jitħallsu flus lil persuna oħra jew għall-użu ta' persuna oħra, sabiex dawk il-flus jew biċċa minnhom jintefqu f'korruzzjonijiet f'elezzjoni li ssir taħt dan l-Att, jew xjentement iħallas jew iġiegħel li jitħallsu flus lil xi persuna bi ħlas jew b'radd ta' flus li ntefqu kollha jew biċċa minnhom f'korruzzjonijiet f'dik l-elezzjoni;

(f) kull elettur illi, qabel jew matul elezzjoni taħt dan l-Att, direttament jew indirettament, huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, jirċievi flus, rigal, self, jew xi ħaġa li tiswa flus, kariga, post jew impieg, jew jiftiehem jew jikkuntratta fuqhom għalih jew għal persuna oħra, biex jivvota jew biex jobbliga ruħu li jivvota jew biex ma jivvotax jew biex jobbliga ruħu li ma jivvotax f'dik l-elezzjoni;

(ġ) kull min, wara elezzjoni taħt dan l-Att, direttament jew indirettament, huwa nnifsu jew bil-mezz ta' ħaddieħor għalih, jirċievi flus jew xi ħaġa li tiswa flus minħabba li persuna tkun ivvotat jew ma tkunx ivvotat jew minħabba li jkun ġiegħel persuna oħra li tivvota jew li ma tivvotax f'dik l-elezzjoni.

Piena u inkapaċità minħabba atti illegali.

108. (1) Kull min jikkommetti r-reat ta' personifikazzjoni, ta' trattament, ta' użu ta' influwenza illegali jew ta' korruzzjoni jew igħin, iħajjar, jagħti parir jew jipprokura biex isir ir-reat ta' personifikazzjoni u kull kandidat li xjentement igħid il-falz fid-dikjarazzjoni meħtieġa fir-regolament 101 dwar l-ispejjeż elettorali, ikun ħati ta' att illegali u jeħel, meta jinsab ħati, fid-diskrezzjoni tal-Qorti, multa ta' mhux iżjed minn elf lira Maltin, jew priġunerija għal żmien ta' mhux iżjed minn sitt xhur, jew il-multa u l-priġunerija flimkien, u, minħabba li jkun ġie hekk misjub ħati, isir inkapaċi, għaż-żmien ta' seba' snin, mid-data li jkun ġie misjub ħati, li jkun irreġistrat bħala elettur u li jivvota f'elezzjoni taħt dan l-Att, jew li jkun elett bħala Kunsillier, u jekk f'dik id-data huwa jkun ġie elett Kunsillier, l-elezzjoni tiegħu, titħassar mid-data li huwa jiġi hekk misjub ħati:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' għaxart elef lira Maltin.

(2) Ebda proċediment dwar att ta' korruzzjoni ma jista' jinbeda mingħajr il-permess ta' l-Avukat Ġenerali.

(3) Għall-finijiet ta' din it-Taqsima ta' dawn ir-regolamenti, riferenzi għal "tivvota" jew għal "ma tivvotax", jew għal "tagħti" jew għal "ma tagħtix il-vot", jinkludu riferenzi għal "tivvota" jew għal "ma tivvotax" b'mod partikolari.

TAQSIMA XIV
Skuża f'każ ta' Atti ta' Korruzzjoni u ta' Atti Illegali

Raġunijiet li jiskużaw lill-kandidat f'xi każijiet ta' atti ta' korruzzjoni jew illegali.

109. L-elezzjoni ta' kandidat, li kien ħati tar-reat ta' trattament u ta' użu ta' influwenza illegali, u ta' atti illegali, jew ta' xi reati minn dawn, dwar dik l-elezzjoni, ma tiġix, minħabba dawk ir-reati, iddikjarata nulla, u lanqas il-kandidat ma jaqa' taħt ebda inkapaċità taħt dawn ir-regolamenti, jekk il-Qorti tkun sodisfatta, wara li tagħti lill-Avukat Ġenerali l-opportunità li jiġi mismugħ, illi l-kandidat għamel il-prova:

(a) li ebda att ta' korruzzjoni jew illegali ma sar f'dik l-elezzjoni mill-kandidat jew u r-reati hawn fuq imsemmija saru kontra l-ordnijiet u mingħajr il-kunsens jew il-konnivenza ta' dak il-kandidat; u

(b) illi dak il-kandidat għamel kull mezz raġonevoli sabiex ma jħallix li jsiru atti ta' korruzzjonijiet u atti illegali f'dik l-elezzjoni; u

(ċ) illi r-reati hawn fuq imsemmija kienu ta' natura ħafifa, bla importanza u limitati; u

(d) illi mill-bqija fl-elezzjoni ma kien hemm ebda att ta' korruzzjoni jew att illegali min-naħa ta' dak il-kandidat.

Il-Qorti tista' ma tqisx bħala att illegali, att innoċenti.

110. Meta, fi proċedimenti, jiġi ippruvat lill-Qorti, bi provi li l-Qorti jidhrilha li huma biżżejjed:

(a) illi att jew nuqqas ta' kandidat f'elezzjoni, jew ta' aġent ieħor jew ta' persuna oħra, li jikkonsisti fi ħlas ta' somma jew spiża magħmula f'ammont li jiskorri l-*maximum* permess f'dawn ir-regolamenti, jew li jikkonsisti fi ħlas, obbligu, impieg, jew kuntratt magħmul b'kontravvenzjoni ta' dawn ir-regolamenti, jew li b'mod ieħor sar b'kontravvenzjoni tad-disposizzjonijiet ta' dawn ir-regolamenti, kien ikun, li kieku ma kienx hemm dan ir-regolament, att illegali; u

(b) illi dak l-att jew nuqqas kien ġej min-nuqqas ta' attenzjoni jew minħabba kalkolu ħażin mhux apposta jew minħabba kawża

oħra raġonevoli ta' l-istess xorta, u illi, f'ebda każ, ma ġie minn nuqqas ta' bona fidi,

u taħt iċ-ċirkostanzi l-Qorti jkun jidhrilha, wara li tagħti lill-Avukat Ġenerali l-opportunità li jiġi mismugħ, li hi ħaġa sewwa li l-kandidati f'dik l-elezzjoni u l-aġent u persuna oħra jew xi ħadd minnhom, m'għandhomx ikunu suġġetti għall-konsegwenzi taħt dawn ir-regolamenti, il-Qorti tista' tqis dak l-att jew nuqqas bħala eċċezzjoni għad-disposizzjonijiet ta' dawn ir-regolamenti, għad illi, skond dawn id-disposizzjonijiet dak l-att jew nuqqas kien ikun att illegali, u b'hekk il-kandidat, aġent jew persuna hawn fuq imsemmija ma jkunux suġġetti minħabba dak l-att jew nuqqas għal ebda waħda mill-konsegwenzi taħt dawn ir-regolamenti.

Skuża ammissibbli fil-każ ta' nuqqas ta' tħaris mid-disposizzjonijiet dwar ir-rapport u d-dikjarazzjoni ta' spejjeż elettorali.

111. (1) Meta r-rapport u d-dikjarazzjoni dwar spejjeż elettorali ta' kandidat f'elezzjoni ma jiġux mibgħuta kif jinħtieġ f'dawn ir-regolamenti, jew, jekk jiġu mibgħuta, ikun fihom xi żball jew dikjarazzjoni falza, f'dan il-każ jekk il-kandidat fi proċediment ċivili jew kriminali taħt dawn ir-regolamenti, jipprova għas-sodisfazzjon tal-Qorti, illi l-fatt li dak ir-rapport jew dawk id-disposizzjonijiet, jew il-wieħed jew l-oħra jew parti minnhom, ma ġewx mibgħuta, jew li fihom xi żball jew dikjarazzjoni falza, ġara minħabba li huwa kien marid jew minħabba nuqqas ta' attenzjoni, jew għal xi raġuni oħra tajba ta' din ix-xorta, u mhux minħabba nuqqas ta' bona fidi min-naħa tal-kandidat, il-Qorti, wara li tagħti l-opportunità lill-Avukat Ġenerali li jigi mismugħ, tista', skond ma jidhrilha xieraq, tagħti digriet li bih tilqa' skuża ammissibbli għall-fatt li r-rapport u d-dikjarazzjonijiet hawn fuq imsemmija ma ġewx mibgħuta jew għall-fatt li kien fihom żball jew dikjarazzjoni falza kif il-Qorti jidhrliha sewwa.

(2) Meta fi proċediment jiġi ippruvat lill-Qorti illi persuna irrifjutat jew naqset li tagħmel dak ir-rapport jew li tagħti dawk il-partikolaritajiet sabiex il-kandidat ikun jista' jħares d-disposizzjonijiet ta' dawn ir-regolamenti dwar ir-rapport u d-dikjarazzjoni ta' l-ispejjeż elettorali, il-Qorti, qabel ma tagħti d-digriet u tilqa' l-iskuża, kif jingħad f'dan ir-regolament, tordna lil dik il-persuna biex tidher, u, kemm-il darba hija tonqos li tidher u li tipprova l-kuntrarju, tordnalha li tagħmel ir-rapport u d-dikjarazzjoni, jew li tikkunsinna prospett tal-partikolaritajiet li għandu jkun fih ir-rapport, kif il-Qorti jidhrilha sewwa, u li tagħmel jew tikkunsinna dawn f'dak iż-żmien, u lil dik il-persuna u b'dak il-mod li l-Qorti tordna, jew tista' tordna li tiġi eżaminata dwar dawk il-partikolaritajiet, u kemm-il darba tonqos li tesegwixxi dak l-ordni, hija tkun ħatja ta' att illegali.

(3) Il-Qorti tista' tilqa' l-iskuża taħt il-kondizzjoni li jsir rapport u dikjarazzjoni f'forma mbiddla jew fi żmien imġedded, u li jiġu mħarsa dawk il-kondizzjonijiet l-oħra illi l-Qorti jidhrilha li huma l-

aħjar sabiex iseħħu l-finijiet ta' dawn ir-regolamenti; u d-digriet li jilqa' skuża ammissibbli jeħles lill-kandidat minn kull responsabbilità jew konsegwenza taħt dawn ir-regolamenti għall-fatt skużat bid-digriet.

(4) Id-data tad-digriet, jew jekk ikollhom jiġu osservati kondizzjonijiet u pattijiet, id-data li fiha r-rikorrent jesegwihom għal kollox, hija magħrufa f'dawn ir-regolamenti bħala d-data li fiha ġiet milqugħa l-iskuża.

TAQSIMA XV
Nullità ta' Elezzjonijiet

Nullità minħabba li l-kandidat jiġi misjub ħati.

112. L-elezzjoni ta' kandidat bħala Kunsillier tiġi annullata meta huwa jiġi misjub ħati ta' korruzzjoni jew ta' att illegali.

Nullità ta' elezzjoni għal raġunijiet oħra.

113. L-elezzjoni ta' kandidat bħala Kunsillier tiġi ddikjarata nulla meta tiġi pprovata għas-sodisfazzjon tal-Qorti xi waħda jew oħra mir-raġunijiet li ġejjin:

(a) jekk minħabba korruzzjoni ġenerali, trattament ġenerali, jew intimidazzjoni ġenerali, jew imġieba oħra ħażina, jew ċirkostanzi oħra, il-biċċa l-kbira ta' l-eletturi kienu jew setgħu jkunu impeduti li jtellgħu l-kandidati li kienu jridu;

(b) nuqqas ta' tħaris tad-disposizzjonijiet ta' dawn ir-regolamenti dwar l-elezzjonijiet jekk il-Qorti jidhrilha li l-elezzjoni ma ġietx immexxija skond il-prinċipji stabbiliti f'dawk id-disposizzjonijiet u li dan in-nuqqas kellu effett fuq ir-riżultat ta' l-elezzjoni;

(ċ) illi fl-elezzjoni sar att ta' korruzzjoni jew att illegali mill-kandidat innifsu;

(d) illi l-kandidat qabbad personalment persuna bħala galoppin jew aġent meta kien jaf li dik il-persuna, matul is-seba' snin ta' qabel ma ġiet ħekk inqabbda minnu, kienet ġiet misjuba ħatja ta' att ta' korruzzjoni;

(e) illi l-kandidat kien, fiż-żmien li ġie elett, persuna skwalifikata għall-elezzjoni bħala Kunsillier.

TAQSIMA XVI
Pubblikazzjoni ta' Riżultati f'kull Lokalità

Pubblikazzjoni tar-riżultat ta' l-elezzjoni tad-dettalji ta' l-għadd.

114. (1) Il-Kummissjoni għandha, mhux aktar tard mill-ġurnata tax-xogħol ta' wara dik li fiha jiġi magħruf ir-riżultat tal-għadd tal-voti, tippubblika dikjarazzjoni li jkun fiha l-ismijiet tal-kandidati eletti f'kull lokalità u l-partikolaritajiet l-oħra li l-Kummissjoni Elettorali tista' tqis xieraq.

(2) Il-Kummissjoni għandha tiddepożita d-dikjarazzjoni hawn fuq imsemmija għand il-Ministru u għandhom jieħdu l-ħsieb li kopja ta' dik id-dikjarazzjoni tiġi mingħajr dewmien maħruġa fil-Gazzetta.

(3) Kull kandidat li l-isem tiegħu jiġi ppubblikat fil-Gazzetta skond id-dispożizzjonijiet tal-paragrafu (1) tar-regolament 24 jew li jiġi iddikjarat elett skond id-dispożizzjonijiet ta' dan ir-regolament jitqies li hu Kunsillier ta' dik il-lokalità.

(4) Il-Kummissjoni għandha tippubblika fil-Gazzetta mhux iktar tard minn sebat ijiem wara tmiem il-għadd, dikjarazzjoni tar-riżultat ta' l-elezzjoni li tkun tinkludi notamenti dwar l-għadd sħiħ ta' voti mitfugħin l-għadd sħiħ ta' voti validi u invalidi, l-għadd sħiħ ta' voti akkreditati lil kull partit politiku, il-kwota, l-ewwel preferenza akkreditat lil kull kandidat, kull trasferiment ta' voti magħmul, u ta' l-għadd sħiħ ta' voti akkreditat lil kull kandidat wara kull trasferiment, u kull tagħrif ieħor li l-Kummissjoni Elettorali tista' tqis meħtieġa. Dik id-dikjarazzjoni għandu jkollha dik l-għamla li l-Kummissjoni Elettorali tista' tistabbilixxi bħala li faċilment ta'għti dak it-tagħrif kollu li jista' jenħtieġ mill-ppubbliku.

Konservazzjoni ta' dokumenti.

115. (1) Il-Kummissjoni għandha tikkonserva sa meta jiġi ippubblikat ir-riżultat uffiċjali ta' l-elezzjoni ġdida li jkun imiss, il-poloz kollha f'pakketti għalihom u skond kif ġej:

(a) il-poloz imħassra;

(b) il-poloz li ma jiswewx;

(ċ) il-poloz tal-pakkett ta' kull kandidat elett u ta' kull wieħed mill-kandidati li ma ġiex elett u li l-poloz tiegħu baqgħu ma għaddewx fuq ħaddieħor;

(d) il-poloz kollha mhux trasferibbli li ma nżammewx fil-pakkett ta' kandidat elett.

(2) Il-Kummissjonarji għandhom jiktbu fuq kull pakkett x'poloz hemm fih u d-data ta' l-elezzjoni u l-lokalità li fiha tkun saret dik l-elezzjoni.

(3) Il-Kummissjoni għandha, barra minn dan, tikkonserva u żżomm sa l-istess żmien, kopja tad-dikjarazzjoni tar-riżultat tal-votazzjoni u tad-dokumenti kollha li jixhdu x-xogħol li jkun sar fit-trasferiment tal-voti kollha żejda.

(4) Id-delegati ta' partit, kandidati, u aġenti għall-għadd għandhom il-jedd iwaħħlu s-siġilli tagħhom fuq dawk il-pakketti u jiffirmaw fuqhom.

Il-Qorti tista' tordna li jitneħħew is-siġilli.

116. Il-Qorti Kostituzzjonali, li quddiemha tinġieb kwistjoni dwar il-jedd ta' persuna biex tkun jew tibqa' Kunsillier elettiv, u kull Qorti li quddiemha jinbdew proċeduri skond id-dispożizzjonijiet ta' dan l-Att jew dawn ir-regolamenti, jistgħu jordnaw il-ftuħ tal-pakketti msemmijin fil-paragrafu (1) tar-regolament 46 u fir-regolament 115 u li jinġieb wieħed jew iżjed mid-dokumenti li jkunu jinsabu fihom taħt dawk il-kondizzjonijiet u prekawzjonijiet li jkunu meħtieġa biex jinżamm is-sigriet tal-votazzjoni kompatibbilment ma' l-amministrazzjoni tajba tal-ġustizzja.

TAQSIMA XVII
Dispożizzjonijiet Penali

Piena għal min jagħti informazzjoni falza.

117. Kull min xjentement jagħmel jew jiffirma dikjarazzjoni falza jew xort'oħra jagħti informazzjoni falza dwar ir-reġistrazzjoni, trasferiment jew tħassir ta' xi elettur ikun ħati ta' reat kontra dawn ir-regolamenti, u meta jinsab hekk ħati, jeħel il-piena tal-priġunerija għal żmien ta' mhux iżjed minn xahar jew multa ta' mhux iżjed minn ħamsin lira Maltin jew il-priġunerija u l-multa flimkien:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' ħames mitt lira Maltin.

Pieni għall-imġieba ħażina f'post ta' votazzjoni, eċċ.

118. Kull min iġib ruħu ħażin f'post ta' votazzjoni u kull min jikser xi waħda mid-dispożizzjonijiet tar-regolamenti 36 jew 37 ta' dawn ir-regolamenti u kull min jieħu sehem f'xi meeting pubbliku jew dimostrazzjoni pubblika li jsiru bi ksur ta' xi waħda mid-dispożizzjonijiet ta' dawn ir-regolamenti, u kull min ma jobdix l-ordni leġittimu ta' l-Assistenti Kummissjonarji jew ta' awtorità leġittima oħra dwar elezzjoni, jeħel meta jinsab ħati multa ta' mhux iżjed minn ħamsin lira Maltin:

Iżda l-Ministru jista', minn żmien għal żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' mitt lira Maltin.

Piena għal reati dwar formuli tan-nomina, eċċ.

119. (1) Kull min:

(a) jiffalsifika jew b'qerq jisfigura jew b'qerq jiddistruġġi formula ta' nomina jew jikkunsinna lill-Kummissjonarju formula ta' nomina li jkun jaf illi hija iffalsifikata; jew

(b) jiffalsifika jew jimita jew b'qerq jisfigura jew b'qerq jiddistruġġi xi dokument għall-votazzjoni jew polza ta' votazzjoni jew it-timbru uffiċjali fuq polza ta' votazzjoni; jew

(ċ) mingħajr l-awtorizzazzjoni meħtieġa jagħti dokument għall-votazzjoni jew polza ta' votazzjoni lil xi persuna; jew

(d) jiffalsifika jew jimita jew ikun fil-pussess illeġittimu ta' boll jew siġill użat mill-Kummissjonarju Elettorali Prinċipali jew mill-Kummissjonarji Elettorali jew mill-Assistenti Kummisjonarji Elettorali Prinċipali jew mill-Assistenti Kummissjonarji; jew

(e) ikun fil-pussess illeġittimu ta' xi dokument għall-votazzjoni jew ta' polza ta' votazzjoni; jew

(f) b'qerq iqiegħed fil-kaxxa tal-votazzjoni xi ħaġa oħra ħlief il-polza tal-votazzjoni li huwa awtorizzat skond il-liġi li jitfa' ġewwa fiha; jew

(ġ) b'qerq joħroġ polza ta' votazzjoni mill-post tal-votazzjoni; jew

(ħ) mingħajr l-awtorizzazzjoni meħtieġa, jiddistruġġi, jieħu, jiftaħ jew xort'oħra jmiss kaxxa tal-votazzjoni jew pakkett tal-poloz tal-votazzjoni li f'dak il-waqt ikunu jiġu wżati għall-elezzjoni,

hu ħati ta' reat u jeħel, meta jinsab hekk ħati, multa ta' mhux iżjed minn ħames mitt lira Maltin jew priġunerija għal żmien ta' mhux iżjed minn sitt xhur, jew dik il-multa u priġunerija flimkien:

Iżda l-Ministru jista', minn żmien għal- żmien, b'avviż fil-Gazzetta jisepċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' tlett elef liri Maltin.

(2) Kull min igħin jew iħajjar biex isir reat taħt dan ir-regolament jew jittenta jagħmel dak ir-reat jeħel, meta jinsab ħati, il-piena stabbilita għar-reat.

Piena għal min jikser is-sigriet dwar kif wieħed jivvota.

120. Kull Assistent Kummissjonarju Elettorali Prinċipali u kull Assitent Kummissjonarju illi jgħidu kif elettur ikun ivvota meta huma jkunu saru jafu kif dak l-elettur ivvota fil-kors ta' l-esekuzzjoni tad-dmirijiet tagħhom taħt dawn ir-regolamenti, huma ħatja ta' reat, u jeħlu, meta jiġu hekk misjba ħatja, multa ta' mhux iżjed minn mitt lira Maltin jew priġunerija għal żmien ta' mhux iżjed minn xahar, jew dik il-multa u priġunerija flimkien:

Iżda l-Ministru jista', minn żmien għal- żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' ħames mitt liri Maltin.

Projbizzjoni ta' attivitajiet li jistgħu jinfluwenzaw lill-eletturi.

121. (1) Matul il-jum li fih tkun qed issir elezzjoni ta' Kunsilliera u matul il-jum li jiġi minnufih qabel elezzjoni bħal dik, ħadd ma jista' jagħmel demostrazzjoni pubblika jew jindirizza xi meeting pubbliku jew xi ġemgħa oħra tkun xi tkun f'xi post jew bini li fih ikun jista' jidħol il-pubbliku, jew fuq il-mezzi tax-xandir, dwar xi ħaġa maħsuba biex, jew li x'aktarx, tinfluwenza lill-eletturi fl-eżerċizzju tal-jedd tal-vot, jew jippubblika jew iġiegħel li tiġi pubblikata xi gazzetta, stampat jew mezz ieħor ta' komunikazzjoni lill-pubbliku li jkun fihom xi ħaga kif intqal qabel, jew joħroġ jew iġiegħel li toħroġ xi stqarrija jew dikjarazzjoni dwar xi ħaġa kif intqal qabel, jew xjentement iqassam xi gazzetta, stampat jew mezz ieħor ta' komunikazzjoni, jew xi stqarrija jew dikjarazzjoni kif intqal qabel, u kull min jikser xi waħda mid-dispożizzjonijiet ta' dawn ir-regolamenti jeħel, meta jinsab ħati, multa ta' mhux iżjed minn ħames mitt lira Maltin jew priġunerija għal żmien ta' mhux iżjed minn sitt xhur, jew dik il-multa u priġunerija flimkien:

Iżda l-Ministru jista', minn żmien għal- żmien, b'avviż fil-Gazzetta jispeċifika pieni ogħla li f'kull każ ma jkunux aktar minn multa ta' tlett elef liri Maltin.

(2) Kull min igħin jew iħajjar l-egħmil ta' reat kontra dan l-artikolu jew jipprova jagħmel xi reat bħal dak, jeħel meta jinsab ħati l-piena provduta għar-reat.

Qrati kompetenti.

122. (1) Il-kwistjonijiet kollha dwar il-jedd ta' persuna li tkun jew li tibqa' Kunsillier għandhom jinġiebu quddiem il-Qorti Kostituzzjonali u jiġu deċizi minn din il-Qorti.

(2) Kull proċediment kriminali taħt dawn ir-regolamenti jinġieb quddiem il-Qrati tal-Maġistrati u bla ħsara għad-dispożizzjonijiet li ġejjin ta' dan ir-regolament, igħoddu għal dawn il-proċedimenti d-dispożizzjonijiet tal-Kodiċi Kriminali.

Kap 9.

Kap 152.

(3) Minkejja kull ħaġa li tinsab fl-Att dwar il-*Probation* ta' Ħatjin, persuna li tagħmel xi reat taħt dawn ir-regolamenti għandha tinstab ħatja u tiġi kundannata dwar dak ir-reat u ma tistax titqiegħed taħt *probation* jew tiġi meħlusa taħt dak l-Att.

(4) Kull deċiżjoni tal-Qrati tal-Maġistrati dwar reat taħt dawn ir-regolamenti, tista', fil-każijiet kollha, tiġi appellata mill-Avukat Ġenerali u mill-parti misjuba ħatja.

TAQSIMA XVIII
Riserva dwar il-Jedd ta' Partiti Politiċi

Meta ċerti jeddijiet ma jitwettqux.

123. Meta ma jitwettqux minn xi partit politiku, delegat, kandidat, aġent jew minn xi persuna nominata għall-ħatra minn partit politiku, xi jedd, setgħa jew privileġġ mogħtijin b'dawn ir-regolamenti, dan ma għandux minnu nnifsu jinvalida xi azzjoni jew proċedura li dwarha l-jedd, setgħa jew privileġġ ikun ingħata b'dawn ir-regolamenti.

Jedd għal tagħrif f'għamla elettro-manjetika.

124. Il-partiti politiċi jkollhom jedd jitolbu li dak it-tagħrif, dokumenti u listi li l-Kummissjoni għandha tagħtihom, jingħatalhom f'dik l-għamla elettro-manjetika li l-Kummissjoni tkun tista' b'mod raġonevoli tagħtihom permezz tat-tagħmir li jkollha.

L-EWWEL SKEDA

(Regolament 4)

Formula ta' Ġurament ta' Kariga li jieħdu l-Kummissjonarji Elettorali

Jien, ,* naħlef/niddikjara solennement li nagħmel bil-fedeltà d-dmirijiet ta' * Kummissjonarju Elettorali Principali/ Kummissjonarju Elettorali biex imexxi l-elezzjoni għall-Kunsilli Lokali skond il-ligi. (Hekk Alla jgħini).

*Ħassar kif meħtieġ.

IT-TIENI SKEDA

(Regolament 8a)

Formula ta' Applikazzjoni għal Persuna li mhix Ċittadina ta' Malta għar-Reġistrazzjoni bħala Elettur għall-Kunsilli Lokali

Lill-Kummissjoni Elettorali, il-Belt Valletta, Malta.

Kunjom ..... Nru. tal-Karta ta' Identità .....

Isem .....

Post tat-twelid .....

Data tat-twelid .....

Ċittadinanża ..... Nru. ta' Passaport .....

Isem il-belt jew raħal .....

Triq u numru tal-post .....

.....

.....

Isem u kunjom ta' missier l-applikant .....

Post tat-twelid tiegħu ..... Nazzjonalità * .....

* *(jekk missier l-applikant ikun mejjet, agħti n-nazzjonalità tiegħu fi żmien mewtu)*

Isem u kunjom xbubit omm l-applikant .....

Post tat-twelid tagħha ..... Nazzjonalità ** .....

** *(jekk omm l-applikant tkun mejta, agħti n-nazzjonalità tagħha fi żmien mewtha)*

Jiena hawnhekk napplika biex inkun reġistrat bħala elettur għal.....(1) skond l-Att ta' l-1993 dwar l-Kunsilli Lokali biex inkun reġistrat bħala elettur għall-elezzjoni ta' Kunsilliera.

Data .....

.....

Firma jew marka ta' l-applikant

(1) Daħħal l-isem tal-lokalità.

GĦALL-UŻU UFFIĊJALI BISS

Rimarki

Vtd. .....

Chd. .....

IT-TIELET SKEDA

(Regolament 8b)

Formula għal Persuna li mhix Ċittadina ta' Malta
dwar Tibdiliet jew Trasferiment ta' Fejn Toqgħod (Kunsilli Lokali)

Lill-Kummissjoni Elettorali:
Jien (1).....Nru. tal-Karta ta' Identità..... li dari kont noqgħod f'(2) .....hawnhekk ngħarraf illi mort noqgħod f'(3).....

Data ....
(4) Firma jew marka ta' min japplika

.....
Firma u Numru tal-Karta ta' Identità tax-xhud

Fejn joqgħod ix-xhud .....

(1) Isem u kunjom (kif ukoll il-laqam, jekk wieħed ikollu).
(2) L-indirizz ta' qabel kif jidher fir-Reġistru Elettorali għall-Kunsilli Lokali.
(3) L-indirizz ta' issa.
(4) Jekk min jagħmel it-talba ma jafx jikteb, min jimlielu l-formula għandu jiffirma u jikteb l-indirizz tiegħu sħiħ u Numru tal-Karta ta' Identità taħt is-sinjal ta' min jagħmel it-talba.

IR-RABA' SKEDA

(Regolament 8c)

Formula ta' Applikazzjoni għall-Korrezzjoni ta' Isem jew Indirizz ta' Persuna li mhix Ċittadina ta' Malta (Kunsilli Lokali)

Lill-Kummissjoni Elettorali:

Ismi (u/jew l-indirizz tiegħi*) li jidher fir-Reġistru Elettorali għall-Kunsilli Lokali taħt (1) ..... tiżżel ħażin u għalhekk nitlob sabiex ismi (u/jew l-indirizz tiegħi*) jiġi korrett kif ġej (2) .....

Data .....

.....

(3) Firma jew marka ta' min japplika

.....

Firma u Numru tal-Karta ta' Identità tax-xhud

Fejn joqgħod ix-xhud .....

(*) Il-kelmiet li ma jgħoddux għall-każ għandhom jitħassru.

(1) Post u indirizz sħiħ kif jidher fuq ir-Reġistru Elettorali għall-Kunsilli Lokali.

(2) Il-korrezzjoni li wieħed irid li ssir.

(3) Jekk min japplika ma jkunx jista' jikteb, min jimlielu l-formula għandu jiffirma jew għandha tiffirma u jagħti jew tagħti l-indirizz sħiħ tiegħu jew tagħha u Numru tal-Karta ta' Identità taħt il-marka li jagħmel min japplika.

A 750

IL-HAMES SKEDA

(Regolament 8d)

Applikazzjoni minn Eletturi Nisa li mhumiex Ċittadini ta' Malta għall-Korrezzjoni tal-Kunjom u l-Indirizz Wara Żwieġ (Kunsilli Lokali)

Lill-Kummissjoni Elettorali:

Billi (1) f..... iżżewwġit lil (2) .....

Nru. tal-Karta ta' Identità ..... jien (3) ..... Nru. tal-Karta ta'

Identità ..... li qabel kont noqgħod (4) .....

..... u rreġistrata bħala elettura b'dak l-indirizz, nitlob

li kunjomi (u/jew l-indirizz*) issa jkunu hekk (5) .....

.....

Data ....

(6) Firma jew marka ta' min japplika

.....

Firma u Numru tal-Karta ta' Identità tax-xhud

Fejn joqgħod ix-xhud .....

(*) Il-kelmiet li ma jgħoddux għall-każ għandhom jitħassru.
(1) Data taż-żwieġ.
(2) Isem, kunjom sħiħ u Numru tal-Karta ta' Identità ta' żewġ min japplika.
(3) Kunjom xbubit (laqam ukoll, jekk ikollha) u Numru tal-Karta ta' Identità ta' min japplika.
(4) Indirizz kif jidher fir-Reġistru Elettorali għall-Kunsilli Lokali.
(5) Indirizz ta' issa.
(6) Jekk min japplika ma jkunx jista' jikteb, min jimlielu l-formula għandu jiffirma u jagħti jew tagħti l-indirizz sħiħ tiegħu jew tagħha u n-Numru tal-Karta ta' Identità taħt il-marka li jagħmel minn japplika.

IS-SITT SKEDA

(Regolament 15)

Formula ta' Avviż mill-Kummissjoni Elettorali

Il-Kummissjoni Elettorali mwaqqfa skond l-artikolu 60 tal-Kostituzzjoni b'dan tgħarraf li, bis-saħħa tad-dispożizzjonijiet ta' l-Att ta' l-1993 dwar il-Kunsilli Lokali, ser issir elezzjoni fil-lokalità/lokalitajiet ta' .....

.....

.....*

nhar is-Sibt .....

Kummissjonarju Elettorali Prinċipali

* Imla kif meħtieġ

IS-SEBA' SKEDA

(Regolament 17)

Formula ta' Dokument għall-Votazzjoni

BIEX TIVVOTA

RITRATT

NUMRU TAL-KARTA TA' L-IDENTITÀ

ISEM U INDIRIZZ

TWELID

SESS

Fejn Tivvota

LOKALITÀ

Nru. ta' Reġistrazzjoni

KUMMISSJONARJU ELETTORALI

IT-TMIEN SKEDA

(Regolament 20)

Formula tal-Polza

Numru ta' Kunsilliera li għandhom jiġu eletti ..... Lokalità.....		
Immarka skond il-preferenzi li tagħti	***Badge* tal-Kandidat**	**Isem tal-Kandidati**
		PARTIT TAL-FJURI
		JONES, (John Jones, ta' 52 Triq l-Ifran, Tartani, Direttur)
		MAGRO, (William David Magro, ta' 10 Triq it-Torri, Tartani, Kok)
		MUSCAT, (Francesco Muscat ta' 1 Triq San Pawl, Tartani, Sewwieq)
		VELLA, (James Vella, ta' 5 Triq Garcin, Tartani, Perit)
		WILLIAMS, (Francis Williams ta' 85 Triq il-Knisja, Tartani, Spiżjar)
		PARTIT TAL- GHASFUR
		AZZOPARDI, (Spiro Azzopardi, ta' 13 Triq ix-Xatt, Tartani, Ħajjat)
		BORG, (Assuero Borg, ta' 69 Triq G. Barbara, Tartani, Skrivan)
		CASSAR, (Lela Cassar, ta' "Dolores", Triq il-Kbira, Tartani, Mara tad-dar)
		MIZZI, (Glormu Mizzi, ta' 70 Triq iż-Żewġ Mini, Tartani, Avukat)
		ZARB, (Fortunat Zarb, ta' 15 Triq il-Funtana, Tartani, Skrivan il-Bank)
		PARTIT TAS-SIĠAR
		AZZOPARDI, (Reginald Azzopardi, ta' 165 Triq San Duminku, Tartani, Skrivan)
		ZAMMIT, (Lawrence Zammit ta' "Josdor", 188 Triq Bwieraq, Tartani, Nutar)
		KANDIDATI INDIPENDENTI
		BUHAGIAR, (Louis Buhagiar, ta' 55 Triq ir-Repubblika, Tartani, Negozjant)
		GALEA, (Ninu Galea, ta' 67 Sqaq Rjallu, Taratni, Bajjad)

ID-DISA' SKEDA

(Regolament 22)

Formula tan-Nomina

Lill-Kummissjoni Elettorali.

Aħna, hawn taħt iffirmati, billi aħna eletturi li għandna l-jedd li nivvotaw f'elezzjoni għall-Kunsilli Lokali, u billi aħna irreġistrati fir-Reġistru Elettorali għall-Kunsilli Lokali ta' ..... (1) , ninnominaw lil ..... (2) bħala kandidat għall-lokalità, hawn fuq imsemmija, u f'isem (3).....

Jien, (2)..... li noqgħod.....nagħti l-kunsens tiegħi għan-nomina hawn fuq imsemmija u li ismi fuq il-polza tal-votazzjoni għandu jiġi indikat bħala (4).....
Data

Firma tal-kandidat (jew tar-rappreżentant tiegħu legittimu, skond il-każ).

(1) L-isem tal-Lokalità.
(2) Isem, kunjom u Numru tal-Karta ta' Identità u indirizz tal-persuna nominata u x'tagħmel.
(3) Isem il-partit politiku.
(4) Kunjom u isem.

L-GĦAXAR SKEDA

(Regolamenti 26, 56)

Formula tal-Ġurament li jittieħed mill-Assistenti Kummissjonarji Elettorali Prinċipali u mill-Assitenti Kummissjonari Elettorali

Jien ....., Assistent Kummissjonarju Elettorali Prinċipali / Assistent Kummissjonarju Elettorali* maħtur biex nissorvelja l-votazzjoni fl-elezzjoni ta' Kunsilli Lokali naħlef/niddikjara solennement li nagħmel bil-fedeltà d-dmirijiet ta' din il-kariga skond id-dispożizzjonijiet tal-liġi, u li għandi ngħarraf b'ittra indirizzata lill-Kummissjonarju Elettorali Prinċipali kull irregolarità li nara waqt li tkun miexja l-elezzjoni.

Jien ukoll naħlef/niddikjara solennement li nżomm is-sigriet dwar il-vot mogħti minn kull elettur li nista' nkun naf bih. (Hekk Alla jgħini).

Data ..... Firma .....
Numru tal-Karta
ta' Identità .....

* Ħassar kif meħtieġ

Il-ĦDAX-IL SKEDA

(Regolament 39)

Formula ta' Ġurament li Assistent Kummissjonarju jista' jagħti lil Elettur

Jien (1) li noqgħod (2) naħlef/niddikjara solennement illi jien l-istess persuna li isimha jidher bħala A.B. fir-Reġistru Elettorali għall-Kunsilli Lokali u li jien għadni ma ivvutajt la hawnhekk u lanqas band'oħra f'din l-elezzjoni ta' Kunsilliera. (Hekk Alla jgħini).

Data

Firma jew marka ta' l-elettur

Maħluf/Dikjarat solennement quddiemi llum

Firma ta' l-Assistent Kummissjonarju
Elettorali

(1) L-isem sħiħ.
(2) L-indirizz u Numru tal-Karta ta' Identità ta' l-elettur.

IT-TNAX-IL SKEDA

(Regolament 87)

Dikjarazzjoni tar-Riżultat tal-Votazzjoni

Isem tal-Lokalità .....

Elezzjoni ta' Kunsilliera biex jirrappreżentaw il-lokalità hawn fuq imsemmija li saret fis-sena .....

Aħna li ffirmajna isimna hawn taħt, Kummissjunarji Elettorali fil-votazzjoni ta' Kunsillieragħall-lokalità hawn fuq imsemmija li saret fi..... ġurnata ta' ..... tas-sena ....., sejrin hawnhekk ingħarrfu illi r-riżultat tal-Votazzjoni u tat-trasferiment tal-voti huwa dan:

Numru ta' voti validi .....

Numru ta' Kunsilliera li għandhom jingħażlu .....

Kwota (numru ta' voti li huma meħtieġa biex kandidat jiġi elett) .....

Ismijiet tal-Kandidati	1 Għadd	2 Għadd		3 Għadd		4 Għadd		5 Għadd		6 Għadd		Ismijiet tal-Kandidati eletti
	Voti	Trasferiment ta'	Riżultat	Trasferiment ta'	Riżultat	Trasferiment ta'	Riżultat	Trasferiment ta'	Riżultat	Trasferiment ta'	Riżultat	
Poloz li mhumiex trasferibbli												
Total		–		–		–		–		–		

U aħna hawnhekk ingħarrfu illi dawn li huma msemmijin hawn fuq ġew kif jisthoqq eletti Kunsilliera għal din il-lokalità .

Illum, il ta' tas-sena

.....

Kummissjonarji Elettorali

IT-TLETTAX-IL SKEDA

(Regolament 101)

Rapport ta' l-Ispejjeż ta' l-Elezzjoni

1. Fil-kolonna tad-dħul għandu jkun hemm l-isem u d-deskrizzjoni ta' kull persuna (kompriż il-kandidat), każin, soċjetà jew assoċjazzjoni li minn għandhom daħlu flus, garanziji jew ekwivalent ta' flus, għall-ispejjeż li jsiru għall-elezzjoni, jew li jkollhom x'jaqsmu ma' l-elezzjoni jew inċidentali għall-elezzjoni, u l-ammont li jkun daħal minn għand kull persuna, każin, soċjetà jew assoċjazzjoni separatament.

2. Fil-kolonna ta' l-ispejjez għandhom jitniżżlu:

(a) l-ispejjeż personali tal-kandidat magħmulin jew imħallsin mill-kandidat;

(b) l-isem u r-rata, u l-ammont kollu tal-ħlas ta' kull persuna impjegata bħala aġent, assistent jew professjonista;

(ċ) l-ispejjeż tat-traġitti u l-ispejjeż l-oħra kollha magħmulin mill-kandidat tiegħu akkont ta' aġenti, assistent jew professjonista;

(d) l-ispejjeż tat-traġitti ta' persuni, sew jekk imħallsin b'salarju jew le, li saru għall-kandidatura u sew jekk ikunu ġew imħallsin jew magħmulin mill-kandidat, jew mill-persuna li tagħmel dak it-traġitt;

(e) l-ispejjeż li tħallsu jew li saru, għal:

(i) stampa;
(ii) avviżi;
(iii) kartolerija;
(iv) pustaġġ;
(v) telegrammi;
(vi) kiri ta' kmamar għal *meetings* jew għal kumitati;

(f) spejjeż oħra diversi, li tħallsu jew li saru.

Nota:

(1) Għandhom jitniżżlu l-ispejjeż kollha li jkunu saru dwar il-kandidatura sew jekk ikunu ġew imħallsa mill-kandidat, jew minn persuni oħra, jew li jkunu għadhom m'humiex imħallsa fid-data tar-rapport.

(2) Għall-partiti kollha ta' iżjed minn ħamsa u għoxrin ċenteżmu Maltin ħlief fil-każijiet (bħal pustaġġ) li għalihom ma tingħatax irċevuta, mar-rapport għandhom jiġu mdaħħla l-kontijiet.

(3) Is-somom kollha ta' flus imħallsa bla ma jkun hemm riċevuta tagħhom, għandhom jitniżżlu ħaġa b'ħaġa bid-data tal-ħlas.

(4) Is-somom kollha ta' flus li ma jkunux tħallsu għandhom jitniżżlu f'lista għaliha.

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FORMULA TA' DIKJARAZZJONI LI SSIR MINN KANDIDAT

Jien kandidat għall-lokalità ta' , naħlef/niddikjara solennement li r-rapport ta' spejjeż elettorali ta' hawn fuq huwa veru sa fejn naf u nifhem jien, u illi, barra mill-ispejjeż li huma mniżżlin fih, ma saru ebda xorta ta' spejjeż sa fejn naf u nifhem jien li għandhom x'jaqsmu mal-kandidatura jew għall-kandidatura tiegħi.

Kandidat.

Maħlufa/Dikjarata solennement quddiemi.

Maġistrat/Kummissarju għall-Ġustizzja/
Kummissjonarju b'setgħa
li jagħti Ġurament.

L-ERBATAX-IL SKEDA

(Regolament 34(3))

Formula li għandha titwaħħal f'kull
Kamra tal-Votazzjoni

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 wieħed.

2. Inti mitlub (u tajjeb tagħmlu) 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 wieħed fuq l-ieħor.

3. Hija ħaġa tajba li inti tibqa' timmarka bin-numri dawk il-kandidati skond il-preferenza li trid tagħti lil wieħed fuq l-ieħor, sakemm tasal għall-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 wieħed 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 wieħed, il-polza tiegħek ma tkunx tiswa u ma tingħaddx.

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 ħadt dan l-iżball mingħajr ma ridt, jerġa' jagħtik polza oħra.

IR-RABA' SKEDA

(Artikolu 33)

Ħwejjeg esklużi mir-responsabbilità ta' Kunsilli Lokali

Oqsma Industrijali:	
Qasam Industrijali Attard	Limiti ta' Attard
Qasam Industrijali Bulebel	Limiti taż-Żejtun
Qasam Industrijali Ħal Far	Limiti ta' Birżebbuġa
Qasam Industrijali Kordin	Limiti ta' Paola
Qasam Industrijali Luqa	Limiti ta' Luqa
Qasam Industrijali Marsa	Limiti tal-Marsa
Qasam Industrijali Mrieħel	Limiti ta' Birkirkara
Qasam Industrijali Rikażli	Limiti tal-Kalkara
Qasam Industrijali San Ġwann	Limiti ta' San Ġwann
Qasam Industrijali Xewkija	Limiti tax-Xewkija
Technopark Mosta	Limiti tal-Mosta
Villaġġ tas-Snajja Għawdex	Limiti ta' l-Għarb
Villaġġ tas-Snajja Ta' Qali	Limiti ta' Attard
Malta Drydocks	Bormla
Malta Freeport	Limiti ta' Birżebbuġa
Malta Shipbuilding	Limiti tal-Marsa
Delimara Power Station	Limiti ta' Marsaxlokk
Marsa Power Station	Limiti tal-Marsa
L-Ajruport	Limiti ta' Luqa
Bus Terminus	Valletta
Albertown Reverse Osmosis Plant	Limiti tal-Marsa
Ċirkewwa Reverse Osmosis Plant	Limiti tal-Mellieħa
Għar Lapsi Reverse Osmosis Plant	Limiti tas-Siġġiewi
Pembroke Reverse Osmosis Plant	Limiti ta' Pembroke
Tignè Reverse Osmosis Plant	Sliema
Installazzjoni Gas	Limiti ta' Birżebbuġa
Installazzjoni Petroleum	Limiti ta' Birżebbuġa
Impjant Riċiklaġġ ta' l-Iskart Sant Antnin	Limiti ta' Marsaskala
Impjant tad-Drenaġġ Sant Antnin	Limiti ta' Marsaskala

Il-Portijiet kollha elenkati fl-Ewwel Skeda li tinsab ma' l-Att ta' l-1991 dwar l-Awtorità Marittima ta' Malta.

Att XVII ta' l-1991.

Ċentri Soċjali u tas-Saħħa:	
Università ta' Malta	Msida
Sptar Craig	Rabat, Għawdex
Sptar Mentali Għawdex	Rabat, Għawdex
Sptar Monte Karmeli	Limiti ta' Attard
Sptar San Luqa	Pietà
Sptar San Vinċens de Paul	Limiti ta' Luqa
Sptar Sir Paul Boffa	Floriana

Sptar Zammit Clapp	San Ġiljan
Radam Magħtab	Limiti tan-Naxxar
Radam Wied Fulija	Limiti taż-Żurrieq
Bini Ministerjali tal-Gvern (ex Beltissebħ)	Floriana
Kompless Sportiv tal-Marsa	Limiti tal-Marsa
Pixxina Nazzjonali	Limiti ta' Marsaskala
Stadium Nazzjonali tal-Football Ta' Qali	Limiti ta' Attard
Padiljun tal-Basketball Ta' Qali	Limiti ta' Attard
Kumpless Sportiv ta' Kordin	Limiti ta' Paola
Ground tal-Football Tignè	Limiti tas-Sliema
Kumpless Sportiv ta' l-Università	Msida
Shooting Range Bidnija	Limiti ta' San Pawl il-Baħar
Kumpless Sportiv ta' Għawdex	Rabat, Għawdex
Shooting Ranges tal-Militar	Limiti ta' Pembroke

Ċimiterji:

Ċimiterju ta' l-Addolorata	Limiti ta' Paola
Ċimiterju ta' Braxia	Limiti tal-Ħamrun
Ċimiterju tal-Kalkara	Limiti tal-Kalkara
Ċimiterju tas-Sur ta' l-Imsida	Floriana
Ċimiterju ta' l-Imtarfa	Limiti ta' Attard

Parki u Mkejjen ta' Wirt Nazzjonali:

(Fortijiet u fortifikazzjonijiet jinkludu fosos, glacis u dawk il-partijiet tat-fortijiet u fortifikazzjonijiet, li għalkemm ma jidhrux, xorta huma parti minnhom):

Buskett	Limiti tas-Siġġiewi
Ta' Qali	Limiti ta' Attard
Għadira	Limiti tal-Mellieħa
Simar	San Pawl il-Baħar
Kemmuna	
Kemmunett	
Filfla	
Il-Blata tal-Ġeneral	
Manoel Island	
Il-Gżejjer	
Ġgantija	Limiti ta' Xagħra
Ħaġar Qim	Limiti tal-Qrendi
Is-Swar tal-Birgu	
Is-Swar ta' Bormla	
Is-Sur t'Għawdex (Cittadella)	Rabat, Għawdex
Is-Swar ta' Floriana	
Is-Swar ta' l-Imdina	
Is-Swar ta' l-Isla	
Is-Swar tal-Belt Valletta	

Forti Manoel	
Forti Rikażli	
Forti Sant Anġlu	
Forti Sant Jiermu	
Il-Linji tal-Kottonera	
Il-Linji ta' Vittorja	
Bieb il-Belt	Valletta
Bieb il-Bombi	Floriana
L-Akwadott ta' Wignacourt u l-Fontana	

Is-siti u l-imkejjen arkeoloġiċi kollha reġistrati mad-Dipartiment tal-Mużewijiet

Ġonna u Monumenti:

L-Arena ta' l-Indipendenza	Floriana
Il-Mall	Floriana
Il-Ġonna tal-Barrakka t'Isfel	Valletta
Il-Ġonna tal-Barrakka ta' Fuq	Valletta
Il-Ġonna Botaniċi ta' l-Argotti	Floriana
Il-Mall (Rundel Gardens)	Rabat, Għawdex
Il-Ġonna tal-Palazz ta' Sant Anton	Attard
Il-Ġonna tal-Palazz Verdala	Limiti tas-Siġġiewi
Munument ta' l-Indipendenza	Floriana
Monument ta' l-Assedju l-Kbir	Valletta
Monument tal-Qanpiena ta' l-Assedju	Valletta
Monument tal-Gwerra	Floriana
Monument tar-Royal Air Force	Floriana
Monument tas-Sette Giugno	Valletta
Monument tal-31 ta' Marzu 1979	Birgu
Monument ta' Nerik Mizzi	Valletta
Monument ta' Ġorġ Borg Olivier	Valletta
Monument ta' Pawlu Boffa	Valletta
Monument ta' Kristu Re	Floriana
Monument ta' Dun Mikiel Xerri	Valletta
Monument ta' Anton Buttigieg	Ħamrun
Monument ta' Manwel Dimech	Valletta
Monument ta' Spencer	Ħamrun
Monument tar-Regina Vittorja	Valletta
Monument ta' Manoel de Vilhena	Floriana

Toroq:

It-toroq arterji u distributorji kif determinati mill-Pjan Strutturali.

IL-ĦAMES SKEDA

(Artikolu 24)

Ġurament tal-Kariga ta' Kunsillieri/Sindku/Deputat Sindku

Jiena,.....Kunsillier elett kif inhu xieraq għal-lokalità ta' ..... sollennement naħlef/nafferma illi naqdi fedelment u konxjenzjożament id-dmirijiet bħala Kunsillier/ Sindku/Deputat Sindku* skond id-dispożizzjonijiet ta' l-Att ta' l-1993 dwar il-Kunsilli Lokali u l-Kostituzzjoni ta' Malta.

**Hassar fejn jinħtieġ*

IS-SITT SKEDA

(Artikolu 43)

Ordnijiet Permanenti

Presidenza tal-Laqgħat.

1. (1) Is-Sindku għandu jippresiedi l-laqgħa tal-Kunsill.

(2) Fl-assenza tas-Sindku l-persuna li tippresiedi l-laqgħa għandha teżerċita l-funzjonijiet kollha tas-Sindku skond dawn l-Ordnijiet Permanenti.

(3) Il-proċeduri li fuqhom għandhom jitmexxew il-laqgħat tal-kumitati tal-Kunsill għandhom, kemm-il darba ma tidhirx kontra l-intenzjoni, ikunu dawk spjegati f'dawn l-Ordnijiet Permanenti.

(4) Kull referenza f'dawn l-Ordnijiet Permanenti lil Kunsillieri jew xi membru tal-Kunsill għandha tiġi interpretata bħala referenza lil Sindku jew Deputat Sindku skond kif ikun il-każ kemm-il darba ma jkunx hemm intenzjoni kuntrarja.

Quorum.

2. (1) Il-*quorum* meħtieġ biex isir ix-xogħol tal-Kunsill għandu jkun l-anqas numru sħiħ fuq il-ħamsin fil-mija tan-numru tal-Kunsillieri fil-kariga u ma jitħallewx barra minħabba xi interess dikjarat.

(2) Jekk ma jkunx hemm *quorum* meta jintlaqa' l-Kunsill jew jekk matul il-laqgħa n-numru tal-Kunsillieri preżenti u li ma jitħallewx barra minħabba interess dikjarat ikunu anqas mill-*quorum*, ix-xogħol li ma jsirx f'dik il-laqgħa għandu jsir fil-laqgħa li jmiss jew f'xi jum ieħor kif jista' jistabbilixxi s-Sindku.

Votazzjoni.

3. (1) Ħlief fejn hu provdut mod ieħor f'dawn l-Ordnijiet Permanenti, il-membri għandhom jivvutaw b'turija ta' l-idejn.

(2) Jekk membru hekk jitlob, is-Segretarju għandu jirreġistra l-ismijiet tal-membri li jkunu vvotaw fuq kull kwistjoni biex juru jekk ikunu vvotaw favur jew kontra.

(3) Il-persuna li tkun qiegħda tippresiedi tista' tagħti l-vot oriġinali fuq kull suġġett li jkun ġie għall-votazzjoni, u fil-każ fejn il-voti jiġu indaqs jista' jagħti l-*casting vote* ukoll jekk ikun ta l-vot oriġinali:

Sakemm dik il-persuna li tkun qiegħda tippresiedi ma tagħtix *casting vote* jekk ikun hemm voti indaqs f'elezzjoni ta' Sindku.

(4) Fejn aktar minn żewġ persuni jkunu nominati għal xi kariga biex timtela mill-Kunsill u tal-voti mogħtija ma jkunx hemm maġġoranza assoluta tal-Kunsill kif kostitwit favur ta' xi persuna, l-

isem tal-persuna li jkollha lanqas numri ta' voti għandu jitħassar minn fuq il-lista u ssir votazzjoni mill-ġdid, u jibqa' sejjer hekk sakemm waħda minn dawk il-persuni ġġib il-maġġoranza tal-voti.

4. Ix-xogħol fl-ewwel laqgħa tal-Kunsill il-ġdid elett għandu jkun: L-Ewwel Laqgħa tal-Kunsill wara l-Elezzjoni.

(a) Biex jiġi elett is-Sindku, u/jew *Chairman* tal-kumitati jew sotto-kumitati kif ikun meħtieġ:

(b) Biex jilqa' d-dikjarazzjoni ta' l-aċċettazzjoni tal-kariga tas-Sindku u/jew taċ-*Chairman*, jew , jekk "tkun" għadha ma waslitx, biex jiddeċiedi meta għandha tinbagħtlu.

(ċ) Fis-sena ordinarja ta' elezzjoni tal-Kunsill biex timtela xi vakanza li tkun tħalliet vojta fl-elezzjoni minħabba nominazzjonijiet mhux suffiċjenti.

(d) Biex jiddeċiedi meta għandhom jaslu xi dikjarazzjonijiet ta' aċċettazzjoni ta' kariga li ma jkunux waslu.

(e) Biex jintgħażel Deputat Sindku fejn tkun teżisti din il-kariga.

(f) Biex jaħtru l-kumitati.

5. Wara li jkun sar l-ewwel xogħol, l-ordni tax-xogħol, kemm-il darba l-Kunsill ma jiddeċidix xorta oħra minħabba urġenza, għandu jkun kif ġej: Ordni tax-Xogħol.

(a) Jinqraw u jiġu kunsidrati l-Minuti:

Kemm-il darba tiġi ċirkulata kopja lil kull membru qabel il-laqgħa, il-Minuti għandhom jitqiesu bħala moqrija.

(b) Wara konsiderazzjoni, biex jiġi approvat li s-Sindku jiffirma l-Minuti bħala dokument korrett.

(ċ) Biex jittratta x-xogħol espressivament meħtieġ mil-liġi jew biex isiru regolamenti.

(d) Biex jiddisponi x-xogħol, jekk ikun hemm, li jkun fadal mil-laqgħa ta' qabel.

(e) Biex jirċievi dawk il-komunikazzjonijiet li s-Sindku jista' jixtieq li jqiegħed quddiem il-Kunsill.

(f) Biex jirrispondi mistoqsijiet mill-Kunsillieri.

(ġ) Biex jirċievi u jikkonsidra rapporti u minuti ta' kumitati.

(ħ) Biex jirċievi u jikkonsidra rapporti minn uffiċjali tal-Kunsill.

(i) Biex jawtorizza l-issiġillar tad-dokumenti.

(j) Biex jawtorizza l-iffirmar ta' l-ordnijiet għal ħlasijiet.

(k) Biex jikkonsidra riżoluzzjonijiet jew rakkomandazzjonijiet fl-ordni li jkunu ġew notifikati.

(l) Biex jittratta ma' xi xogħol ieħol speċifikat fil-laqgħa.

Mozzjoni ta' urġenza.

6. Mozzjoni biex tbiddel l-ordni tal-laqgħa minħabba urġenza:

(a) tista' tiġi proposta mis-Sindku jew minn xi membru ieħor u, kif propost mis-Sindku, tista' titqiegħed għall-votazzjoni mingħajr ma tiġi sekondata.

(b) għandha titqiegħed għall-votazzjoni mingħajr ebda diskussjoni.

Riżoluzzjoni li għandha titqiegħed fuq l-Aġenda.

7. Minbarra kif hemm provdut b'dawn li l-Ordnijiet Permanenti., l-ebda riżoluzzjoni ma għandha ssir kemm-il darba x-xogħol li għandha x'taqsam miegħu ma jkunx imniżżel fuq l-Aġenda mis-Segretarju jew minn min ikun għamel din ir-riżoluzzjoni ma jkunx ta l-avviż bil-miktub tat-termini tagħha u jkun ikkonsenja l-avviż lis-Segretarju ta l-anqas sitt ijiem qabel.

Dmirijiet ta' Segretarju dwar riżoluzzjonijiet.

8. (1) Is-Segretarju għandu jniżżel id-data ta' meta jirċievi fuq kull avviż tar-rizoluzzjoni jew rakkomandazzjoni, għandu jagħti numru lil kull avviż skond l-ordni ta' meta jasallu u jirreġistra fi ktieb li jkun jista' jiġi spezzjonat minn kull membru tal-Kunsill.

(2) Is-Segretarju għandu jniżżel fis-sejħiet għal kull laqgħa l-avviżi kollha ta' mozzjoni jew rakkomandazzjoni mogħtija kif imiss skond l-ordni li fih ikunu waslu l-avviżi kemm-il darba l-membru li jagħti l-avviż ta' mozzjoni ma jkunx stqarr bil-miktub li huwa għandu l-ħsieb li jagħmel il-mozzjoni f'xi laqgħa oħra jew inkella li jirtiraha.

Meta riżoluzzjoni għandha titqies li ġiet irtirata.

9. Jekk riżoluzzjoni jew rakkomandazzjoni speċifikata fil-laqgħa ma ssirx la mill-membru li jkun ta l-avviż jew minn xi membru ieħor, għandha, kemm-il darba ma tkunx posposta mill-Kunsill, tiġi trattata bħala rtirata u ma għandhiex terġa' titqajjem mingħajr avviż mill-ġdid.

10. Jekk il-materja tas-suġġett tar-riżoluzzjoni tiġi fil-kompetenza ta' kumitat tal-Kunsill, għandha, wara li titqajjem u tiġi sekondata, tibqa' bħala riferuta mingħajr diskussjoni għal dak il-kumitat jew xi kumitat ieħor skond kif il-Kunsill jista' jiddetermina għar-rapport:

Riżoluzzjoni li taqa' fil-kompetenza tal-Kumitat tal-Kunsill.

Kemm-il darba s-Sindku, jekk jaħseb li tkun materja ta' urġenza, jista' jħalliha biex tiġi trattata fil-laqgħa li fiha tkun tqajmet.

11. Kull riżoluzzjoni jew rakkomandazzjoni għandha tkun relevanti għal xi suġġett li fuqu l-Kunsill għandu l-poter jew li taffettwa l-lokalità tiegħu.

Riżoluzzjonijiet biex ikunu relevanti.

12. Riżoluzzjonijiet li jittrattaw mal-materji li ġejjin jistgħu jitqajmu mingħajr avviż:-

Riżoluzzjonijiet mgħoddija mingħajr avviż.

(a) Biex jinħatar Sindku jew persuna biex tippresiedi l-laqgħa fl-assenza tas-Sindku.

(b) Biex jiġu korretti l-Minuti.

(ċ) Biex jiġu approvati l-Minuti.

(d) Biex tinbidel l-ordni tax-xogħol.

(e) Biex jipproċedu għax-xogħol li jmiss.

(f) Biex jingħalaq jew, jiġi aġġornat id-dibattitu.

(ġ) Biex tiġi riferuta materja għal kumitat.

(ħ) Biex jinħatar xi kumitat jew xi membru fih.

(i) Biex jiġi adattat rapport.

(j) Biex jiġi awtorizzat l-issiġillar tad-dokumenti.

(k) Biex tiġi amendata riżoluzzjoni.

(l) Biex jingħata permess biex tiġi rtirata xi riżoluzzjoni jew xi emenda.

(m) Biex jiġi estiż il-limitu tal-ħin għad-diskorsi.

(n) Biex isikket jew jitfa' 'l barra mil-laqgħa xi membru li ma jġibx ruħu sewwa.

(o) Biex jistieden membru biex jiddikjara interess fis-suġġett

li jkun qiegħed jiġi dibattut.

(p) Biex jagħti l-kunsens tal-Kunsill fejn kunsens bħal dan ikun meħtieġ b'dawn l-Ordnijiet Permanenti.

(q) Biex jaġġorna l-laqgħa.

Mistoqsijiet.

13. (1) Membru jista' jsaqsi lis-Sindku u/jew lis-Segretarju kull mistoqsija li għandha x'taqsam max-xogħol tal-Kunsill, kemm-il darba tiġi mgħarrfa l-persuna li tkun indirizzata għaliha qabel tibda l-laqgħa.

(2) L-ebda mistoqsija li ma jkollhiex x'taqsam mas-suġġett tad-diskussjoni m'għandha ssir ħlief waqt il-parti tal-laqgħa li jkun hemm għal mistoqsijiet.

(3) Kull mistoqsija għandha ssir u tiġi mwieġba mingħajr diskussjoni.

L-ebda diskussjoni fuq Minuti ħlief fuq ir-reqqa tagħhom.

14. M'għandha ssir ebda diskussjoni fuq il-Minuti ħlief fuq ir-reqqa tagħhom. Korrezzjonijiet għall-Minuti għandhom isiru b'riżoluzzjoni u għandhom ikunu inizjalati mis-Sindku.

Regoli tad-Dibattitu.

15. (1) Riżoluzzjoni jew emenda m'għandhiex tkun diskussa sakemm ma tkunx ġiet proposta u sekondata, u, sakemm ma tkunx ingħatat notifika xierqa, għandha, jekk ikun meħtieġ miss Sindku, issir bil-kitba u tingħata lilu qabel ma tiġi diskussa jew imqiegħda quddiem il-laqgħa.

(2) Membru li jissekonda riżoluzzjoni jew emenda jista', jekk imbagħad jiddikjara l-intenzjoni tiegħu li jagħmel hekk, iżomm id-diskors tiegħu għal ħin ieħor tad-dibattitu.

(3) Membru għandu jagħmel l-intervent tiegħu għall-mistoqsija li tkun qed tiġi diskussa jew għal spjegazzjoni personali jew għal *question of order.*

(4) L-intervent ta' min jagħmel ir-riżoluzzjoni m'għandux idum iżjed minn għaxar minuti, u l-ebda intervent ieħor m'għandu jaqbeż ħames minuti, ħlief bil-kunsens tal-Kunsill.

(5) Emenda għandha tkun jew:-

(a) Biex kliem jitħalla barra.
(b) Biex kliem jitħalla barra u jidħlu jew jiżdiedu oħrajn.
(ċ) Biex jidħlu u jiżdiedu kliem.

(6) Emenda m'għandux ikollha l-effett li tinnega r-riżoluzzjoni quddiem il-Kunsill.

(7) Jekk tgħaddi l-emenda, ir-riżoluzzjoni, kif emendata, għandha tieħu post ir-riżoluzzjoni oriġinali u għandha ssir ir-riżoluzzjoni li ruqha jistgħu jsiru emendi oħra.

(8) M'għandhix issir emenda oħra sakemm il-kunsill ikun ħeles minn kull emenda li tkun saret qabel.

(9) Membru, ħlief min ikun għamel ir-riżoluzzjoni, m'għandux, mingħajr permess tal-Kunsill, jitkellem iżjed minn darba fuq xi riżoluzzjoni ħlief biex jagħmel emenda jew biex ikompli jemenda, jew fuq emenda, jew fuq *point of order*, jew fi spjegazzjoni personali, jew biex jagħmel għeluq.

(10) Membru għandu jinstema' minnufih meta jintervjeni biex jagħmel *point of order* jew spjegazzjoni personali. Spjegazzjoni persunali għandha ssir biss fuq xi parti minn intervent li jkun għamel hu u li seta' ma ġiex miftiehem.

(11) Mozzjoni jew emenda tista' tiġi interrotta minn min jagħmilha bil-kunsens tal-Kunsill, u għandha tiġi mgħoddija mingħajr diskussjoni, u l-ebda membru ma jista' jitkellem fuqha wara li jkun intalab permess biex tiġi irtirata sakemm permess bħal dan ma ġiex miċħud.

(12) Meta riżoluzzjoni tkun is-suġġett ta' dibattitu l-ebda riżoluzzjoni oħra m'għandha ssir ħlief dawn li ġejjin:-

(a) Biex tiġi emendata riżoluzzjoni.

(b) Biex jipproċedu għax-xogħol li jmiss.

(ċ) Biex taġġorna d-dibattitu.

(d) Illi l-mistoqsija ssir issa.

(e) Illi membru li jissemma ma jinstemax iżjed.

(f) Illi membru li jissemma jitlaq mil-laqgħa.

(ġ) Illi r-riżoluzzjoni tkun riferita lil Kumitat.

(ħ) Biex taġġorna l-laqgħa.

Membru għandu jibqa' bil-qiegħda.

16. Membru għandu jibqa' bil-qiegħda meta jkun qed jitkellem sakemm ma jingħatax permess mis-Sindku li jqum bil-wieqfa.

***Rulings* mogħtija mis-Sindku.**

17. (1) Ir-*Rulings* tas-Sindku fuq *point of order* jew fuq l-

ammissibilità ta' spjegazzjoni personali għandha tkun diskussa.

(2) Membri għandhom jindirizzaw lis-Sindku.

(3) Jekk ikun hemm żewġ membri jew iżjed li jixtiequ jintervjenu, is-Sindku għandu jgħid lil wieħed minnhom biex jitkellem l-ewwel.

(4) Kull meta s-Sindku jew Membru jkun qed jitkellem waqt id-dibattitu l-membri l-oħra kollha għandhom joqogħdu bil-qiegħda fis-skiet.

Meta s-Sindku jressaq ċertu mozzjonijiet.

18. Fit-tmiem ta' kull intervent membru jista', mingħajr ma jikkummenta, iressaq "illi l-mistoqsija għandha ssir issa," "illi d-dibattitu għandu jagħtorna issa" jew "illi l-Kunsill għandu jagħtorna issa". Jekk mozzjoni bħal din tkun sekondata, is-Sindku għandu jressaq il-mozzjoni iżda, fil-każ ta' mozzjoni "biex issir il-mistoqsija," għandu jagħmel hekk biss jekk ikun ta' l-opinjoni illi l-mistoqsija quddiem il-Kunsill tkun ġiet diskussa biżżejjed. Jekk il-mozzjoni "illi l-mistoqsija issir issa" tgħaddi, huwa għandu jgħid lil min ikun ressaqha biex jeżerċita jew jirrenunzja d-dritt tiegħu li jwieġeb u għandu jagħmel il-mistoqsija immedjatament wara li dak id-dritt ikun ġie eżerċitat jew rrinunzjat. L-aġġornament ta' dibattitu jew tal-Kunsill m'għandux jippreġudika d-dritt ta' dak li jressaq il-mozzjoni, li jirrispondi meta jerġa' jibda d-dibattitu jew il-Kunsill.

Aġġornament u proċeduri sussegwenti.

19. Fejn laqgħa tiġi aġġornata l-proċeduri sussegwenti għandhom jitqiesu li jagħmlu parti mill-laqgħa oriġinali u l-ebda notifikazzjoni jew aġenda ġdida ma tkun meħtieġa ħlief notifikazzjoni lil membri li ma kienux preżenti fid-data ta' meta tkompliet il-laqgħa.

Imġieba ħażina.

20. (1) L-ebda membru waqt laqgħa ma jista' jinjora l-ordnijiet tas-Sindku, itellef ix-xogħol apposta, jew iġib ruħu b'mod irregolari, offensiv jew mhux kif suppost jew b'tali mod li jiskandalizza l-kunsill jew iġib fuqu stmerrija jew jwaqqgħu għar-ridikolu.

(2) Jekk, fl-opinjoni tas-Sindku, membru jkun kiser id-dispożizzjonijiet ta' paragrafu (1) ta' dawn l-Ordnijiet Permanenti, is-Sindku għandu jesprimi dik l-opinjoni lill-Kunsill u wara, kull membru jista' jressaq illi l-membru ma jinstemax iżjed jew illi l-membru msemmi jitlaq mil-laqgħa, u l-mozzjoni, jekk tiġi sekondata, għandha tgħaddi mill-ewwel u mingħajr diskussjoni.

(3) Jekk xi waħda mill-mozzjonijiet imsemmija f'paragrafu (2) ma jiġux obduti, is-Sindku jista' jissospendi l-laqgħa jew jieħu miżuri oħra kif ikun meħtieġ biex jinfurzahom.

Dritt għar-Risposta.

21. Dak li jressaq riżoluzzjoni għandu jkollu dritt li jwieġeb immedjatament qabel ir-riżoluzzjoni titressaq għall-voti. Jekk tiġi proposta emenda dak li jressaq emenda għandu jkun intitolat li jwieġeb immedjatament qabel l-emenda titressaq għall-vot. Membru li jeżerċita dritt għar-risposta m'għandux jintroduċi materjal ġdid. Wara li d-dritt għar-risposta jkun eżerċitat jew rinunzjat, jittieħed vot mingħajr aktar diskussjoni.

Alterazzjoni ta' riżoluzzjoni.

22. Membru jista', bil-kunsens ta' dak li jissekondah, iressaq emendi għar-riżoluzzjoni tiegħu stess.

Thassir ta' riżoluzzjoni ta' qabel.

23. (1) Deċiżjoni (sew fl-affermattiv jew negattiv) tal-Kunsill m'għandhiex titħassar sa sitt xhur ħlief jew b'riżoluzzjoni speċjali, liema notifikazzjoni tagħha tkun miktuba u ġġib l-ismijiet ta' l-anqas żewġ membri tal-Kunsill, jew b'riżoluzzjoni mressqa skond ir-rapport jew rakkomandazzjoni ta' Kumitat.

(2) Meta riżoluzzjoni speċjali jew xi riżoluzzjoni oħra mressqa skond id-dispożizzjonijiet tal-paragrafu (1) ta' din l-Ordni Permanenti tgħaddi, l-ebda riżoluzzjoni simili ma tista' titressaq fi żmien sitt xhur oħra.

Riżoluzzjoni fuq l-infieq.

24. Kull riżoluzzjoni li titressaq b'xi mod ieħor minn dik tar-rakkomandazzjoni tal-Kumitat responsabbli mill-finanzi jew ta' Kumitat ieħor wara rakkomandazzjoni mill-Kumitat risponsabbli mill-finanzi u li, jekk tgħaddi, fl-opinjoni tas-Sindku żżid sostanzjalment l-infiq fuq kull servizz li jkun taħt it-tmexxija jew inaqqas id-dħul għad-dispożizzjoni ta' xi Kumitat, jew li tinvolvi infiq kapitali, għandha, meta titressaq u tkun sekondata, tiġi aġġornata mingħajr diskussjoni għal-laqgħa ordinarja tal-Kunsill li jmiss, u kull Kumitat li jiġi affettwat minnha għandu jikkonsidra jekk jixtieqx jirrapporta fuqha (u l-Kumitat responsabbli mill-finanzi għandu jirrapporta fuq l-aspett finanzjarju ta' dak ix-xogħol).

Għeluq ta' dokumenti.

25. (1) Dokument m'għandux jingħalaq għan-nom tal-Kunsill sakemm l-għeluq tiegħu jkun ġie awtorizzat minn riżoluzzjoni.

(2) Is-Siġill tal-Kunsill għandu jintuża biss biex jingħalqu dokumenti. Is-siġill għandu jsir mis-Segretarju fil-preżenza ta' żewġ kunsillieri li għandhom jiffirmaw id-dokument bħala xhieda.

Kumitati.

26. (1) Il-Kunsill jista' fl-ewwel laqgħa tiegħu, jew f'xi żmien ieħor jaħtar kumitati bħal dawk kif ikun meħtieġ, u soġġetti għad-dispożizzjonijiet ta' kull liġi u regolament:-

(a) jista' jaħtar persuni li ma jkunux membri tal-Kunsill fuq kull Kumitat; u

(b) jista', soġġett għad-dispożizzjonijiet ta' l-Ordni Permanenti 23, f'kull ħin ixolji jew ibiddel il-membri tal-Kumitat.

(2) Is-Sindku jkun membru *ex-officio* ta' kull Kumitat.

Sejħa għal Kumitat.

27. Iċ-*Chairman* ta' Kumitat jista' jsejjaħ laqgħa ta' dak il-Kumitat f'kull ħin. Tista' tissejjaħ laqgħa addizzjonali b'talba bil-miktub tas-Sindku jew mhux inqas minn kwart tal-membri tal-Kumitat. Is-sejħa għal-laqgħa għandha turi x-xogħol li jkun se jiġi kunsidrat fil-laqgħa speċjali u l-ebda xogħol ieħor ma għandu jiġi trattat f'dik il-laqgħa.

Quorum tal-Kumitati.

28. Minbarra fejn ordnat mill-Kunsill fil-każ ta' Kumitat, il-*quorum* ta' Kumitat għandu ta' l-anqas ikun membru sħiħ 'il fuq minn ħamsin fil-mija ta' l-għadd ta' membri tal-kumitat li ma jkunx eskluż minħabba interess dikjarat.

Sotto-Kumitati.

29. (1) Għandu jkun hemm sotto-kumitati, li isimhom, u l-għadd ta' membri, u l-korpi li jiġu mistiedna biex jinnominaw il-membri, jiġu determinati mill-Kunsill.

(2) Is-Segretarju għandu jgħarraf lill-membri b'kull sotto-kumitat skond it-termini ta' riferenza tas-sotto-kumitat.

(3) Sotto-kumitat jista' jagħmel rakkomandazzjonijiet u jgħarrfu bihom lill-Kunsill.

(4) Sotto-kumitat jista' jikkonsisti kollu kemm hu minn persuni li ma jkunux membri tal-Kunsill.

Votazzjoni f'Kumitati u Sotto-Kumitati.

30. (1) Membri ta' Kumitati u Sotto-Kumitati jkunu intitolati li jivvutaw b'turija ta' l-idejn.

(2) *Chairman* ta' Kumitati u Sotto-Kumitati għandu jkollhom vot ieħor jew *casting vote* fil-każ ta' voti indaqs.

Preżenza ta' Kunsillieri f'laqgħat ta' Kumitati u Sotto-Kumitati.

31. Kunsillier jista' jispjega riżoluzzjoni li jkun ressaq hu u li tkun ġiet riferita lil xi kumitat jew sotto-kumitat li tiegħu hu ma jkunx membru, iżda ma għandux jivvota.

Accounts u Rendikont Finanzjarju.

32. (1) Ordnijiet għal ħlas ta' flus jiġu awtorizzati b'riżoluzzjoni ta' Kunsill u ffirmata minn żewġ Kunsillieri.

(2) Minbarra kif hemm provdut fil-paragrafu (3) ta' dan l-Ordni Permanenti jew b'xi liġi jew regolament ieħor, l-*accounts* kollha ta' ħlas u drittijiet mingħand il-Kunsill għandhom jitqiegħdu quddiem il-Kunsill.

(3) Fejn ikun meħtieġ li l-ħlas isir qabel ma jiġi awtorizzat mill-Kunsill, ħlas bħal dan għandu jiġi ċertifikat mis-Segretarju biex juri kemm ikun korrett u urġenti. Dan il-ħlas għandu jiġi awtorizzat minn kumitat jew sotto-kumitat, jekk ikun hemm, li jkun inkarigat mix-xogħol li jkun relatat miegħu, jew mis-Segretarju bl-approvazzjoni tas-Sindku.

(4) Il-ħlasijiet kollha ratifikati taħt il-paragrafu (3) ta' dan l-Ordni Permanenti għandhom jiġu inklużi separatament fl-iskeda ta' ħlasijiet li jkun imiss li titqiegħed quddiem il-Kunsill.

33. (1) *Canvassing* ta' membri tal-Kunsill jew ta' xi Kumitat, direttament jew indirettament, għal xi nomina taħt il-Kunsill, għandu jiskwalifika lill-kandidat minn din in-nomina. Is-Segretarju għandu jagħti t-tifsira ta' dan il-paragrafu ta' dan l-Ordni Permanenti kull kandidat. *Canvassing* ta' u rakkomandazzjonijiet mill-Membri.

(2) Membru tal-Kunsill jew ta' xi Kumitat m'għandux jissollečita għal ħadd xi nomina taħt il-Kunsill, lanqas jirrakkomanda xi persuna għal nomina jew promozzjoni bħal din; iżda, b'dana kollu, tali membru jista' jibgħat lill-Kunsill, permezz ta' applikazzjoni għal nomina, xhieda bil-miktub tal-kapaċità, esperjenza jew karattru ta' kandidat.

34. (1) Kunsillier jista', għal skop ta' dmir tiegħu bħala tali (iżda mhux mod ieħor) jispezzjona xi dokument li jkollu l-Kunsill jew kumitat, u jekk ikun hemm kopji, dawn għandhom jingħataw lilu fuq talba, għall-istess raġuni. Spezzjoni ta' dokumenti.

(2) Il-Minuti kollha miżmuma mill-Kunsill u minn xi kumitat għandhom ikunu miftuħa għall-ispezzjoni minn kull membru tal-Kunsill u tal-pubbliku.

35. L-ebda membru tal-Kunsill jew ta' xi Kumitat jew sotto-kumitat m'għandu, f'isem jew għan-nom tal-Kunsill: Attivitajiet awtorizzati.

(a) jispezzjona artijiet jew postijiet li l-Kunsill għandu dritt jew dmir li jispezzjona; jew

(b) joħroġ ordnijiet, struzzjonijiet jew direzzjonijiet;

kemm-il darba ma jkunx awtorizzat li jagħmel hekk mill-Kunsill jew kumitat jew sotto-kumitat rilevanti.

36. (1) *Bye-laws* joħorġu sew bil-Malti kif ukoll bl-Ingliż u, jekk fil-*bye-law s* ikun hemm xi konflitt bejn it-test Malti u dak Ingliż, jirbaħ it-test Malti. *Bye-Laws.*

(2) Abbozzi ta' *bye-laws* għandhom jinkludu t-titolu, għanijiet u raġunijiet, noti qosra marġinali, artikoli, sotto-artikoli,

paragrafi u sotto-paragrafi numerati waħda waħda.

(3) Abbozzi ta' *bye-laws*, iffirmati kif suppost minn proponent u sekondant, għandhom jitqiegħdu fuq l-aġenda ta' Kunsill mhux anqas minn erba' ġimgħat u mhux qabel tmien ġimgħat mid-data li fiha jkun irċevihom is-Segretarju.

(4) Is-Segretarju għandu, meta jirċievi abbozz tal-*bye-laws*, jordna li tingħata jew tintbagħat kopja tiegħu lil kull kunsillier biżżewġ lingwi. Jekk il-Ministru jgħaddi lill-Kunsill xi emendi għal *bye-laws* proposti, dawn l-emendi għandhom bl-istess mod jingħataw jew jintbagħtu minnufih lil kull Kunsillier mis-Segretarju:

Kemm-il darba l-abbozz tal-*bye-laws* jew emendi għalih jingħata jew jintbagħat lil kull Kunsillier f'forma t*ype-written* jew stampata.

(5) Meta abbozzi ta' *bye-laws* jitressqu biex jiġu diskussi mill-Kunsill, il-proponent għandu jiġbor fil-qosor l-għanijiet u raġunijiet għall-mozzjoni b'intervent li m'għandux jaqbeż il-ħames minuti. M'għandha ssir l-ebda diskussjoni fuq il-mozzjoni u ċ-*Chairman* tal-laqgħa għandu jressaq għal vot l-għanijiet u raġunijiet ta' l-abbozz tal-*bye-laws*.

(6) La darba l-għanijiet u r-raġunijiet ikunu ġew approvati, il-Kunsill jista', fl-istess seduta, jipproċedi biex jiddiskuti l-abbozz tal-*bye-laws* artikolu b'artikolu, u jħalli li l-abbozz tal-*bye-laws* u xi emendi għalih li jiġu approvati b'maġġoranza ta' dawk preżenti:

Sakemm l-emendi għall-abbożż tal-*bye-laws* ikunu rilevanti għas-suġġett tal-*bye-laws* .

(7) Meta l-Kunsill japprova l-artikoli kollha, is-Sindku jista' jordna li, fil-każ fejn ikunu saru l-emendi, issir verżjoni ttajpjata mill-ġdid u kopja tagħha tingħata jew tintbagħat lil kull Kunsillier.

(8) Fil-laqgħa ta' wara tal-Kunsill, il-membri preżenti għandhom, mingħajr diskussjoni, japprovaw jew jiddisapprovaw il-*bye-laws* .

(9) L-abbozzi tal-*bye-laws* li ma jkunux approvati mill-Kunsill jew inkella li ssir oġġezzjoni għalihom mill-Ministru ma jerġgħux jitqiegħdu fuq il-mejda qabel perijodu ta' sitt xhur mid-data ta' meta jkunu oġġezzjonaw għalihom jew inkella ma jkunux ġew approvati, skond il-każ x'ikun.

Konsultazzjonijiet.

37. (1) Jekk il-Kunsill jiġi konsultat mill-Awtorità ta' l-Ippjanar

jew minn xi awtorità oħra kompetenti dwar xi applikazzjoni jew applikazzjonijiet għall-ippjanar jew għal xi permess ieħor, is-Segretarju għandu, hekk kif jirċievi t-talba, iniżżel fil-ktieb miżmum għal ta' l-apposta, id-dettalji li ġejjin ta' kull konsultazzjoni:-

(a) id-data li fiha tkun waslet it-talba;

(b) l-isem ta' l-awtorità li tkun qed tikkonsulta l-Kunsill;

(ċ) l-isem ta' l-applikant;

(d) il-post li miegħu tkun relatat; u

(e) ġabra fil-qosor dwar xhiex tittratta l-applikazzjoni.

(2) Is-Segretarju għandu jirreferi kull talba ta' konsultazzjoni lis-Sindku fi żmien tmienja u erbgħin siegħa minn meta jirċeviha.

(3) Is-Sindku jista' jew jimxi skond il-poteri mogħtija mill-Kunsill jew jirreferi t-talba lill-Kunsill jew kumitat tal-Kunsill li qabel kellu s-setgħa mill-Kunsill biex jittratta ma' talbiet bħal dawn.

38. Il-Kunsill għandu jsegwi proċeduri ta' offerti li l-Ministru jista' jippreskrivi b'regolamenti minn żmien għal żmien. Proċeduri ta' offerti.

39. Il-Kunsill għandu jittratta ma' l-ilmenti ta' amministrazzjoni ħażina li allegatament tkun saret mill-Kunsill jew minn xi uffiċjal jew membru ieħor b'dak il-mod li Ministru jista' jordna b'regolamenti. Kodiċi ta' mġieba fuq ilmenti.

40. Tingħata kopja ta' dawn l-Ordnijiet Permanenti lil kull membru mis-Segretarju meta dan jirċievi dikjarazzjoni tal-membru li jkun aċċetta l-kariga. L-Ordnijiet Permanenti li jingħataw lill-membri.

IS-SEBA' SKEDA

(Artikolu 4, 25)

Elezzjoni ta' Sindku u Deputat Sindku

Parti I
Proċedura tal-Votazzjoni

1. Fil-laqgħa li fiha s-Sindku u/jew id-Deputat Sindku għandu/ għandhom jiġi/jiġu elett/eletti, il-Kunsillieri għandhom isegwu mal-ewwel il-Proċedura ta' l-elezzjoni skond li *Standing Orders.*

2. Il-Kunsillieri għandhom jaħtru s-Sindku u, fejn applikabbli, id-Deputat Sindku b'elezzjoni sigrieta separata.

3. Ma għandhomx isiru nominazzjonijiet u l-Kunsillier għandu jivvota bil-kitba, fuq il-karta tal-vot, l-isem tal-Kunsillier li hu l-għażla tiegħu jew tagħha għal Sindku jew Deputat Sindku.

4. Fil-każ li wara t-tielet votazzjoni l-ebda Kunsillier ma jġib maġġoranza ta' voti mitfugħa, għandhom isiru votazzjonijiet bejn il-kunsillieri li vvotaw għalihom fit-tielet votazzjoni, sakemm wieħed minnhom iġib il-maġġoranza tal-voti mitfugħa.

Sakemm, fejn hemm aktar minn żewġ kandidati, tiġi eliminata dik il-persuna li ġġib l-inqas numru ta' voti f'elezzjoni waħda wara l-oħra.

5. Is-Segretarju għandu jġiegħel l-isem tas-Sindku elett u, fejn applikabbli, tad-Deputat Sindku, li jiġi pubblikat fil-Gazzetta tal-Gvern flimkien mad-data ta' l-elezzjoni.

6. Il-karti tal-votazzjoni għandhom jibqgħu siġillati u miżmuma fl-arkivju fil-bini tal-Kunsill mis-Segretarju bis-siġill tiegħu.

Parti II
Formola tal-Karta tal-Vot

KARTA TAL-VOT
GĦALL-ELEZZJONI
TA' SINDKU

Ikteb l-isem tal-Kunsillier li huwa l-għażla tiegħek għal Sindku.

Timbru Uffiċjali
Data
Firma tas-Segretarju

KARTA TAL-VOT
GĦALL-ELEZZJONI
TA' DEPUTAT SINDKU

Ikteb l-isem tal-Kunsillier li huwa l-għażla tiegħek għal Deputat Sindku.

Timbru Uffiċjali
Data
Firma tas-Segretarju

IT-TMIEN SKEDA

(Artikolu 63)

Organizzazzjonijiet Approvati mhux Governattivi

1. Angel Fish Swimming Club
2. Angela House - Guardamangia
3. Association for the Transport of the Maltese Sick and Poor to Lourdes
4. Association of Speech Therapists
5. Association for Spina Bifida and Hydrocephalus
6. Caritas National Council
7. Central Office of the Diocesan Commission for Children's Homes
8. Cini Institute - St Venera
9. Dar il-Wens
10. Dar tal-Providenza - Siġġiewi
11. Diabetes Association (Malta)
12. Din l-Art Ħelwa
13. Dyslexia Association
14. Fatima Working Girls' House - Sliema
15. Federation of Societies for the Handicapped
16. Fra Diegu - Ħamrun
17. Friends of Attard Hospital Society
18. Għaqda Franġiskana għall-Għomja
19. Għaqda Ġenituri Tfal Ħandikappati
20. Għaqda għat-Tfal u Żgħażagħ Neqsin mis-Smiegħ
21. Għaqda Ħandikappati Għawdxin
22. Għaqda Ħbieb ta' l-Isptar Monte Carmeli
23. Għaqda Ħidma Filantropika
24. Għaqda tal-Hemofilja
25. Għaqda ta' Schizophrenia
26. Għaqda Żagħazagħ Ħandikappati
27. Girl Guides Association
28. Good Shepherd Institute - Balzan
29. Gozo Association for the Deaf
30. Ħbieb taċ-Ċentru Ħidma Soċjali
31. Hospice Movement
32. Jesus of Nazareth - Żejtun
33. Kummissjoni Ħidma għall-Morda u Ħadikappati
34. Lourdes Home - Għawdex
35. Malta Anti-Cancer Society
36. Malta Catholic Action
37. Malta Community Chest Fund
38. Missionaries of Charity of Mother Theresa
39. M.M.D.N.A.
40. Muscular Dystrophy Group
41. Oratorju Maria Immakulata - Mosta
42. Ospizio San Giuseppe - Żebbuġ

43. Physically Handicapped and Deaf Sub Aqua Club
44. Physically Handicapped Rehabilitation Fund
45. Playing Fields Association
46. Salesian Boys Brigade
47. Societas Doctrinae Christianae (M.U.S.E.U.M.) Female Section
48. Societas Doctrinae Christianae (M.U.S.E.U.M.) Men's Section
49. Society for the Blind
50. St Francis De Paul Institute - Birkirkara
51. St John's Ambulance
52. St Joseph Home - St Venera
53. St Joseph Home - Żabbar
54. St Joseph Home - Żejtun
55. St Joseph Institute - Cospicua
56. St Joseph Institute - Għawdex
57. St Paul's Home - Ħamrun
58. St Therese Children's Home - Żurrieq
59. The Foundation for Respite Care Services
60. The Holy Family Home - Naxxar
61. The Meat Fund
62. The Scouts Association
63. The St Jeanne Antide Welfare Campaign
64. Ursoline Creche - Sliema
65. Ursoline Creche - Tarxien
66. Ursoline Creche - Valletta
67. Żgħażagħ Ħaddiema Nsara

ID-DISA' SKEDA

(Artikolu 6)

Lista ta' Pajjiżi Membri tal-Kunsill ta' l-Ewropa li ċ-ċittadini tagħhom huma intitolati li jivvutaw fl-Elezzjonijiet tal-Kunsilli Lokali.

Il-Renju Unit tal-Gran Britannja u l-Irlanda ta' Fuq.

L-GĦAXAR SKEDA

(Artikolu 55)

Allokazzjoni Finanzjarja tal-Kunsilli

Flejjes approprjati għall-Kunsilli Lokali skond l-Artikolu 55 għandhom jiġu allokati lil kull Kunsill kif ġej:

Fejn S_n hija l-allokazzjoni li tirċievi l-lokalità (n)

$$S_n = \{0.75 \times S_t \times P_n/P_t\} + \{0.25 \times S_t \times A_n/A_t\}$$

u fejn:

S_t hija l-approprjazzjoni totali li ssir mill-Ministru responsabbli għal finanzi skond l-Artikolu 55;

P_n hija l-popolazzjoni tal-lokalità (n); iżda, għall-iskopijiet ta' din il-*formula*, kull lokalità għandha titqies li għandha popolazzjoni ta' mill-anqas 1,000;

P_t hija l-popolazzjoni tal-lokalitajiet kollha magħduda flimkien; iżda, għall-iskopijiet ta' din il-*formula*, kull lokalità għandha titqies li għandha popolazzjoni ta' mill-anqas 1,000;

A_n hija s-*surface area* taħt ir-responsabbiltà tal-lokalità (n); iżda, għall-iskopijiet ta' din il-*formula*, jiġu esklużi t-territorji nazzjonali markati fuq il-mapep fit-Tieni Skeda ta' dan l-Att;

A_t hija s-*surface area* taħt ir-responsabbiltà tal-lokalitajiet kollha magħduda flimkien; iżda għall-iskopijiet ta' din il-*formula*, jiġu esklużi it-territorji nazzjonali markati fuq il-mapep fit-Tieni Skeda ta' dan l-Att.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 149 ta' l-14 ta' Ġunju, 1993.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

L-GĦAXAR SKEDA

(Artikolu 55)

Allokazzjoni Finanzjarja tal-Kunsilli

Flejjes approprjati għall-Kunsilli Lokali skond l-Artikolu 55 għandhom jiġu allokati lil kull Kunsill kif ġej:

Fejn S_n hija l-allokazzjoni li tirċievi l-lokalità (n)

$$S_n = \{0.75 \times S_t \times P_n/P_t\} + \{0.25 \times S_t \times A_n/A_t\}$$

u fejn:

S_t hija l-approprjazzjoni totali li ssir mill-Ministru responsabbli għal finanzi skond l-Artikolu 55;

P_n hija l-popolazzjoni tal-lokalità (n); iżda, għall-iskopijiet ta' din il-*formula*, kull lokalità għandha titqies li għandha popolazzjoni ta' mill-anqas 1,000;

P_t hija l-popolazzjoni tal-lokalitajiet kollha magħduda flimkien; iżda, għall-iskopijiet ta' din il-*formula*, kull lokalità għandha titqies li għandha popolazzjoni ta' mill-anqas 1,000;

A_n hija s-*surface area* taħt ir-responsabbiltà tal-lokalità (n); iżda, għall-iskopijiet ta' din il-*formula*, jiġu esklużi t-territorji nazzjonali markati fuq il-mapep fit-Tieni Skeda ta' dan l-Att;

A_t hija s-*surface area* taħt ir-responsabbiltà tal-lokalitajiet kollha magħduda flimkien; iżda għall-iskopijiet ta' din il-*formula*, jiġu esklużi it-territorji nazzjonali markati fuq il-mapep fit-Tieni Skeda ta' dan l-Att.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 149 ta' l-14 ta' Ġunju, 1993.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

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I assent.

JIMMY FARRUGIA
Acting President
30th June, 1993

(L.S.)

ACT No. XV of 1993

AN ACT to make provision for the setting up of Local Councils.

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:-

PART I
Title, Commencement and Interpretation.

1. (1) This Act may be cited as the Local Councils Act, 1993. **Short Title and Commencement.**

(2) The provisions of this Act shall come into force on such date or dates as the Minister may by notice in the Gazette appoint and different dates may be so appointed for the different provisions thereof.

2. In this Act, unless the context otherwise requires: **Interpretation.**

"advertisement" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction, including any boarding or similar structure used or adapted for use for the display of advertisements;

"Commissioner for Justice" means any person appointed to such office according to section 3 of the "Commissioners for Justice Act"; **Cap 291.**

"Council" means a Local Council established under this Act;

"Councillor" means a member elected to a Council under the provisions of this Act;

"Director of Audit" means the Director of Audit appointed in terms of section 108 of the Constitution;

"Electoral Commission" means the Electoral Commission established by section 60 of the Constitution;

Act XXI of 1991.

"Electoral Register" means the Electoral Register published in accordance with the provisions of the General Elections Act of 1991;

"financial year" means the period of twelve months ending on the thirty-first day of March in any year;

"locality" means an area within set boundaries as designated in the Second Schedule to this Act;

"Local Councils' Electoral Register", means the Register to be compiled by the Electoral Commission in accordance with section 5 of this Act;

"Malta" has the same meaning assigned to it by section 124 of the Constitution;

"Mayor" means the Mayor of a Council elected in accordance with section 25 of this Act;

"Minister" means the Minister responsible for Local Government;

Cap 258.

"population of a locality" means the total number of persons with Identity Cards issued in terms of the Identity Card Act showing them as resident in the locality together with the total number of children under the age prescribed in terms of subsection (1) of section 3 of the Identity Card Act for whom children's allowances are paid within the locality;

"public body" includes a Corporation set up by an Act of Parliament, any Agency that may be set up by the Government and any limited liability company in which the Government of Malta has a controlling interest;

"public officer" shall have the same meaning assigned to it by section 124 of the Constitution;

"public service" shall have the same meaning assigned to it by section 124 of the Constitution;

"secretary" means the person occupying the post of secretary of the Council in accordance with this Act;

"street" includes any road, alley, square, bridge, shore front, quay, or other place of public passage or access;

Act I of 1992.

"structure plan" has the meaning assigned to it by sections 18 and 22 of the Development Planning Act, 1992.

PART II
Constitution of Councils

Establishment of Local Councils.

3. (1) Every locality shall have a Council which shall have all such functions as are granted to it by this Act.

(2) The Council shall be a statutory local government authority having a distinct legal personality and capable of entering into contracts, of suing and being sued, and of doing all such things and entering into such transactions as are incidental or conducive to the exercise and performance of its functions as are allowed under this Act:

Provided that the Council shall not have the power to:

(a) borrow or lend any monies except with the authority in writing of the Minister with the concurrence of the Minister responsible for finance;

(b) enter into any form of commercial partnership in furtherance of its functions or otherwise;

(c) delegate any of its functions in a manner other than that established by or under this Act.

(3) Changes in the boundaries of localities shall be made only in exceptional circumstances and only by the Electoral Commission, after consultation with the Minister, the Local Councils concerned and, wherever possible, with the local residents. The Electoral Commission shall effect such changes through a legal notice in the Gazette.

Constitution of the Council.

4. (1) The number of Councillors for each locality shall be determined by the following criteria:

(a) in the case where the population of a locality is under five thousand, the number of Councillors shall be five;

(b) in the case where the population of a locality is five thousand and over but less than ten thousand, the number of Councillors shall be seven;

(c) in the case where the population of a locality is ten thousand and over but less than fifteen thousand, the number of Councillors shall be nine;

(d) in the case where the population of a locality is fifteen thousand and over but less than twenty thousand, the number of Councillors shall be eleven; and

(e) in the case where the population of a locality is twenty thousand or more, the number of Councillors shall be thirteen.

(2) For the purposes of subsection (1) of this section, the popu-

lation of a locality shall be as defined in section 2 of this Act and as published prior to the election of a Local Council.

(3) The Council shall be presided by a Mayor to be elected from amongst the Councillors in accordance with the Seventh Schedule to this Act.

(4) In localities electing seven or more members, a Deputy Mayor shall also be elected in accordance with the Seventh Schedule to this Act. The Deputy Mayor shall preside in the absence of the Mayor.

(5) For the purposes of subsection (1) of this section both the Mayor and the Deputy Mayor shall be deemed to be Councillors.

Compilation and publication of Local Councils' Electoral Register.

5. (1) The Electoral Commission shall compile a Local Councils' Electoral Register which shall include all persons who are entitled to be registered as voters for elections of Local Councils in terms of this Act.

(2) The Electoral Commission shall include in the Local Councils' Electoral Register all persons so entitled, independently of whether or not any application to be so registered has been made.

(3) The Electoral Commission shall cause the Local Councils' Electoral Register to be published in the Gazette once a year in the month of November in such form as shall be provided by the Third Schedule to this Act and such Local Councils' Electoral Register shall contain all persons entitled to vote on the last day of October of that year:

Provided that the Commission shall in addition publish the Local Councils' Electoral Register through electronic means:

Provided further that the first Local Councils' Electoral Register shall be published not later than 31 August 1993 and such Register shall contain all persons entitled to vote on 31 July 1993.

Persons entitled to be registered as voters.

6. (1) Every citizen of Malta whose name appears in the last published Electoral Register and who has not been convicted of any offence connected with the election of members of Local Councils shall be registered as a voter in the Local Councils' Electoral Register.

(2) Persons who are not citizens of Malta shall be entitled to be registered as voters in the Local Councils' Electoral Register provided that:-

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(a) they are required under the Identity Card Act to be in possession of an identity card and have, in fact, been issued with one;

(b) they are citizens of a country which is a member of the Council of Europe and which is listed in the Ninth Schedule to this Act;

(c) they fulfil the requirements of paragraphs (b) and (c) of section 57 of the Constitution; and

(d) they are not disqualified for the reasons set out in section 58 of the Constitution nor have they been convicted of any offence connected with the election of members of Local Councils.

Persons entitled to vote in a particular locality.

7. The persons entitled to vote at an election of Local Councils shall be the persons who are registered as voters in that part of the Local Councils' Electoral Register which relates to the locality for which local councillors are to be elected.

Election of Councillors.

8. (1) The elections of Councillors shall be held every three years by means of the system of proportional representation using the single transferable vote.

(2) The conduct of the elections shall be the sole responsibility of the Electoral Commission which shall conduct such election and count the votes cast in accordance with the provisions of the Third Schedule to this Act.

(3) If no candidates are nominated to contest the election of a Local Council in accordance with the Third Schedule to this Act, the Minister shall appoint a Committee of Management which shall perform all such duties as are competent on the Council until a new Council is elected:

Provided that the Electoral Commission shall, at a date determined by the Minister, but in any case within twelve months of the date on which the election was due to be held, hold an election for a new Council:

Provided further that any new Council shall serve for such term of office as would have been served by any Councillor who would have been elected in the election for which no candidates had been nominated.

(4) Whenever, in accordance with the Third Schedule to this Act, a co-option has to be effected, such co-option shall be made by the elected Councillors at their first sitting and, if applicable, immediately after having elected the Mayor and Deputy Mayor.

(5) If elections for Councillors are due to be held within three months before the holding of General Elections or Referenda, the election of Councillors may be postponed to a date determined by the Minister, but in any case not later than three months following the holding of such General Elections or Referenda:

Provided that, in the event that the elections are so postponed, the term of office of the Councillors in office at the time of such postponement shall be extended by the same period by which the elections are postponed and that of the Councillors subsequently elected shall be reduced by the same period by which the term of office of the previous Councillors has been extended.

(6) Elections shall be held on the second Saturday of March:

Provided that:

(a) The first election for every sixth Council listed in the Second Schedule, starting with Valletta, shall be held on the twentieth day of November of 1993;

(b) the first election for every sixth Council listed in the Second Schedule, starting with Mdina, shall be held on the twenty-second day of January of 1994;

(c) the first election for every sixth Council listed in the Second Schedule, starting with Birgu, shall be held on the nineteenth day of February of 1994;

(d) the first election for every sixth Council listed in the Second Schedule, starting with Isla, shall be held on the nineteenth day of March of 1994;

(e) the first election for every sixth Council listed in the Second Schedule, starting with Bormla, shall be held on the sixteenth day of April of 1994;

(f) the first election for every sixth Council listed in the Second Schedule, starting with Qormi, shall be held on the fourteenth day of May of 1994;

Provided further that the Minister may by order in the Gazette stipulate that an election may be delayed or brought forward by two weeks from the date stipulated above;

Provided further that the second election of:

(a) every third Council listed in the Second Schedule, starting with Valletta, shall be held on the second Saturday in March of 1996;

(b) every third Council listed in the Second Schedule, starting with Mdina, shall be held on the second Saturday in March of 1997;

(c) every third Council listed in the Second Schedule, starting with Birgu, shall be held on the second Saturday in March of 1998.

Casual Vacancies.

9. Whenever a casual vacancy occurs in the membership of a Local Council, written notification of such vacancy shall be sent to the Minister and to the Chief Electoral Commissioner by the Secretary within six days after the vacancy has occurred, and a casual election to fill the vacancy shall be held in accordance with the provisions of the Third Schedule to this Act on a day to be fixed by the Electoral Commission being not more than thirty days after the date on which such vacancy has occurred:

Provided that if a casual vacancy occurs as aforesaid within three months before the expiration of the term of office of the Council, no casual election shall be held and the Council shall be deemed to be fully constituted

for the purposes of this Act;

Provided further that no further election shall be held if the term of office of the Council has been extended in terms of subsection (5) of section 8.

Vacancy not to invalidate proceedings.

10. Until such time as a casual vacancy is duly filled, the Council shall be deemed to be fully constituted for the purposes of this Act and any proceedings, actions and decisions of the Council shall be deemed valid.

Eligibility for Election as Councillors.

11. A person shall be qualified to be elected as a member of the Council of his locality if such person is registered as a voter in the Local Councils' Electoral Register for the locality being contested by such person:

Provided that in the case of public officers, Estacode may from time to time restrict any class or classes of public officers from contesting the elections for Councillors and that for the purposes of this proviso "Estacode" means the body of regulations from time to time applicable in the public service.

Persons not qualified to stand for Council.

12. No person shall be qualified to stand for election as a member of a Council or to remain a member thereof if:

(a) he is a member of the House of Representatives;

(b) he is a member of any disciplined force as defined in subsection (1) of section 47 of the Constitution of Malta;

(c) he is a person in the employment of the Council for which elections are to be held;

(d) he is a person who holds any office the functions of which involve any responsibility for or in connection with the conduct of any election of members of the Council or the compilation of or revision of any electoral register;

(e) he is an undischarged bankrupt having been adjudged or otherwise declared bankrupt under any law in force in Malta;

(f) he is interdicted or incapacitated for any mental infirmity or for prodigality by a Court in Malta, or is otherwise determined to be of unsound mind;

(g) he is serving a sentence of imprisonment (by whatever name called) exceeding twelve months imposed on him by any court in Malta or is under such a sentence of imprisonment the execution of which has been suspended;

(h) he is a member of the Judiciary;

(i) he is disqualified from membership of the Council by or under this Act or any other law for the time being in force in Malta;

(j) his name no longer appears in the Local Councils' Electoral Register.

Councillor ceasing to be qualified to stand for Council.

13. (1) No Councillor duly elected shall without his consent be transferred by Government or otherwise placed in a position which disqualifies him from holding the office of Councillor, Mayor or Deputy Mayor.

(2) If a Councillor ceases to be qualified by reason of any provision of this Act, he shall thereupon cease to be a member and the provisions of section 9 shall apply.

.Term of office of Councillors.

14. (1) Elected Councillors shall hold office from the first day of the month immediately following their election and they shall remain in such office until the expiration of the term of the Council or until such time as the Councillor shall have resigned or shall have been removed from office before the lapse of the term in accordance with this Act.

(2) Elected Councillors shall, on the termination of their term of office, if otherwise qualified, be eligible for re-election.

(3) The term of office of any person:

(a) elected or co-opted to fill a casual vacancy in a Council; or

(b) elected or co-opted to a Council where that Council's election had been, in whole or in part, postponed for any reason,

shall be the remaining period of the term of office stipulated in section 8.

Penalty for unqualified persons acting as Councillors.

15. (1) A Councillor shall be liable to a fine (*ammenda*) of fifty Maltese liri for every occasion on which he attends a Council meeting knowing or having reasonable grounds to believe that he is disqualified or acting as Councillor when his seat has become vacant:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (ammenda) of one thousand Maltese Liri for each occasion.

(2) The fine (*ammenda*) contemplated in subsection (1) of this section shall be recoverable by the Minister as a civil debt and paid into the Consolidated Revenue Fund.

(3) A Councillor acting in the manner contemplated in subsection (1) of this section shall be liable to refund any sums disbursed by the Council or any other body on his behalf, or benefits acquired in connection with his office from such time when the cause for disqualification arises.

(4) The foregoing subsections of this section shall be applied and construed without prejudice to any criminal action which may be taken by the competent authorities.

Validity of acts done by unqualified Councillor.

16. (1) Any acts and proceedings entered into by an unqualified person holding the office of Councillor as provided in the foregoing sections

and any obligations binding the Council in consequence thereof shall be honoured by the Council where the person in whose favour such obligation is entered was in good faith.

(2) The Council shall have the right to sue such unqualified person for any damages resulting from any transaction it has to honour unless such Councillor proves that he had acted in good faith.

Resignation of Council Members.

17. (1) A member of the Council may at any time resign his office by notice in writing signed by him and delivered to the Secretary and his resignation shall take effect from the date of the receipt of the notice by the Secretary and his office shall become vacant as of such date.

(2) The Secretary shall act in accordance with the provisions of section 9 of this Act.

Councillors to attend all meetings.

18. Councillors shall attend all meetings as provided under this Act and the Minister shall, after he has been informed by the Secretary, by notice under his hand addressed to the Secretary, declare a seat to be vacant on failure of the Councillor to attend six consecutive Council meetings or in the aggregate less than one-third of the meetings called within a period of six months:

Provided that where the absence is due to a justifiable cause, the Secretary in informing the Minister of the Councillor's failure may also transmit the recommendation of the Council for the Minister not to declare the seat vacant.

Pecuniary Interest.

19. (1) It shall be the duty of every Councillor who has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter and is present at any meeting of the Council at which that contract, proposed contract or other matter is, or is to be, considered to disclose openly to the meeting and as soon as practicable after the commencement thereof the nature of his interest and -

(a) not to preside over or take any part in the consideration or discussion of, or to vote on any question with respect to, that contract, proposed contract or other matter; and

(b) unless the contract, proposed contract or other matter is under consideration by the Council merely as part of a report of a committee or sub-committee thereof and does not itself become the subject of separate debate, to withdraw from the meeting while that matter is being considered.

(2) It shall be the duty of every Council to record in the minutes of a meeting particulars of any disclosure made to that meeting under subsection (1) and of any subsequent withdrawal from the meeting.

(3) Any person who knowingly acts in contravention of subsection (1) shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding one year or to a fine (*multa*) not exceeding one thousand

Maltese liri or fifty per centum of the contract, proposed contract or other matter, whichever is the greater or to both such fine and imprisonment, and any person found guilty of such an offence shall cease to be qualified to hold the office of Councillor for a period of five years from such conviction.

(4) For the purposes of subsection (1) the word "indirect" includes any pecuniary interest which a Councillor may have through his spouse, children, parents, brothers or sisters or through any Company (not being a Public Company) of which he or any one or more of them is a shareholder or through any Company of which he or any one or more of them is a director.

Relatives of Councillors.

20. (1) Every Councillor shall disclose to the Council in writing any relevant family relationship known to him to exist between himself and any person who he knows either holds, or is a candidate for appointment to, any office under the Council.

(2) All disclosures made under subsection (1) shall as soon as practicable be brought by the Secretary to the notice of the Council and:-

(a) it shall be the duty of the Council to record in its minutes particulars of the disclosure; and

(b) if the Councillor required to make the disclosure is present at any meeting of the Council at which any question relating to or affecting the appointment, remuneration, tenure or conditions of service, promotion, status, conduct, dismissal, suspension, retirement or superannuation of the person to whom he stands in a relevant family relationship is under consideration, he shall withdraw from that meeting while that question is being considered and his withdrawal shall be duly recorded in the minutes of the proceedings of that meeting.

(3) Any Councillor who acts in contravention of subsection (1) or subsection (2)(b) shall be guilty of an offence and shall be liable on summary conviction to a fine (*multa*) not exceeding three hundred Maltese Liri and, moreover, any person found guilty of such an offence shall be liable to be disqualified from holding office of Councillor for a period of five years from such conviction:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) of three thousand Maltese Liri.

(4) For the purposes of this section, a relevant family relationship shall be deemed to exist between a Councillor and an officer or candidate if they are husband and wife or if the officer or candidate, or the husband or wife of the officer or candidate, is the

(a) parent;
(b) grandparent;
(c) grandson or granddaughter;
(d) son or daughter;

(e) brother or sister;
(f) uncle or aunt; or
(g) nephew or niece;

of the Councillor or of the husband or wife of the Councillor.

Immunity from legal proceedings in certain cases.

21. Where a Council supplies to any member of the public attending a meeting of the Council, or supplies for the benefit of the media, copies of the agenda, statements, particulars and copies of other documents, the publication of any defamatory matter contained in the agenda, statements, particulars or documents so supplied shall be privileged unless the publication thereof is proved to have been made with malice.

Dissolution of Council.

22. The President shall, by Order in the Gazette acting in accordance with the advice of the Prime Minister, dissolve a Council upon:

(a) a report of the Director of Audit for persistent breach of financial responsibilities; or

(b) persistent non regard to the provisions of this Act after formal notice has been given by the Minister; or

(c) lack of agreement in electing the Mayor; or

(d) lack of agreement by the Council in approving its annual estimates; or

(e) a recommendation to that effect in a report by a board appointed under the Inquiries Act. Cap 273.

Elections to follow dissolution of Council.

23. (1) Upon the dissolution of the Council in accordance with section 22, or if all the elected Councillors have resigned and no other Councillors can be elected in accordance with the Third Schedule to this Act, the Electoral Commission shall, within thirty days, hold an election for a new Council:

Provided that no election shall be held where the remaining term of office of the dissolved Council is less than three months.

(2) The Minister may appoint a Committee of Management which shall perform all such duties as are competent on the Council until a new Council is elected:

Provided that if a Committee of Management is not so appointed, the Secretary shall perform all such duties as are competent on the Council.

(3) The newly elected Council shall hold office for the remainder of the term applicable to the dissolved Council.

Oaths of Office.

24. (1) Councillors elected in accordance with section 8, and Mayors and/or Deputy Mayors elected in accordance with section 25 of this Act shall take and subscribe the oath of office in the form stipulated in the Fifth

Schedule to this Act before any of the Commissioners for Justice who are hereby being empowered to administer such oaths.

(2) Any Mayor, Deputy Mayor or Councillor who undertakes a function incompatible with his oath of office shall be dismissed by the President, acting in accordance with the advice of the Prime Minister, unless within thirty days from the receipt of a written notice by the Minister, such member shall have renounced to the incompatible function.

PART III
The Office of Mayor

Election of Mayor and Deputy Mayor.

25. (1) The Council shall in its first sitting after having taken their oath of office proceed with the election of the Mayor and, wherever applicable, the Deputy Mayor of the Council from among its members in accordance with the Seventh Schedule to this Act.

(2) The first sitting of each Council shall be held not later than a week from the first day when the Councillors can hold office in accordance with section 14 of this Act.

Mayor to have representation of Council and to preside meetings.

26. (1) The Mayor shall be the representative of the Council for all effects under this Act and shall preside over all meetings of the Council and supervise all functions of the Council.

(2) The Mayor shall be responsible for the furtherance of the objects and provisions of this Act in the locality and Mayors shall co-operate between themselves for the better welfare of the localities which they represent.

Legal and judicial representation.

27. The Mayor shall have the legal and judicial representation of the Council together with the Secretary and they may sue and be sued on its behalf even where the case refers to acts done prior to the commencement of their term of office or appointment as the case may be.

Term of Office.

28. The Mayor and Deputy Mayor shall hold office from the day of their election and they shall remain in such office until the expiration of the term of the Council or until such time as the Mayor or Deputy Mayor shall have resigned or shall have been removed from office before the lapse of their term in accordance with this Act.

Vote of no confidence.

29. (1) The Mayor or Deputy Mayor shall cease to hold their office upon a vote of no confidence delivered by a majority of the Councillors.

(2) The motion for the vote shall be notified to all Councillors by means of an agenda after a demand made in writing for such motion has been made by at least one-third of the Councillors.

(3) The motion shall be discussed after at least five days have elapsed from its presentation as provided in subsection (2) of this section but not later than ten days from such date.

30. When a vote of no confidence as provided in section 29 is carried, it shall be communicated to the Minister by the Secretary without delay.

Vote of no confidence to be notified to Minister.

31. (1) On a vacancy in the office of Mayor, or where the Mayor is for any reason unable to perform the functions of his office, the Deputy Mayor, where the office exists, shall perform all such functions until such time as another Mayor is elected from among the Councillors in the first meeting of the Council held after the vacancy.

Casual vacancy in the Office of Mayor and Deputy Mayor.

(2) On a vacancy in the office of Deputy Mayor an election shall be held from among the Councillors at the first meeting of the Council to be held after the vacancy, and the Mayor shall also cast a vote.

(3) In localities where the office of Deputy Mayor does not exist, and the office of Mayor is vacant, the functions of the Mayor shall be temporarily assumed by the oldest member of the Council.

32. (1) The Mayor shall be a part-time official and a Council shall pay to the Mayor such allowance as the Council considers reasonable so however that the allowance shall in no case exceed thirty-three per centum of the honorarium payable from time to time to Members of the House of Representatives.

Remuneration to Mayor.

(2) Subject to subsection (1) of this section all Councillors shall serve on an honorary basis but shall be afforded all such assistance by their employers as is reasonable to allow them to carry out their functions.

PART IV

Functions of Local Councils, Procedure and Meetings

33. (1) Subject to subsection (2) of this Section and to the provisions of any other law for the time being in force, the functions of each Local Council shall be:

Functions of Local Councils.

(a) to provide for the upkeep and maintenance of, or improvements in, any street or footpath, not being privately owned;

(b) to provide for the collection and removal of all refuse from any public or private place, for the maintenance of cleanliness and for the establishment, upkeep and maintenance of all public conveniences, dustbins and other receptacles for the temporary deposit and collection of waste, and to ensure that these are accessible to all persons, including persons using a wheel-chair;

(c) to provide for the establishment, upkeep and maintenance of children's playgrounds, public gardens and sport, cultural or other leisure centres, and to ensure that these are, as far as possible, accessible to all persons, including persons using a wheel-chair;

(d) to provide and maintain proper road signs and road markings, in conformity with national and international standards, to estab-

lish and maintain pedestrian and parking areas and to provide for the protection of school children in the vicinity of schools;

(e) to propose to and, where applicable, be consulted by any competent authority prior to the competent authority making any changes in traffic schemes directly affecting the locality;

(f) to make recommendations to any competent authority for or in relation to any planning or building scheme and to be a full participant in any decisions on the naming or renaming of streets;

(g) within the parameters of any national plan, to issue guidelines to be followed in the upkeep, restoration, design or alteration of the facade of any building or of any building or any part of a building normally visible from a street, including the type of lighting and materials used, advertisements and shop fronts, and in the case of premises which are open to the public, to ensure that such premises are, as far as possible, accessible to all persons, including persons who use a wheel-chair;

(h) to assist citizens by providing, where applicable in conjunction with any competent authority, information relating to the rights of citizens in general, including information on consumers' rights, transport, communications, tourist facilities, taxation, social security, public health and other matters of public utility and interest;

(i) to advise any authority empowered to take any decisions directly or indirectly affecting the Council and the residents it is responsible for;

(j) as part of a national scheme, to provide in conjunction with any competent authority, for the establishment, upkeep and maintenance of creches, kindergartens and other educational services or buildings;

(k) as part of a national scheme, to provide in conjunction with any competent authority for the establishment, upkeep and maintenance of health and rehabilitation centres, government dispensaries, health district offices and homes for senior citizens;

(l) to propose to the Minister responsible for education, persons to be appointed as presidents of primary school councils;

(m) to enter into agreements with any public body or Government Department for the delegation to the Council of any of the functions of that public body or Department:

Provided that any such delegation shall only come into effect after the Minister has made the relevant order in the Gazette;

(n) to perform any other function which shall be delegated to it by the Government through the Minister by means of an order pub-

lished in the Government Gazette;

(o) to provide for all such other works, things, matters and services which are not excluded from a Council's competence by any law for the time being in force nor assigned to any other authority.

(2) Arterial and distributor roads determined by the Structure Plan, national monuments, national parks or gardens, industrial estates, ports, airports and other national territories, establishments, buildings and items listed in the Fourth Schedule to this Act are the responsibility of the Government and are totally excluded from the competence of Local Councils.

Council to make Bye-laws.

34. A Council may make, amend or revoke bye-laws for the purpose of carrying out its functions and for the prevention and suppression of nuisances in its locality.

Procedure for making Bye-laws.

35. (1) At least one week before a Council is due to discuss proposed bye-laws, a notice of the Council's intention shall be given twice in all daily newspapers and once in the Government Gazette. A copy of the proposed bye-laws shall be deposited at the offices of the Council proposing them and shall for at least one hour a day during normal office hours be open to public inspection without payment.

(2) A Council shall, on application, furnish to any person a copy of the proposed bye-laws, or of any part thereof, on payment of a reasonable sum not exceeding the price of the Gazette.

(3) The Secretary shall notify the Minister of any bye-laws which the Council proposes to introduce and shall forward a copy of the proposed bye-laws to the Minister four weeks before a Council is due to discuss them.

(4) The Minister may inform the Council whether he intends to propose any amendments to the bye-laws within a week from the day when he receives the proposed bye-laws.

(5) The Minister shall forward to the Council any amendments to the proposed bye-laws within three weeks from the day when he receives the bye-laws proposed by the Council.

(6) The Council shall discuss any bye-laws as soon as may be practicable and shall send the bye-laws as approved by it to the Minister.

(7) The Minister shall have the right to object to any bye-law approved by any Council and shall signify such objection and the justification thereof in writing to the Council within two weeks of receipt of the approved bye-law in terms of subsection (6).

(8) Should the Minister not object to the bye-laws, the Secretary shall cause the bye-laws to be published in the Gazette and they shall come into force one month after their publication or within such shorter period as may be agreed upon between the Council and the Minister. Any such shorter

period shall be specified in the bye-law.

Penalties for contravention of Bye-laws.

36. (1) Except as provided by any other law, a person who contravenes a bye-law shall be guilty of a contravention and shall be liable to the punishment of a fine (*ammenda*) not exceeding thirty Maltese Liri and, in the case of a continuing offence, a further fine (*ammenda*) not exceeding five Maltese Liri for each day on which the offence continues after conviction:

Provided that the Minister may, from time to time, by notice in the Gazette prescribe higher penalties which in no case shall exceed a fine (*ammenda*) of one thousand Maltese Liri and, in the case of a continuing offence, a further fine (*ammenda*) not exceeding two hundred and fifty Maltese Liri for each day.

(2) Unless otherwise provided by this section, the contraventions referred to in subsection (1) hereof shall be deemed to be scheduled offences for the purposes of the Commissioners for Justice Act and the provisions of the said Commissioners for Justice Act shall apply "mutatis mutandis" to any proceedings in respect of such contraventions under this Act.

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(3) A Commissioner for Justice shall, where he is to consider charges regarding any infringement of any bye-law, sit in the administrative offices of the Council concerned.

(4) The Secretary shall be the prosecutor in any such hearing and shall have the same powers assigned to the Executive Police under the Commissioners for Justice Act. Service of any summons shall be effected by the Secretary in the manner provided in subsection (2) of section 6 of the Commissioners for Justice Act or by the Executive Police as provided in subsection (1) of the said section.

(5) The amount of any fine (*ammenda*) shall be due to the Council of the locality and shall be paid to the Secretary.

(6) The Minister may by Order in the Gazette direct that the provisions of subsections (2), (3), (4) and (5) of this section shall apply to one or more of the offences listed in the Schedule to the Commissioners for Justice Act and whenever any such order is made prosecution in relation to such infringements shall be conducted by the Secretary before the Commissioner for Justice who shall sit in the administrative offices of the Council concerned.

Co-operation with other Councils.

37. (1) Two or more Local Councils may discharge any of their functions jointly and they may also arrange for the discharge of these functions by a joint committee of theirs or by an officer of one of them.

(2) Local Councils having an arrangement as provided in sub-

section (1) may meet in joint session to discuss the discharge of the functions to which the arrangement relates and all Councillors shall be entitled to participate and vote where required unless the arrangement otherwise provides.

(3) Local Councils may form and belong to an association for the protection and promotion of their common interests as well as belong to international associations of local government authorities.

Right of Local Councils to a judicial remedy.

38. Local Councils shall have the right to challenge in court any decision which in any way interferes with the free exercise of their powers granted by this Act.

Competition.

39. For the purpose of discharging any functions in pursuance of any matter under this Part of this Act, a Council shall contract out and expose to competition any of the functions assigned to it unless such functions are to be carried out by its own members, any person employed in terms of sections 52 and 53 of this Act or by another Council which has exposed or is to expose the carrying out of the functions to competition.

Works contracts: restrictions.

40. (1) Where a Council offers for tender any work related to its functions it shall give notice of its intention by publishing at least once in all daily newspapers, a notice containing the following matters:-

(a) a brief description of the work;

(b) a statement that during a period specified in the notice any person may inspect a detailed specification of the work free of charge at a place and time specified in the notice;

(c) a statement of the period during which the work is to be carried out;

(d) a statement that during that period any person will be supplied with a copy of the detailed specifications on request and on payment of such charge as is specified in the notice;

(e) a statement that any person who may wish to carry out the work should notify the Council of that fact within a period specified in the notice; and

(f) the date and place when all the tenders shall be opened in public.

(2) The Council, or any committee appointed to adjudicate tenders shall:

(a) make available to any interested person, copies of all tenders submitted and accompanying documents at a reasonable price;

(b) appoint a date and place when it will hear submissions from any interested person on all or any of the tenders submitted;

(c) publish its decisions together with the reasons thereof and provide to any interested person a copy thereof at a reasonable price.

Agency arrangements.

41. With the approval of the Minister, and subject to the provisions of section 39 of this Act, a Council may make arrangements with any public body or government department for the exercise of any functions by the public body or department on behalf of the Council, on such terms as may be provided for by the arrangements.

Arrangements for the supply of goods and services or interchange of staff.

42. Subject to the provisions of section 39 a Council may make arrangements with any other Council or any public body or government department for:

(a) the supply by one party to the other of any goods;

(b) the provision by one party to the other of any administrative, professional or technical services;

(c) the use by one party of any vehicle, plant or apparatus belonging to the other and the placing at the disposal of the first-mentioned party of the services of any person employed in connection with the vehicle, plant or apparatus in question;

(d) the provision or maintenance by one party of any works, facility, amenity, equipment or thing for the provision or maintenance of which the other is responsible;

on such terms as may be provided for by the arrangements.

Standing Orders.

43. (1) During the meetings the Council shall follow the Standing Orders in the Sixth Schedule to this Act.

(2) Council meetings shall be held at least once a month or at any other shorter intervals as the Mayor may decide. Meetings of the Council may also be called at the request of the least whole number above one-third of the Councillors in office.

Admission of public to meetings.

44. (1) Every meeting of a Council shall be open to the public.

(2) Where at a meeting of a Council the Council resolves itself into committee, the proceedings in committee shall for the purposes of this Act be treated as forming part of the proceedings of the Council at the meeting.

(3) Nothing in this section or in section 46 of this Act shall affect or derogate from any power of excluding persons from a meeting for the purpose of suppressing or preventing disorderly conduct or other misbehaviour at, or disturbance of, the meeting.

Information to be given as to meetings.

45. The Council shall, if so requested and on payment for postage or other necessary expenses which may be incurred for the supply of any such information, furnish -

(a) a copy of the agenda as circulated to members of the Council; and

(b) such further statements or particulars and copies of such other documents as are necessary to indicate the nature of any item included in the copy of the agenda so supplied.

Facilities for media representatives.

46. The Council shall, so far as practicable, cause to be made available to duly accredited representatives of the media attending for the purpose of reporting proceedings at the meeting reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their media of any expenses which may be incurred, for transmitting such reports to their media.

Committees of Councils.

47. (1) Subject to the provisions of this section, the Council may appoint committees for the purposes only of executing its functions.

(2) Committees established under subsection (1) of this section shall consist of a chairman from among the Councillors and not more than four other persons who need not be Councillors.

(3) Committees shall remain in office until they are dissolved by the Mayor or until the term of office of the Council expires.

(4) Members of committees shall not be entitled to any wage, salary or attendance allowances.

(5) The meetings of committees shall be recorded as minutes of the Council and shall be kept in the custody of the Council.

(6)(a) Where a locality includes more than one town, village or hamlet, the Council shall appoint a committee for each town, village or hamlet having a population of more than one tenth but less than one half of the population of that locality to report regularly on the needs of the particular town, village or hamlet for which the committee is appointed.

(b) The Chairman of the committee appointed under paragraph (a) hereof shall be a Councillor and the other members shall be registered voters in the Local Councils' Electoral Register for the particular town, village or hamlet.

(c) The provisions of subsections (3), (4) and (5) of this section shall apply to committees appointed under this subsection.

Council Premises.

48. (1) The Council shall have its administrative offices at a place to be selected by it with the approval of the Minister, and these offices shall, as far as possible, be accessible to all persons, including persons using a wheelchair.

(2) Any meetings of the Council shall be held at the Council's administrative offices:

Provided that the initial meeting place of each Council shall be determined by the Minister.

PART V
Officers and Employees.

Appointment of Secretary.

49. (1) Every Council shall, after consulting the Minister, appoint a Secretary of the Council:

Provided that the Minister shall, until the first Secretary is appointed, appoint an Acting Secretary.

(2) The Secretary may be a public officer or he may be appointed from outside the public service.

(3) If the Secretary is appointed from outside the public service, the requirements of subsection (6) of section 110 of the Constitution shall be observed.

(4) Where a Council refuses or fails to appoint a Secretary, the Minister shall appoint an Acting Secretary.

Appointment of Deputy Secretary.

50. Subject to the provisions of sections 49 and 53, a Council may appoint a Deputy Secretary to exercise the functions of the Secretary whenever the office of Secretary is vacant or the Secretary is for any reason unable to act.

Full-time or part-time Secretary.

51. (1) A Secretary shall act on a full-time basis only in those localities having a population greater than two thousand persons.

(2) In any other case, a Secretary shall only be appointed on a part-time basis.

Functions of Secretary.

52. (1) The Secretary shall be the executive, administrative and financial head of the Council.

(2) Without prejudice to any provision of this Act, the Secretary shall:

(a) issue all notices, prepare the agenda in consultation with the Mayor and attend all meetings;

(b) draw up the minutes of Council and committee meetings;

(c) submit a detailed annual administrative report to the Mayor;

(d) cause to be submitted to the Council estimates of the income and expenditure of the Council during the next following financial year;

(e) carry out any other duties that may be detailed or delegated

to him by the Mayor or by the Council.

Appointment and qualification of Council employees.

53. (1) Subject to the provisions of subsection (6) of section 110 of the Constitution, the Council may appoint such other employees as the Council thinks necessary for the efficient discharge of the functions of the Council so however that a Council may not employ more than one person per three thousand residents, where the residents of a locality shall have the same meaning as the population of a locality:

Provided that where the population of a locality is less than three thousand, the Council may employ a person on a part-time basis.

(2) The Minister may by regulations prescribe the qualifications to be possessed by, the remuneration payable to and the technical administrative and office procedures to be followed by -

(a) any person appointed to the office of Secretary or Deputy Secretary of a Council; and

(b) any person appointed to such other post as may be prescribed.

(3) The removal from office, suspension or re-instatement, or any withholding of the remuneration, of the Secretary of a Council and of any other employees for whom qualifications are prescribed under subsection (2) shall be subject to the approval of the Minister.

(4) A Council shall not, without the approval of the Minister, remove from office or suspend, or withhold the remuneration of an acting Secretary appointed by the Minister under subsection (4) of section 49.

(5) The Secretary and other employees of the Council shall be appointed for a period of three years and their contract may be renewed for successive three year periods under such terms and conditions as may be prescribed under subsection (2).

(6) Unless there is a Court order to the contrary, information relating to a particular employee or office-holder, former employee or former office-holder, or job applicant shall be treated as confidential and shall not be made available to persons other than the members of the Council, members of staff as delegated by the Secretary, the Minister in the exercise of his functions under this Act and the individual concerned.

Status of public officers detailed on duty with Local Councils.

Cap 93.
Cap 58.

54. For the avoidance of doubt it is hereby declared that for superannuation purposes service rendered by a public officer with respect to whose temporary transfer arrangements are in force is service rendered to the department by which he was employed before the transfer and he shall not forfeit any pension, gratuity or benefit under the Pensions Ordinance and the Widows' and Orphans' Pensions Act .

PART VI
Finance

Financial allocation to Councils.

55. (1) Each year the Minister responsible for finance shall allocate a provision under the Appropriation Act which shall serve for the exercise of the functions of Councils as appear under this Act.

(2) The amount appropriated shall be allocated to each Council on the basis of the formula determined in terms of the Tenth Schedule to this Act.

Annual Budget.

56. (1) Every Council shall not later than two months after its first election and, subsequently once during the month of January in each financial year cause to be submitted to it estimates of the income and expenditure of the Council during the next following financial year.

(2) Not later than fifteen days following the two month period referred to in subsection (1) of this Section and not later than the fifteenth day of February in any financial year, a Council:

(a) shall consider the estimates for the next-following financial year;

(b) may revise the estimates in such manner as the Council thinks fit;

(c) shall approve the estimates, subject to any revision under paragraph (b) of this subsection.

(3) The estimates so approved shall not later than three months from the date of its first election and not later than the last day of March in any financial year be sent to the Minister.

Method of supply of funds for ordinary administration.

57. The allocation mentioned in section 55 shall be made available to Councils by the Minister responsible for finance after a written request by the Secretary.

Method of supply of funds for special needs.

58. Payments for special needs of a locality or localities shall only be made exceptionally and after a Resolution to that effect has been carried by the House of Representatives.

Three-year business and financial plan.

59. (1) At the end of the first year of its term, a Council shall prepare and discuss a three year plan on council operation, projects and finances so as to provide a framework for the Council's annual budgets.

(2) The Council shall revise or confirm the three year plan every year during its discussion on its annual budget.

(3) Copies of business and financial plans and revisions thereof, shall be forwarded by the Secretary to the Minister and to the Minister responsible for finance within two weeks of their approval by the Council.

Councils may raise additional funds.

60. A Council shall have the power to raise funds by means of any scheme designed to provide additional funds to those allocated to it under section 55:

Provided that such schemes shall be instituted by bye-laws.

Payments in excess of voted funds.

61. The Council shall not authorise any works the value of which exceeds the annual provision allotted to it for that financial year taking into consideration the amount forecast for payment of acts of ordinary administration:

Provided that where the Council requires authorisation for the approval of any works the cost of which exceeds the value mentioned in this section, it shall, through the Secretary, make the necessary request in writing to the Minister who shall, with the concurrence of the Minister responsible for finance, have the power to issue such authority in accordance with the provisions of this Act.

Approval of supplementary funds.

62. (1) The Minister responsible for finance may approve a supplementary provision to be made available to Councils after due consultation with the Minister if it results that the amount appropriated by the Appropriation Act is insufficient. Such supplementary provision shall nevertheless be allocated to Councils in accordance with the provisions of section 55.

(2) Where Councils receive a supplementary provision in terms of subsection (1) of this section, the Secretary shall prepare the necessary supplementary estimates.

(3) Any monies declared to be a surplus in any financial year shall not be set off against the sum being voted in the Appropriation Act for the next financial year.

Limitation on investments and donations.

63. The Council shall be responsible for the receipt of all monies as are under this Act required but the Council shall have no power to hold or invest in any commercial undertaking or donate any sums to any non-governmental organisation not included in the Eighth Schedule to this Act.

Minister may order production of books of account and other documents.

64. Without prejudice to any other provision of this Act, the Minister may, either of his own accord or at the request of the Minister responsible for finance, by notice in writing, require the Secretary to produce such books of account, records and any other document as may appear to him to be necessary without giving any reason for such demand.

Appointment of local government auditors.

65. (1) The Director of Audit shall appoint persons (to be known as "local government auditors") to audit the accounts of a Local Council subject to such conditions as he may deem fit. The appointment shall be for a period of one year, renewable each year, for a total period of not more than five consecutive years.

(2) A person shall not be qualified for appointment as a local government auditor unless he is an individual who holds a warrant to act as auditor issued under the Accountancy Profession Act, or is a partnership of auditors duly registered under the said Act and – Cap 281.

(a) in the case of an individual, he is not –

(i) a councillor of the locality whose books he is auditing; or

(ii) in the employment of the Council of the locality he is auditing; or

(iii) related by consanguinity or affinity in the direct line, or, up to the third degree, in the collateral line, to any councillor of that locality;

(b) in the case of a partnership none of the partners is an individual who is not qualified to be appointed as auditor of a Council.

(3) In the exercise of their duties local government auditors shall have access to all books, records, returns and other documents relating to the accounts of Local Councils and may require any person holding or accountable for any such books or documents to appear before them at the audit.

(4) The Director of Audit may appoint, either temporarily or otherwise, persons to assist local government auditors in the performance of their duties.

(5) The remuneration and expenses of local government auditors, including the remuneration and expenses of persons appointed to assist local government auditors, to such amount as is sanctioned by the Director of Audit, shall be paid out of the annual provision made available to the Director of Audit.

(6) Local government auditors shall submit their reports not later than twelve weeks from the end of the financial year to the Director of Audit who shall forthwith transmit copies of those reports to the Minister, the Minister responsible for finance and to the respective Council. The Minister responsible for finance shall cause a copy of each report to be laid before the House of Representatives in the same manner as provided in subsection (5) of section 108 of the Constitution and if the Minister responsible for finance fails to lay any such report before the House of Representatives, the provisions of subsection (6) of section 108 of the Constitution shall apply.

Additional auditing responsibilities.

66. (1) The Minister shall, after consultation with the Minister responsible for finance, prescribe indicators to measure the performance of local council services, where such indicators are to facilitate comparisons of cost, economy, efficiency and effectiveness between Local Councils over time.

(2) In addition to duties specified in terms of or under this Act, local government auditors are required to satisfy themselves that a Local Council has made proper arrangements for securing economy, efficiency and effectiveness.

Regulations by Minister responsible for finance.

67. The Minister responsible for finance may, in conjunction with the

Minister, make regulations under this part of the Act for the purpose of regulating the financial functions of the Council, including the keeping of records and reporting.

Powers of Minister responsible for finance under the Constitution.

68. The provisions of this part of the Act shall not prejudice the power given to Parliament to provide for the establishment of a Contingencies Fund and for authorising the Minister responsible for finance to make advances from the Fund in urgent and unforeseen cases in accordance with section 105 of the Constitution of Malta.

PART VII
Miscellaneous.

Appropriation of monies required to hold Council Elections.

69. (1) The Minister responsible for finance shall, from time to time by warrant under his hand addressed to the responsible public officer, authorise and direct that all such monies as are reasonably required for meeting any lawful expense required to be incurred for the holding of elections of Local Councils be paid out of the Consolidated Fund without any further appropriation under this Act.

(2) A statement of the expenses so paid shall, so soon as practicable, be laid on the Table of the House of Representatives.

Locality Meeting.

70. (1) Councils shall call a locality meeting which shall be held before the meeting in which the Council will be considering the financial estimates for the next financial year open to persons appearing in the Local Councils' Electoral Register for that locality at least once a year.

(2) The locality meeting shall be held at such place as the Council may determine and which is as much as possible accessible to all persons, including such persons who use a wheel-chair. A notice for such meeting shall be published once in all daily newspapers, and broadcast once on all national radios.

(3) The Mayor shall be the Chairman at such meeting and the Secretary shall make a list of any complaints or suggestions made during the meeting to be discussed by the Council.

Public Consultation.

71. A Council shall hold a public consultation about any issue which falls within its competence either at its own instance or whenever so requested by the electors listed as voters for the locality in the last Local Councils' Electoral Register:

Provided that a petition requesting such consultation has been signed by at least one-fifth of the electors listed as voters for that locality in the last Local Councils' Electoral Register where the population of registered voters is of 3,000 or more, or by at least one-fourth of the said electors where the population of registered voters is less than 3,000.

Power of Minister to make Regulations.

72. (1) Without prejudice to any power to make regulations conferred by this Act, the Minister may make regulations not inconsistent with

or repugnant to this Act, for prescribing any form or procedure for which no express procedure is contained in this Act, and generally for carrying the provisions of this Act into effect.

(2) Without prejudice to the generality of the foregoing, the Minister may in particular by regulations amend the First Schedule to this Act subject to the provisions of section 74, and from the Fourth to the Ninth Schedule inclusive to this Act and any forms set out therein.

Publication of population by locality.

73. The Minister responsible for statistics shall publish the population as defined in this Act for each locality once a year in the month of April:

Provided that the first such publication shall be issued not later than 31 August 1993.

Coats-of-arms.

74. (1) Each locality shall have the right to use the coat-of-arms assigned to it under the First Schedule to this Act.

(2) Local Councils shall have the right to petition the Minister for changes in the design of the coat-of-arms after a resolution to that effect has been carried by a two-thirds majority of the Council and the Minister shall consider such request.

(3) The Minister shall thereupon appoint an ad hoc Committee of three persons, one from the Local Council concerned, one representing the Minister and an expert in heraldry to advise him on the proposed changes. The Minister's decision shall be final.

(4) Localities which are historically known as cities shall be distinguished as such by a distinctive mark in their coat-of-arms as shown in the First Schedule to this Act.

(5) Localities may display a square flag showing their coat-of-arms or some other design approved by the Minister.

Seals.

75. (1) Each Council shall have an official seal which shall include the coat-of-arms of the locality for which it is responsible.

(2) Any person making unauthorised use of the seal shall commit an offence and shall be liable on conviction to a fine (*ammenda*) of fifty Maltese Liri:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*ammenda*) of one thousand Maltese Liri.

Councils may adopt historical names.

76. A Council may petition the Minister to be allowed to adopt and use any name historically used for representatives of the particular locality, or of a city which forms part of the locality.

Councils not to have broadcasting facilities.

77. (1) Notwithstanding the provisions of any other law, Councils shall not have the right to apply for any licence to broadcast any programme.

(2) For the purposes of subsection (1) of this section, "broadcast" has the same meaning assigned to it by section 2 of the Broadcasting Act, 1991 .

Act XII of 1991.

78. Section 26 of the Ġieħ ir-Repubblika Act shall be amended as follows:

Amendment to Ġieħ ir-Repubblika Act, Cap 251.

(a) in paragraph (d) thereof for the words "of this Act." there shall be substituted the words "of this Act:"; and

(b) immediately after paragraph (d) thereof there shall be added the following new paragraph:

"(e) prescribing the insignia of office that may be worn by officers of a local government authority, members of any Organ of the State, or by officers of the Government of Malta whether in local or foreign service or whether belonging to a disciplined force or otherwise.".

79. The First and Second Schedules to this Act shall be published with the Maltese text only and such Schedules shall apply also to the English text of this Act.

Publication of the First and Second Schedule to this Act.

FIRST SCHEDULE

(Section 74)

Coats-of-Arms

SECOND SCHEDULE

(Section 2)

Localities and their Boundaries

THIRD SCHEDULE

(Section 5, 8, 9, 23)

Local Councils (Elections) Regulations, 1993

THIRD SCHEDULE

(Section 5, 8, 9, 23)

Local Councils (Elections) Regulations, 1993

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PART I
General Provisions

1. These regulations may be cited as the Local Councils (Elections) Regulations, 1993. Short Title.

2. (1) In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Local Councils Act, 1993;

"Commission" shall mean the Electoral Commission established by section 60 of the Constitution;

"election" means an election for Local Councils;

"Electoral Office" means the Electoral Office established by sub-section (1) of section 11 of the General Elections Act, 1991; Act XXI of 1991.

"House" means the House of Representatives established by the Constitution;

"identity card" means a document which is an identity card for the purposes of the Identity Card Act; Cap 258.

"Local Council" shall mean the Local Councils established by the Local Councils Act, 1993;

"political party" shall, for the purposes only of regulation 6, mean any person or group of persons who, having contested the general elections for members of the House of Representatives under one name, is represented in the House by at least one member, and in all other cases "political party" shall mean any person or any group of persons contesting the election of a Local Council as one group bearing the same name provided that the rights and obligations of such party shall be limited to the election of the Local Council for which such party is contesting;

"polling booth" means the room wherein voters attend on the day of the poll to receive and mark a ballot paper and insert the same in a ballot box;

"polling place" means the school, building or other complex or structure wherein one or more polling booths are situated and shall include the grounds, if any, of such complex or structure;

"voting document" means the voting document which is to be forwarded to voters in terms of regulation 17 of these regulations.

(2) Whenever by these regulations a penalty is attached to the performance of any act "before, during or after", an election, no account shall be taken of anything done earlier than:-

(a) in the case of any election held in consequence of the dissolution of the Local Council in terms of section 22 of the Act, the issue of the Notice setting the date of the election;

(b) in the case of any election held in consequence of the expiry of the term of the Local Council in terms of section 8 of the Act, three months before the date of such expiry.

Extension of periods of time.

3. (1) Where any period of time prescribed by any of the provisions of these regulations for carrying into effect any procedure is in the opinion of the Electoral Commission, insufficient for the purpose, the Electoral Commission may, by notice published in the Gazette, extend such period as it may deem necessary.

(2) Where the first day prescribed for any procedure falls on a Sunday or other public holiday then such period shall commence to run on the first working day following such Sunday or other public holiday.

(3) When the last day prescribed for any procedure falls on a Sunday or other public holiday then such period shall end on the first working day following such Sunday or public holiday and the date of the commencement of any subsequent period which is timed to run from such period shall be deferred accordingly.

Oath to be taken by Commissioners.

4. The Commissioners shall, on their appointment, take before the Attorney General the oath of office set out in the First Schedule to these regulations.

Powers of Commissioners.

5. (1) In the execution of their duties under these regulations, the Commissioners shall, in the absence of any express provision contained in these regulations, do all such things as appear to them to be necessary for the performance of their duties .

(2) In the execution of their duties under these regulations, the Commissioners shall have the powers conferred by law on the Courts of Magistrates for the purpose of enforcing order at their sittings and ensuring the respect due to them.

Party Delegates.

6. (1) Every political party shall have the right to nominate two delegates (hereinafter referred to as the "party delegates") to the Commission.

(2) Party delegates shall represent the political party nominating them with the Commission and shall have the right in general to be informed of all sittings of the Commission and decisions taken thereat.

(3) The party delegates shall notwithstanding the provisions of any other law, have full and free right of access to the Electoral Office, to all records kept therein and to check, verify and obtain any information regarding the work of the Electoral Office; provided that the Commission shall have the right to nominate an official of the Commission to accompany such delegates at all times.

(4) The party delegates shall continue in office until removed by the political party nominating them.

(5) Party delegates shall have the right to seek and obtain from the Commissioners as well as from any other official connected with the running, supervising or security of the elections or of any aspect thereof, information showing whether or not such persons are taking adequate measures to comply with the provisions of these regulations in the forthcoming elections, and the Commissioners or such other persons shall, notwithstanding any other law or regulation, be bound to furnish such information immediately.

(6) Not withstanding any provision in these regulations granting party delegates and political parties the right to seek and obtain information or their right to be given copies of documents and lists by the Commission or by Government departments, such right shall not include the right of access to medical records or to adoption records of voters and the right to be made aware prior to the day of the poll of security features relating to ballot papers, voting documents and the official mark used by the Commission on ballot papers. Where the information, documents or lists are of a confidential nature the party delegates shall have the same obligations as to secrecy as the person from whom such information, documents or lists are obtained.

(7) Party delegates shall have the right to ask that information, documents and lists which the Commission should forward to them, be forwarded in such electro-magnetic format as the Commission can reasonably supply through the use of its equipment.

PART II
The Local Councils' Electoral Register

Applicable provisions of the General Elections Act, 1991, Act XXI of 1991.

7. All provisions contained in the General Elections Act, 1991 and relating to the registration, transfer and cancellations of voters in the Electoral Register established by that Act, as well as relating to the appointment of Revising Officers and appeals thereto shall "mutatis mutandis" apply to the Local Councils' Electoral Register established by section 5 of the Act.

Forms of Schedules.

8. For the purposes of subsection (2) of section 6 of the Act, the form of application for:-

(a) registration as a voter;

(b) correction or transfer;

(c) correction of designation or address;

(d) the correction of surname and address in consequence of marriage by female electors;

shall be those set out in the Second, Third, Fourth and Fifth Schedules respectively.

Local Councils' Electoral Register.

9. (1) The lists of all persons who are entitled to be registered as

voters for the election of Local Councils in accordance with the provisions of the Act, shall constitute the Local Councils' Electoral Register.

(2) The Local Councils' Electoral Register shall be compiled in accordance with the provisions of these regulations.

(3) The Local Councils' Electoral Register shall be compiled in such manner that the public may be aware of the persons who are registered as voters, and in such manner to enable the identification of every voter and giving every voter the opportunity to object to the inclusion of any other voter in accordance with the provisions of the Act and these regulations.

Compilation of Local Councils' Electoral Register.

10. (1) The Local Councils' Electoral Register shall consist of as many parts as there are localities, one for each locality, and each locality shall be sub-divided into as many parts as the Commission shall consider necessary or convenient.

(2) The Local Councils' Electoral Register shall, in each section be drawn up in alphabetical order according to the name of each street and voters shall be shown in alphabetical order of surnames under the name of the street where they are registered and against the name of each voter his ordinary place of residence and identity card number shall be shown.

(3) Persons who are not citizens of Malta but who are entitled to be registered as voters in terms of the Act shall be shown in a separate section but in the same order as provided in paragraph (2) of this regulation.

(4) The Local Councils' Electoral Register may also include against the name of each voter any other particulars which may be considered necessary for the proper identification of each voter.

(5) Any printing error in any particular so shown shall not of itself affect a person's entitlement to vote.

Contents of Local Councils' Electoral Register.

11. (1) The Local Councils' Electoral Register shall include all persons who are entitled to be registered as voters in accordance with the provisions of the Act, on the day mentioned in the following regulation.

(2) The Local Councils' Electoral Register shall not include any person who is not entitled to be registered as a voter in accordance with the provisions of the Act, on the day mentioned in the following regulation.

Publication of Local Councils' Electoral Register.

12. The Commission shall cause a revised Local Councils' Electoral Register to be published in the Gazette once a year in the month of November. Such Register shall contain all corrections, additions, transfers and cancellations as on the thirty-first day of October preceding the publication thereof.

Additions, cancellations and corrections by Revising Officer.

13. (1) Any additions, cancellations or corrections to the Local Councils' Electoral Register ordered by a Revising Officer in accordance with the provisions of these regulations shall be published by the Commission in the Gazette and shall form part of the Local Councils' Electoral

Register.

(2) Any additions, cancellations or corrections to the Electoral Register either ordered by the Commission or by a Revising Officer in terms of the General Elections Act, 1991 shall "mutatis mutandis" apply to the Local Councils' Electoral Register.

Voters at election to be those in last Local Councils' Electoral Register.

14. Whenever an election is to be held, the voters shall be those whose names appear in the revised Local Councils' Electoral Register last published, subject to such additions, cancellations or corrections ordered by the Revising Officer, and the Commission shall not have the right to withhold or withdraw any voting document from any voter who is so registered unless such voter has died:

Provided that nothing in this regulation shall entitle any person to vote who has ceased to have the necessary qualifications to vote or relieve such person from any penalties to which he may be liable for so voting. Nor shall anything in this regulation entitle any person to vote unless he satisfies the requirements of these regulations.

PART III
Election Notices, Voting Documents and Ballot Papers

Election Notice.

15. (1) Whenever an election is to be held, the Electoral Commission shall issue a Notice, hereinafter referred to as "the Notice" in the form set out in the Sixth Schedule to these regulations.

(2) The Commission shall issue such Notice at least thirty-five days before the day fixed for the election and shall cause it to be published in the Gazette.

Notice to be published by Commissioners.

16. On the day following the publication of the Notice, the Commissioners shall further cause a notice or notices to be published in the Gazette stating:

(a) the place where, and date and time when, the Commissioners will be in attendance to receive nominations of candidates for election as Councillors, and any objections to such nominations, such place being referred to in the General Elections Act as the Electoral Office. The time during which nominations of candidates for election may be made shall be three days and shall not commence to run before six days from the date of the publication of the notice referred to in this regulation, and the time during which objections to such nominations may be made shall be two days from the expiration of the time fixed for the receipt of nominations;

(b) the places where, and the days and hours when voting shall be held. Voting shall not take place before the expiration of three days from the date of the publication of the notice referred to in paragraph (3) of regulation 24 of these regulations;

(c) the place to which the ballot boxes shall be taken by the Assistant Commissioners after the close of voting, which shall also be the place where the Commission shall store the ballot boxes and count the votes cast, such place being, as far as practicable, in the locality itself and, if possible, the place used as the polling place or one of the polling places in that locality;

(d) the date and time when the ballot boxes shall be opened and the counting of votes shall take place.

Voting Document.

17. (1) Within fifteen days of the publication of the Notice, the Commission shall forward to each voter, whose name appears in the last revised Local Councils' Electoral Register, a document hereinafter referred to as the "voting document" in the form set out in the Seventh Schedule to these regulations and made of such material and in such manner as in the opinion of the Commission provides adequate security against forgery. Voting documents shall be numbered consecutively, each document having such distinctive number stamped on the face of it:

Provided that wherever the Commission is satisfied that a person whose name appears on the Local Councils' Electoral Register is dead, the relative voting document shall not be forwarded, and where such voting document has been forwarded the Commission shall withdraw it:

Provided further that the Commission shall not forward a voting document to any voter in respect of whom the Commission does not possess a photograph, and in respect of such voters the Commission shall follow the following procedure;

(i) within five days of the publication of the Notice, the Commission shall publish in the Gazette a list of the said voters stating their name, surname, place of residence and identity card number;

(ii) the names of such voters shall not be published in the list mentioned in paragraph (5) of this regulation;

(iii) the voting document of such voters shall only be issued if the voter satisfies the requirements of regulation 18 of these regulations and shall be in accordance with the provisions of that regulation.

(2) The political parties shall be granted all reasonable facilities to watch the printing of all voting documents, to check the exactness thereof and generally to ensure that only voting documents of voters entitled to receive them are printed.

(3) The voting documents printed in accordance with the previous paragraph of this regulation shall, until such time as they are forwarded to voters, be kept in boxes sealed with the seal of the Commission. The party delegates shall have the right to affix their own seals to such boxes and to be present whenever such seals are broken. This regulation shall "mutatis mutandis" also apply with regard to the voting documents which remain undistributed, in terms of paragraph (4) of this regulation, when voting

documents are issued in terms of paragraph (6) of this regulation, and to the voting documents which remain undistributed.

(4) The voting document shall be served on each voter by a police officer or by registered post or by any other person appointed for the purpose by the Commission, and such document shall be deemed to have been served by delivery to the person to whom it is addressed, or to an adult person, who either resides at the same address or is in his employment, at the address of the voter as shown in the Local Councils' Electoral Register.

(5) When the Commissioners are unable to effect service of the document aforesaid they shall as soon as possible, and in no case later than three days from the time established in paragraph (1) of this regulation, publish in the Gazette a list containing the names, identity card number and addresses of the persons on whom the voting document has not been served, and shall state the reason why service has not been effected.

(6) Any person on whom the voting document has not been served and whose name appears in the list published in accordance with the preceding paragraph, may up to the Thursday immediately preceding the day of the voting, appear personally before one of the Commissioners or any other person delegated by them and claim delivery of the document:

Provided that the document aforesaid shall not be delivered to him unless he produces his identity card to the Commissioners or the person delegated by them.

(7) Any of the Commissioners or other person delegated by them may examine on oath any person for the purpose of ascertaining his identity and of establishing his claim to receive the document.

Special Voting Document.

18. Where a person whose name appears in the last revised Local Councils' Electoral Register, but not in the list published under paragraph (5) of regulation 17 of these regulations, has not received the voting document or, after the receipt of such document, has lost or destroyed such document such person may not later than 6.00 p.m. of the Wednesday immediately preceding the commencement of voting, appear before one of the Commissioners, and if:-

(a) he proves his identity by the production of his identity card; and

(b) makes a declaration on oath before any such Commissioner that he has not received the voting document or that, after the receipt of such document, he has lost or destroyed it, and such further declarations on oath as the Commissioner may require

he shall be given a voting document issued specially for the purpose; and in any such case:

(i) the name of such person appearing on the list referred to in paragraph (1) of regulation 34 of these regulations shall be

marked "SPECIAL"; and

(ii) a list of all the persons to whom a voting document is issued under this paragraph shall be kept at the Electoral Office and shall be open to inspection by any candidate, party agent or party delegate at all reasonable times until the poll closes.

Number of Voting Documents.

19. (1) Not later than the Friday before the start of the poll, the Commissioners shall cause to be published in the Gazette a list indicating the number of voting documents printed, the number distributed in terms of paragraph (1) of regulation 17, the names and addresses of the persons who up to that time have claimed delivery thereof in terms of paragraph (6) of regulation 17, the number of voting documents issued in terms of regulation 18 and the name, address and identity card number of the persons to whom such documents have been delivered, the number and reasons for voting documents withheld and the names, addresses and identity card numbers of the voters concerned and the number of voting documents remaining uncollected and the names, addresses and identity card numbers of the voters concerned.

(2) Any political party shall have the right to nominate representatives to be present during the issuing of the voting documents in terms of paragraph (6) of regulation 17 and regulation 18 of these regulations and for this purpose the said parties shall be provided by the Commission with all such information as is required by them and as they may deem necessary for the better performance of their duties.

Ballot Paper.

20. (1) Three days prior to the commencement of voting, the Commission shall cause to be published in the Gazette the number of ballot papers printed for each locality and the number to be distributed to each individual polling booth.

(2) The Commission shall ensure as far as is practically possible that ballot papers are made of such security paper and carry such markings as to ensure that they may not be duplicated.

(3) The ballot paper of each voter shall consist of a paper in the form set out in the Eighth Schedule to these regulations, containing a list of candidates described by the name (including any nickname), address and profession or occupation as given in their respective nomination paper and as approved by the Electoral Commissioners.

(4) Within each locality candidates shall be arranged by political party and, within each party group alphabetically in the order of their surname. If there are two or more candidates of one party with the same surname, they will be arranged in order of their other name or names.

(5) Every political party contesting the election shall provide the Commission with the names of the candidates contesting the election in its own interest in each locality. Such list shall be conclusive evidence as to whether a particular candidate belongs to that political party.

(6) If supplied by the party to which he belongs, there may be printed on the ballot paper opposite the name of each candidate belonging to that party any badge or device, approved by the Electoral Commission, indicating the political party, if any, to which the candidate belongs, or otherwise calculated to assist the identification of the candidate by the voter.

(7) Parties will be placed on the ballot paper in alphabetical order.

Distribution of Ballot Papers.

21. (1) On the day or days as near as practicable to the day of voting, the Commission shall prepare in different packets the ballot papers and all other documents and materials to be consigned to the Assistant Commissioners on the day of voting.

(2) The Electoral Commission shall retain possession of all packets until the day of the poll when it shall deliver the same to the Assistant Commissioners prior to the start of voting.

(3) Representatives of the political parties shall be granted all reasonable facilities to oversee the printing and checking of all ballot papers, the packing thereof and their distribution to the Assistant Commissioners, and to affix their seals to all packets prepared by the Electoral Commission for delivery to the Assistant Commissioners.

PART IV
Nomination of Candidates

Nomination of Candidates.

22. (1) A candidate for election shall be nominated in writing. The nomination paper, which shall be in the form set out in the Ninth Schedule to these regulations, shall be signed by the candidate himself (or, in the event of his absence from Malta, by a duly appointed representative) and by, at least, four voters registered in the locality for which the candidate is nominated. The nomination paper shall be delivered to one of the Commissioners at the Electoral Office by the candidate himself or if he is prevented by illness or absence from Malta by his lawful representative within the period specified in the notice referred to in regulation 16.

(2) Immediately after a nomination paper has been delivered to the Commission the name of the candidate shall be posted at the entrance of the Electoral Office with an indication of the locality for which the candidate was nominated.

(3) Objections may be made to a nomination on the ground that the description of the candidate is insufficient to identify the candidate, that the nomination paper does not comply with, or was not delivered in accordance with the provisions of the Act or of these regulations or that the deposit prescribed by regulation 23 of these regulations has not been paid:

Provided that no such objection may be made after the expiration of the time fixed for the making of such objection in the notice referred to in regulation 16.

(4) Every objection shall be in writing and signed by the objector and shall specify the ground of the objection. The Commission itself may lodge an objection.

(5) The Commissioners shall, not later than the day following the expiration of the time fixed for the receipt of objections, decide on the validity of every objection and inform the candidate to whose nomination the objection relates or his lawful representative of their decision and, if the objection is allowed, of the ground of their decision. The decision of the Commissioners, if disallowing an objection, shall be final, but if allowing an objection shall be subject to appeal to the Court of Appeal by writ of summons filed in contestation with the Commissioners not later than twenty four hours after the Commission has communicated its decision to the candidates and the Court of Appeal shall deal with such writ of summons with the utmost urgency.

(6) For the purpose of this regulation, any voter may ask the Commissioners to be allowed to see and examine any nomination paper accepted by them.

Deposit by candidates at elections.

23. (1) A candidate at any election shall deposit, or cause to be deposited on his behalf, with the Commission, before his nomination can be accepted, the sum of forty Maltese liri, and if he fails to do so, the nomination shall not be accepted by the Commissioners:

Provided that the Minister may, from time to time, by notice in the Gazette specify a higher amount which in no case shall exceed three hundred Maltese liri.

(2) If after the deposit is made the candidature is withdrawn in pursuance of the provisions of these regulations, the deposit shall be returned to the person by whom it was made; and if the candidate dies after the deposit is made and before the voting has commenced, the deposit, if made by him, shall be returned to his heirs and if not made by him, shall be returned to the person by whom it was made.

(3) If a candidate who has made the required deposit is not elected, and the number of votes polled by him does not exceed one-tenth of the number of votes polled divided by the number of Councillors to be elected for that locality, the amount deposited shall be forfeited and paid by the Commissioners into the Consolidated Fund but in any other case the amount shall be returned to the candidate, where the candidate is elected, as soon as he has taken the oath as a Councillor, and where the candidate is not elected, as soon as practicable after the result of the election is declared.

(4) For the purpose of this regulation the number of votes polled by a candidate shall be the highest number of votes credited to him at any time during the counting of the votes.

Uncontested and contested elections.

24. (1) If at the expiration of the time fixed for the receipt of nominations, the number of candidates nominated for a locality is equal to or less than the number of Councillors that the voters in such locality are

entitled to return, the Commissioners shall declare the candidates so nominated as elected Councillors to represent that locality and such return shall be published in the Gazette.

(2) If the number of candidates nominated for a locality is less than that which the voters in that locality are entitled to return, the Commission shall issue a new Notice for the election of Councillors to fill the remaining vacant seats in that locality, and if thereupon no further candidates are nominated, or if the number of candidates nominated is less than the number of vacant seats, the seats thereafter remaining vacant may be filled by the co-option of a Councillor or Councillors by the elected Councillor or Councillors of the locality and the Commission shall not issue a new Notice in respect thereof. The Councillor or Councillors so co-opted must have the qualifications established in section 11 of the Act.

(3) If more than such number of candidates as aforesaid be nominated for a locality, the Commissioners shall cause a notice to be published in the Government Gazette over their signature stating the names of the candidates and the locality for which they have been nominated. No person whose name has not been published in the said notice may be elected as a Councillor.

Withdrawal of candidature.

25. A candidate may, during the time prescribed for nomination, withdraw his candidature by giving notice to the Commission to that effect. Such notice shall be signed by the candidate or if he is absent from Malta, by his duly appointed representative.

PART V
Assistant Commissioners

Appointment of Assistant Commissioners.

26. (1) Subject to the provisions of the following regulations of these regulations the Commission shall appoint as many Assistant Electoral Commissioners hereinafter referred to as "Assistant Commissioners" as may be necessary, to supervise the election in the manner herein prescribed. No Assistant Commissioner shall be appointed to supervise the poll in a locality in which he resides, or in a locality bordering that in which he resides or where he habitually works or exercises his profession or calling.

(2) The Assistant Commissioners shall take the oath of office as set out in the Tenth Schedule to these regulations, before one of the Commissioners and shall follow the instructions which they may receive from the Electoral Commission for the discharge of their duties.

Nomination of Assistant Commissioners.

27. (1) Every political party shall, within seven days of publication of the Notice, be entitled to nominate a number of persons, equal to one and a half times the number of polling booths, to act as Assistant Commissioners, and to the extent that such persons have the necessary ability to perform the functions of Assistant Commissioner and are not disqualified from so acting by the provisions of these regulations, the Commission shall appoint Assistant Commissioners from amongst such persons.

(2) The Commission shall moreover itself nominate as Assistant Commissioners such number of persons as is necessary in order that in each of the polling booths there be in attendance at all times at least one person nominated by the Commission to act as Assistant Commissioner.

(3) In no case shall there be less than three Assistant Commissioners nominated to supervise the poll in each polling booth and should all or any of the political parties fail to nominate all or any Assistant Commissioners in terms of and within the time established in paragraph (1) of this regulation, the Commission shall itself nominate other Assistant Commissioners in order to ensure that, at least, three Assistant Commissioners are in attendance in each polling booth.

(4) For the purpose of the time established in paragraph (1) of this regulation, the Commission shall not later than two days after the publication of the Notice inform the parties of the number of Assistant Commissioners that each party will be required to nominate.

Disqualifications and publication of names of Assistant Commissioners.

28. (1) A person shall not be an Assistant Commissioner if he is a candidate for election to the Local Councils, or is a relative by consanguinity or affinity up to the second degree to any candidate for election, or is manifestly in the opinion of the Commission, after consulting the party delegates unsuitable to perform the functions of Assistant Commissioner.

(2) Within two days following the day mentioned in paragraph (1) of regulation 27 the Commission shall deliver to the political parties a list of all persons nominated to act as Assistant Commissioners indicating their names, identity card numbers, addresses and occupation.

Objections to Assistant Commissioners.

29. (1) The political parties, not later than two days after the day mentioned in paragraph (2) of regulation 28, shall have the right to object in writing to the Commission with respect to the appointment of any person as Assistant Commissioner on any of the grounds mentioned in paragraph (1) of regulation 28.

(2) Where an objection is received by the Commission in terms of the preceding paragraph of this regulation, it shall, not later than the next following day, call a meeting of the party delegates to discuss such objections.

(3) Any objection made in accordance with the preceding paragraphs shall be determined by the Commission. The determination by the Commission shall be final and binding on all concerned. Where after hearing such objections the Commission determines that a person nominated by a political party to be appointed as an Assistant Commissioner shall not be so appointed, the political party which had nominated that person shall have the right to nominate another person in his stead.

(4) The fresh nominations mentioned in the preceding paragraph of this regulation shall be made immediately after the determination of all the objections: The times mentioned in paragraphs (1) and (2) of this regulation shall apply to objections to persons nominated as Assistant Com-

missioners in terms of paragraph (3) of this regulation, and if any objection is received and upheld by the Commission, the Commission itself shall appoint another person to be Assistant Commissioner in his stead and such appointment shall be final and no objection may be made in respect thereof.

(5) Upon final determination of all objections the Commission shall assign the Assistant Commissioners to the various polling booths; such distribution shall be made in such manner as to ensure that in each polling booth there is, at least, one Assistant Commissioner nominated by the Commission and one Assistant Commissioner nominated by each party contesting the election in that locality:

Provided that where a political party has not nominated a sufficient number of persons to be appointed Assistant Commissioners, the Commission shall only be required to assign, in respect of that political party, such Assistant Commissioners as have been nominated by it and appointed Assistant Commissioners.

(6) The Commission shall, within two days of the final determination referred to in the preceding paragraph, cause a list to be published in the Gazette showing the name, address, identity card number and occupation of each Assistant Commissioner appointed, the polling booths to which each has been assigned, and indicating the Assistant Commissioners who are assigned but held in reserve.

(7) After the final distribution of all Assistant Commissioners and up to the end of voting, the Commission alone shall have the right to substitute Assistant Commissioners and then only for grave and sufficient reasons and in such manner as to ensure that where the Assistant Commissioner substituted is one nominated by a political party, his substitute shall be a person nominated by the same party, provided a sufficient number of Assistant Commissioners have been nominated by that party.

PART VI
Voting

Appointment of Party Agents.

30. (1) Every political party shall have the right to nominate as its agents such number of persons as is equal to the number of ballot boxes and such persons are in these regulations referred to as "party agents".

(2) The party agents so nominated shall have the right to be present in the polling booths prior to the start and at the close of the poll for the purposes provided for in these regulations.

(3) Political parties exercising the right granted to them by paragraph (1) of this regulation shall forward a list to the Commission containing the names of the persons nominated by them as its agents not later than the day appointed for the nomination of Assistant Commissioners in terms of regulation 27 of these regulations.

(4) Notwithstanding anything contained in these regulations, the

political parties may nominate as party agents the same person or persons whom they have nominated as Assistant Commissioners.

Persons guilty of corrupt practices not to be appointed agents.

31. No person shall be appointed party agent who has within seven years previous to such appointment been found guilty of any corrupt practice under these regulations or under the General Elections Act or is determined by the Commission to be manifestly unsuitable to act as such.

Identification of Party Agent.

32. (1) Together with the name, address and identity card number of the party agent, the political party shall forward to the Commission a passport size photograph of the agent, and the Commissioners shall not later than seven days before the start of the voting forward to such agent a tamper proof identity document bearing the photograph of the agent franked with the seal of the Commission and indicating the name, address and identity card number of the agent and by whom he has been nominated. The identity documents as issued shall be progressively numbered and shall be worn in a conspicuous manner by the agent concerned in the exercise of his functions.

(2) Within the time established in the preceding paragraph of this regulation, the Commission shall forward to the political parties and post at the entrance of the Electoral Office a list of the names, addresses and identity card numbers of all party agents nominated indicating with respect to each one of them by whom he has been nominated and the progressive number of the identity document issued to him.

Polling places.

33. (1) The Commission shall, whenever practical, provide not more than one polling place for each locality and shall ensure that, as far as possible, that polling place is within the locality. In each polling place, the Commission shall provide as many polling booths as possible.

(2) The Commission shall, as far as possible, provide facilities so that handicapped persons, including persons in wheelchairs, may vote in comfort.

Polling booths and polling days.

34. (1) (a) In each polling booth a list of voters entitled to vote in that polling booth together with copies of the photograph of each voter shall be kept by the Assistant Commissioners. Every page of such list and every correction or cancellation thereon shall be signed by a Commissioner and a party delegate of each political party, or persons nominated by them in writing.

(b) Copies of such lists without photographs shall be forwarded by the Commission to all political parties contesting the election at least fifteen days prior to the day fixed for voting and the Commission shall keep the political parties informed of all changes effected to such lists. The lists shall identify the polling booth where each voter entitled to vote shall exercise his right to vote, shall list the voters who are to vote in each polling booth in alphabetical order according to the surnames of the voters, assigning to each voter a distinct and consecutive number and indicating the name, surname, address and identity card number of each voter as well as the registered number of the respective voting document of each voter.

(c) The name of every voter who delivers a valid voting document and to whom a ballot paper is delivered by the Assistant Commissioners shall be marked on such list kept for the purpose by the Assistant Commissioners and in such manner as is directed by the Commission.

(2) Voting shall be held on a Saturday. Voting shall start at 7.00 a.m. and shall close at 7.00 p.m.:

Provided that every voter who at the close of time of voting is present in a polling place for the purpose of voting, shall be entitled to receive a ballot paper and to vote:

Provided further that, where the Commission are satisfied that the time allowed for voting has been, or will be, for any reason beyond their control, reduced at all or in any one or more of the places, they may, whether before or after the poll has commenced, extend the time fixed for the poll at such polling place or places so as to make good for the time lost, as aforesaid:

Provided further that, where all persons who have had a voting document delivered to them, such voting document not having been withdrawn, have voted in a polling booth or locality, the Commission may close the voting in that polling booth or locality before the stipulated time.

(3) In each polling booth the Electoral Commission shall provide a number of separate cubicles wherein each voter may record his vote and in each cubicle shall provide such facilities as it deems necessary including, however, a notice in the form specified in the Fourteenth Schedule to these regulations.

Maintenance of order within 50 metres of each polling place.

35. During the time fixed for voting at any polling place, no person, other than a person waiting to vote, shall loiter within a distance of fifty metres from that polling place nor shall any person within the said distance of fifty metres make political propaganda in any manner. Any club, shop or other public establishment within such distance shall be kept closed on polling day.

Maintenance of order outside 50 metres from polling place.

36. No person shall congregate during voting, in any street, square or other place, leading from the place of residence of any voter to any polling place, in such numbers or otherwise in such manner as to be likely to intimidate any voter, or to obstruct his approach to or from a polling place, or to lead to a breach of the peace.

Ballot boxes and documents for polling booths.

37. The Commission shall on the day of the poll deliver to the Assistant Commissioners for each polling booth one or more ballot boxes, a sufficient number of ballot papers, lists of the voters entitled to vote at that polling booth and other relevant documents and materials.

Checking of ballot boxes by party agents and party delegates.

38. (1) Immediately prior to the start of voting the Assistant Commissioners shall, in the presence of any candidate or party agent or party delegate as may be present, check that the ballot boxes consigned to them are empty by opening the ballot box and shall thereupon seal the lid thereof with

the seal of the Commission and allow any candidate, party agent or party delegate to affix his own seal thereto.

(2) For the purpose of this regulation, where the Assistant Commissioners determine that because of lack of space, not all the seals may be conveniently placed, they may direct that not all seals shall be so affixed ensuring however that each political party will be given the opportunity to affix at least one seal on each ballot box.

Voting.

39. (1) Any voter wishing to vote shall attend at the polling booth, specified in the voting document received by him and shall deliver such document to an Assistant Commissioner at such polling booth during the hours appointed for voting.

(2) No person shall be allowed to vote unless he produces and delivers the voting document to the Assistant Commissioners.

(3) No inquiry shall be permitted at the time of voting as to the right of any person to vote, so long as the name of such person is included in the list referred to in paragraph (1) of regulation 34 of these regulations, but the Assistant Commissioners may, before the delivery of the ballot paper to a voter, put to him such questions as they may deem proper to satisfy themselves of the identity of such voter.

(4) The Assistant Commissioners, upon the production and delivery to them of the voting document and having satisfied themselves of the identity of the voter, shall strike out the name of the voter from the list aforesaid and shall deliver to him, after marking it with official marks, a ballot paper. For the purposes of these regulations, "official mark" shall mean the stamp which the Commission shall direct the Assistant Commissioners to use; so however that each political party may direct the Assistant Commissioner nominated by it to use a stamp of its own to mark the ballot papers, provided that an imprint of the stamp so used is deposited with the Commission prior to the start of the poll; such stamp shall not be necessary for the validity of the ballot paper.

(5) The Assistant Commissioners may at their discretion administer an oath to any voter in the form set out in the Eleventh Schedule to these regulations.

(6) Any person refusing to answer any questions put to him under paragraph (3) of this regulation or to take the oath referred to in paragraph (5) of this regulation shall not be permitted to vote.

(7) The Assistant Commissioners shall not refuse a ballot paper to any person whose name is included in the list referred to in paragraph (1) of regulation 34 of these regulations and otherwise satisfies the requirements of this regulation, unless the person so claiming to vote, upon being questioned under this regulation, appears to the Assistant Commissioners not to be the person whose name is on the aforesaid list or to have previously voted at the same election.

(8) The Assistant Commissioners shall keep a written record of the taking of any oath administered to any person under this regulation, and of their refusal to allow any person to vote.

(9) No voter shall be allowed to vote except at the polling booth specified in the voting document produced by him for purposes of voting.

(10) A voter, who has inadvertently spoilt his ballot paper may, on delivering the spoilt ballot paper to the Assistant Commissioner, and proving the fact of inadvertence to the satisfaction of the Assistant Commissioner, obtain another ballot paper in its place and the spoilt ballot paper shall be immediately cancelled.

40. (1) Each voter shall have one transferable vote. **Method of Voting.**

(2) A voter, in recording his vote:

(a) must place on his ballot paper the figure 1 opposite the name of the candidate for whom he votes; and

(b) may in addition indicate the order of his choice or preference for as many other candidates as he pleases by placing against their respective names the figure 2, 3, 4, 5 and 6 and so on in consecutive numerical order.

(3) A ballot paper shall be invalid in which:

(a) the figure 1 standing alone indicating a first preference for one candidate is not placed; or

(b) the figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate; or

(c) the figure 1 standing alone indicating a first preference and some other number is set opposite the name of the same candidate; or

(d) it cannot be determined with certainty for which candidate the first preference of the voter is expressed; or

(e) any writing or mark is made by which the voter can be identified; or

(f) the official mark as defined in paragraph (4) of regulation 39 is not made.

(4) A voter shall record his vote secretly inside a cubicle in the booth provided for this purpose and constructed in such a manner as not to allow the voter to be seen when marking his ballot paper. After marking his ballot paper the voter shall fold the ballot paper so as to conceal his vote and shall then put the ballot paper in the ballot box in the presence of the Assistant Commissioners.

Illiterate or incapacitated voters.

41. (1) Any voter who declares to, and shows to the satisfaction of, the Assistant Commissioners that he is unable by reason of blindness, other physical cause or illiteracy to mark his ballot paper, may request an Assistant Commissioner to mark the paper on his behalf indicating for which candidate or candidates he wishes to vote and the order in which he wishes to record his vote:

Provided that the voter may not ask for any particular Assistant Commissioner to mark the ballot paper on his behalf.

(2) The Assistant Commissioners are bound to secrecy with regard to the voting of persons whom they have assisted to vote.

(3) There shall be not less than two Assistant Commissioners present when the vote is being recorded under the provisions of paragraph (1) of this regulation, but no other person shall be allowed in the polling booth.

(4) When an Assistant Commissioner is authorised to assist a voter to record his vote, the Assistant Commissioner shall require such voter to confirm his declaration on oath, and on satisfying himself of the correctness of such declaration he shall record the vote of such voter on the ballot paper, in accordance with the indication made by such voter and following the procedure set down hereunder:

(a) The Assistant Commissioner shall ask the voter: "Which of the candidates do you most desire to see elected?" and shall place the figure 1 on the ballot paper opposite the name of the candidate indicated by the voter.

(b) The Assistant Commissioner shall then ask the voter: "For which of the candidates do you desire to express a second choice?" and shall place the figure 2 on the ballot paper opposite the name of the candidate indicated by the voter.

(c) The Assistant Commissioner shall repeat the operation in reference to a third or any subsequent preference until the voter shall declare that he does not desire to express any further choice.

(d) In order to assist such voters in indicating their preferences, the Electoral Commissioners shall permit the display in the polling places of photographs of the candidates, if the same are supplied by the candidates themselves or by a political party on their behalf. Each photograph may bear, in addition to the name of the candidate represented, the badge and name of the party, if any, to which he belongs.

Such photographs shall be of such size and description as the Electoral Commissioners may require and shall be displayed in such manner as they shall direct and in the order in which the candidates' names appear on the ballot paper.

(e) At the commencement of these operations and at any subsequent stage the Assistant Commissioner shall, if desired by the voter,

read out in the order in which they appear on the ballot paper, the names of all candidates for whom a choice has not already been expressed by the voter.

(f) If any such voter, however, shall request the Assistant Commissioner to read out the names of the candidates of one particular political party only, the Assistant Commissioner shall do so by reading in alphabetical order the names of the candidates who have supplied an indication of their adhesion to that political party and omitting the names of the other candidates.

Assistant Commissioners not to see vote recorded.

42. While a voter is recording his vote, the Assistant Commissioners shall keep at sufficient distance so as not to be able to see the vote recorded.

Ballot paper not to be removed from polling place.

43. The Assistant Commissioners shall in no case permit any person to take his ballot paper out of the room or out of their sight until it is inserted into the ballot box.

Assistant Commissioners not to make suggestions as to manner of voting.

44. Saving the provision of regulation 41, no Assistant Commissioner or any other person shall record the vote for any voter, or shall, at any polling place make any suggestion to him directly or indirectly regarding the candidate or candidates for whom he should vote or regarding his choice of preference.

No unauthorised person to enter polling place.

45. Except where otherwise stated in these regulations the Assistant Commissioners shall not allow any person not being a police officer on duty, or a person lawfully entrusted with some duty in connection with the elections, or a person entitled to vote at that polling place, to enter such polling place; nor shall they permit any voter or other person to remain in the polling place longer than necessary.

Closure of Voting.

46. (1) After the expiration of the time fixed for voting or where, in terms of the proviso to paragraph 2 of regulation 34 voting in a polling booth or a locality has closed, the Assistant Commissioners shall seal the opening of the ballot box, shall place in a packet all unused and spoilt ballot papers and all printed or written records kept by them, affixing their seal thereto, after stating and signing on the said packet the number thereof, and shall place in a separate packet all voting documents delivered to them. The official marks used by the Assistant Commissioners including those used by the Assistant Commissioners nominated by the political parties shall be put in a separate packet which shall be sealed with the seal of the Commission after all Assistant Commissioners have affixed their signature thereto.

(2) For the purposes of the previous paragraph of this regulation the Assistant Commissioners shall physically count and reconcile the number of unused and spoilt ballot papers, the number of persons marked as having voted on the list referred to in paragraph (1) of regulation 34 and the number of voting documents delivered to them.

(3) After the close of the poll and before the ballot boxes are removed from the polling booths, the Assistant Commissioners shall affix a notice on the door of each polling booth and signed by all the Assistant

Commissioners stating the number of voters entitled to vote at that polling booth, the number of ballot papers received by them from the Commission, the number of voting documents delivered to them distinguishing as to whether they are ordinary or special, the number of spoilt ballot papers and the number of unused ballot papers being returned by them to the Commission and the number of persons who have voted in that polling booth. The said notice shall in this regulation be henceforth referred to as the "ballot paper account".

A copy of the ballot paper account shall be delivered by the Assistant Commissioners to each political party by handing it to any candidate, party delegate or party agent representing such party as may be present, and shall also be delivered to the Commission at the place specified in paragraph (c) of regulation 16 of these regulations and the Commission shall immediately thereon provide a copy to the party delegates.

(4) On completion of all the duties mentioned in the preceding paragraph of this regulation, the Assistant Commissioners shall deliver the ballot box or boxes and all documents and packets entrusted to them to the Commission at the place specified in paragraph (c) of regulation 16 of these regulations.

(5) Party delegates, candidates and party agents shall have the right to attend at the reconciliation and sealing of papers and sealing of ballot boxes, mentioned in the preceding paragraphs of this regulation, to affix their own personal seals to the packages containing the papers and to the ballot boxes and shall, subject to the provision of the following paragraphs of this regulation, be granted facilities to watch and accompany the transportation of the ballot boxes from the polling place up to their delivery to the Commission.

(6)(a) No more than one party agent from each political party may be present in each polling booth at any one time during the procedure for the sealing of ballot boxes;

(b) The Assistant Commissioners shall ensure that candidates, party agents or party delegates as may be present shall be called in prior to their starting the procedures outlined in the previous paragraphs of this regulation for the sealing of ballot boxes and packets and reconciliation;

(c) The candidates, party agents and party delegates that may be present shall be granted all reasonable facilities to over see, record and request recounts of all the operations undertaken by the Assistant Commissioners in terms of the previous paragraphs of this regulation and without prejudice to the generality of the above:-

(i) to reconcile the number of persons who have voted as stated in the ballot paper account with the number of persons which the Assistant Commissioners have struck off the list referred to in regulation 34 of these regulations and the number of voting documents received by the Assistant Commissioners;

(ii) to reconcile the names of the voters which the Assistant Commissioners have struck off the list referred to in regulation 34 of these regulations with the names or the voting documents received by them;

(iii) to record the names of the persons who have not voted;

(d) If a vehicle is to be used for the transportation of the ballot box, and after all the procedures indicated in the previous paragraph of this paragraph have been completed, the Assistant Commissioners shall keep the ballot box and all documents and packets in the polling booth until such time as the vehicle designated by the Commission for the transfer of the ballot boxes arrives at the polling place. Any candidate, party agent or party delegate as may be present shall also have the right to remain at such polling booth;

(e) During the transportation from the polling place to the place designated by the Commission for the delivery of ballot boxes in terms of paragraph (3) of regulation 16 no more than one representative from each of the political parties may board the vehicle designated by the Commission for transportation;

(f) The representatives mentioned in the previous paragraph of this paragraph shall be designated by the political parties within seven days of being notified by the Commission of the number of persons to be appointed, and shall be duly authorised by the Commission and shall bear an identification document similar to that required by paragraph (1) of regulation 32 and shall have these names published in terms of paragraph (2) of regulation 32 of these regulations;

(g) If no vehicle is to be used in the transportation of the ballot box, the Assistant Commissioners, accompanied by any candidate, party delegate or party agent as may be present, shall, after all procedures indicated in the previous paragraphs of this regulation have been completed, carry the ballot box and deliver it to the Commission in the place indicated in paragraph (c) of regulation 16 of these regulations.

(h) The refusal by any Assistant Commissioner to sign any declaration or document shall not of itself invalidate the contents thereof.

Assistant Commissioners responsible for the maintenance of order.

47. The Assistant Commissioners shall keep order in the polling place under their charge and shall be responsible for any irregularity in the voting in that place in so far as such irregularity could have been prevented by them.

PART VII
Voting in Retirement Homes

Retirement Home.

48. For the purposes of this Part, "a retirement home" means such place or places principally used for the care of elderly persons in which at least fifty voters reside and the residents thereof are registered voters for that locality:

Provided that the provisions of paragraph (a) of paragraph (3) of regulation 49, of paragraph (b) of paragraph (1) of regulation 50 and of regulation 51 shall not apply to retirement homes not run or administered by the Government.

Sub-committee for retirement homes.

49. (1) Within twenty-four hours of the publication of the Notice for the election of Councillors, the Commission shall form a sub-committee consisting of a Commissioner, who shall act as chairperson, and a representative of each of political parties and shall delegate to the sub-committee the running of the election in all retirement homes.

(2) The sub-committee shall have the duty to ensure that no undue pressure is brought to bear on voters in retirement homes, that proper and adequate facilities are given to all political parties to canvass such voters, that adequate arrangements for voting are made in view of the special needs of such voters and that no political party enjoys any unfair advantage.

(3) Without prejudice to the generality of the above provisions, the sub-committee shall ensure that:

(a) immediate steps are taken to temporarily remove and substitute members of staff gravely suspected to have attempted to influence voters;

(b) arrangements are made for the receipt and proper delivery of propaganda material and for canvassing during visiting hours by candidates and political parties contesting that locality;

(c) complaints by political parties and/or candidates are speedily investigated and rectified when found to be justified.

Duties of persons responsible for the administration of retirement homes.

50. (1) Within three days of the publication of the Notice the person responsible for the administration of a retirement home shall send to the sub-committee:

(a) a list of all persons resident at such retirement home, indicating the name, identity card number, last known address, age, ward or room number, name and address of next of kin and whether registered as a voter in the home address or otherwise;

(b) a list of all staff at the retirement home indicating the name, identity card number, address, grade and working hours up to the day following the day fixed for voting.

(2) On receipt thereof the sub-committee shall immediately provide the political parties with copies of such lists.

(3) The administrator of every retirement home shall keep such lists updated and shall immediately send to the sub-committee any amendments thereto and the sub-committee shall immediately inform the political parties of such amendments.

(4) Members of the staff in retirement homes are expressly

prohibited from engaging in propaganda for any political party or candidate and any employee contravening this regulation shall be guilty of an offence and shall on conviction be liable to the penalty of general interdiction for a period of ten years and the provisions of the Probation of Offenders Act and of section 22 of the Criminal Code shall not apply.

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Cap 9.

51. (1) The voting documents of voters registered in retirement homes shall be delivered to the voters personally. The voter may opt to deliver the voting document to the administrator of the home for safe-keeping, and such administrator shall return the same to the voter on the day fixed for voting or on such earlier day as may be requested by the voter.

Voting at retirement homes.

(2) Voters in retirement homes shall have the option to proceed to the polling place:

(a) without the assistance of any person;

(b) with the assistance of members of the staff;

(c) with the assistance of members of their families;

and it shall be the responsibility of the sub-committee to ascertain the option chosen by each voter.

(3) Voters opting to be assisted by members of the staff shall be accompanied by members of the staff chosen from a pool thereof nominated in equal numbers by all the political parties, such nominations being made at least ten days before the start of the poll. Political parties shall have the right to demand, and the Commission shall have the duty to ensure, that if the ordinary staff at such homes is not sufficient for the purposes of this regulation other persons are transferred to such homes for such purpose.

(4) Voters opting to be assisted by members of the staff or by members of their families shall, notwithstanding any other provision of these regulations be so accompanied up to the door of the relative polling booth.

(5) During the day fixed for voting no person other than members of the sub-committee, members of the staff and relatives of patients who have been previously authorised to accompany voters to vote, shall without the express authority of the Commission, be allowed to enter retirement homes.

(6) Except with the special authorisation of the sub-committee, no voter in a retirement home who has chosen the option to vote on his own or to be accompanied by members of his family may be taken to vote by members of the staff.

52. The sub-committee appointed in terms of regulation 49 of these regulations shall function under the general direction of the Commission and shall be bound to implement the decisions of the Commission.

Direction by Electoral Commission.

PART VIII
Counting of Votes

Start of counting of votes.

53. The counting of votes for each locality shall take place at the place and time specified in notices referred to in paragraphs (c) and (d) of regulation 16 of these regulations and shall be conducted in accordance with the provisions of these regulations. Counting shall commence for a locality when all ballot boxes for that locality have been deposited in the room designated for the purpose by the Commission, all packets containing the papers and other material used by the Assistant Commissioners have been delivered to the Commission and neither ballot boxes nor packets have been declared to be in a state that gives rise to the suspicion that they have been tampered with.

Tampering with ballot boxes.

54. (1) Political parties contesting the elections shall have the right to nominate a sufficient number of agents, to be determined by the Commission, to oversee at all times the receipt of the ballot boxes, documents and packets, by the Commission from the Assistant Commissioners and the storage of the said ballot boxes, documents and packets after the receipt thereof. These agents shall henceforth in these regulations be referred to as "delivery agents".

(2) Party delegates, candidates and delivery agents shall have the right to monitor the receipt of the ballot boxes by the Electoral Commission from the Assistant Commissioners and to make representations thereon.

(3) If any of the Commissioners or any party delegate, candidate or delivery agent claims that any ballot box or package is received in a state that it gives rise to suspicion that it may have been tampered with, the Commission shall order such box or packet to be dealt with separately from the other boxes or packets, and shall immediately call a meeting of the Commission and at such meeting the Commission shall have the power to hear such evidence under oath as it deems necessary.

(4) Where the Commission decides that there is no evidence that justifies the suspicion that the box or packet has been tampered with, its decision shall be final and no appeal shall lie therefrom.

(5) Any claim as is referred to in the previous paragraphs of this regulation shall be made as soon as the ballot box or packet is delivered by the Assistant Commissioners to the Commission and for this purpose the Commission shall ensure that the party delegates, candidates or delivery agents are given adequate facilities to attentively inspect the ballot boxes, documents or packets.

(6) It shall be the duty of the Commission to ensure the mathematical accuracy of the ballot paper account and that this tallies with the declared number of voting documents returned by the Assistant Commissioners. Political parties shall have the right to demand that the Commission shall for this purpose open all packets containing voting documents relative to not more than ten per cent of all ballot boxes in order to physically check the accuracy of such returns.

(7) Political parties shall select the ballot boxes in relation to which the packets containing voting documents are to be opened during delivery of the ballot boxes to the Commission and prior to the storage of the ballot boxes.

(8) As each ballot box is received and cleared by the Commission in terms of this regulation it shall be transferred to the room designated by the Commissioners for the storage of all ballot boxes in terms of regulation 16 of these regulations.

(9) As soon as practicable after all ballot boxes have been received and cleared in terms of this regulation and prior to the start of the counting process the Electoral Commission shall publicly declare the total number of votes declared to be cast in accordance with the ballot paper accounts delivered by the Assistant Commissioners as well as the number of votes in each ballot box as resulting from the same account.

(10) The Commission shall preserve until the publication of the official results of the next following election all papers delivered to them by the Assistant Commissioners, as well as the unused ballot papers and the voting documents, in separate sealed packets indicating on each packet the nature of the documents contained therein, and the locality to which they appertain.

(11) On every packet as is referred to in the preceding paragraph there shall be affixed the seal of the Electoral Commission and the signature of at least two Commissioners, and of any party delegate, candidate or delivery agent who may wish to sign it.

Counters, supervisors and calculators.

55. (1) The Commission shall appoint a number of persons to act as counters, supervisors and calculators to assist it in the counting and transfer of votes within each locality which shall be effected under the direct supervision of the Commission.

(2) The provisions of paragraph (1) of regulation 28 of these regulations shall "mutatis mutandis" apply to the office of the counter, supervisor and calculator as it applies to the office of Assistant Commissioner.

(3) A list of the persons appointed as counters, supervisors and calculators shall be published by the Commission in the Gazette, together with the list of persons appointed as Assistant Commissioners and the procedure established for the nomination by political parties and for objections to Assistant Commissioners shall "mutatis mutandis" apply to supervisors and counters.

(4) All counters, supervisors and calculators shall be issued with identity documents specifying the details provided for party agents. The identity documents shall be worn at all times by the counters, supervisors and calculators whilst in the precincts of the building where the counting of votes is held.

(5) The calculators shall perform all mathematical calculations connected with the counting of votes and the Commission shall ensure that the persons so chosen are proficient in mathematical calculations.

(6) Supervisors shall be responsible for a number of counters and shall oversee the opening of ballot boxes, and the sorting and counting of ballot papers for every counting table. The Electoral Commission shall ensure that at all times during the counting of votes there are no less than two supervisors for each counting table and that the political parties are adequately represented in the choice of persons to act as supervisors for each counting table.

(7) Counters shall work under the direction of the supervisors; they shall physically sort and count the ballot papers. The Electoral Commission shall ensure that there are a sufficient number of counters on each counting table to ensure a quick and efficient counting process and that the political parties are adequately represented at all times during the counting of votes in the choice of persons to act as counters at each counting table.

Commissioners may appoint persons to assist them in the counting of votes.

56. (1) The Commission may authorise any one or more of its members or any other person or persons appointed by it to do anything on its behalf in connection with the receipt and storage of ballot boxes and the counting and transfer of votes and anything done by virtue of such authority shall be deemed to have been done by the Commission.

(2) Notwithstanding anything contained in any other part of these regulations, the Electoral Commission may for the purposes of the counting of votes appoint any number of Principal Assistant Electoral Commissioners to act on its behalf as the Commission deems fit to supervise the counting of votes within each locality and anything done by the Principal Assistant Electoral Commissioners shall be deemed to have been done by the Electoral Commission.

(3) The Commissioners or any one or more of them shall administer to every person authorised to act for the Commission under the provisions of this regulation, an oath for the faithful discharge of the duties assigned to him.

Candidates and Counting Agents.

57. (1) Unless these regulations otherwise provide, candidates and party delegates shall have free access to the building where the counting of votes will take place, and to the counting hall, at all times.

(2) Every political party shall moreover have the right to nominate a number of agents equal to the number of candidates presented by it to contest the election and such agents shall at all times have access to the said building and to the counting hall at all times. These agents shall henceforth in these regulations be referred to as "counting agents".

The list of such agents shall be presented to the Commission at least twenty-one days prior to the start of the poll; the Commission shall inform the political parties of all the agents so nominated so that the said political parties may have an opportunity to make representations to the Commission

before the same accepts or rejects them; the agents so nominated are to be of good character and acceptable to the Commission and once nominated and accepted by the Commission, may not, for any reason, be changed by the political party nominating them.

The list of such agents shall, at least, seven days prior to the start of the poll, be forwarded by the Commission to the political parties and posted at the entrance of the Electoral Office indicating the name, address and identity card number of each agent and the party nominating him.

(3) The party delegates, candidates and counting agents shall be issued with an identity document and such identity document is to be worn at all times on entry into and inside the building or complex wherein the votes are counted.

Building where counting of votes will take place.

58. With respect to the building designated by the Commission for the counting of votes the Commission shall ensure that:

(a) adequate facilities are provided for media coverage as well as for the political parties;

(b) an area adjacent and communicating with the counting hall shall be provided for the storage of the ballot boxes and that during the time the boxes are stored in such area they shall at all times be visible from all parts of the counting hall;

(c) in the counting hall itself counters shall be separated from the candidates and agents and except in the cases expressly provided for in these regulations, access to the area designated by the Commission for the counting of votes shall only be allowed to candidates and agents with the express consent of the Commission; provided that the party delegates and two substitutes thereof for each locality in which an election is held, previously nominated by such delegates, shall have free access to the counting area at all times;

(d) the disposition of the counting area shall be such that as far as possible all the counting process can be closely viewed by candidates, agents and party delegates;

(e) adequate back up facilities for services failure are provided especially with respect to lighting;

(f) reasonable security measures are taken at all times in and around the building, that entry is restricted to authorised persons only and that no lethal instruments or instruments which may be rendered lethal are introduced in the building;

(g) at least fifteen days before the start of voting the Commissioners shall show the party delegates how they propose to allocate and separate the different areas of the said building and shall consider suggestions made by the said delegates in this regard;

(h) notwithstanding anything else contained in these regulations, the party delegates and their substitutes, shall at all times have access to any part of the building for the purpose of ensuring that the provisions of these regulations are being enforced.

Broadcasting coverage.

59. The Commission shall ensure that as far as practicable full and constant press and broadcasting coverage is allowed of the counting and transfer of votes and for such purpose shall allow entry into the building to *bona fide* press and broadcasting personnel and apparatus.

Extraordinary circumstances.

60. In extraordinary circumstances the Commission may allow entry into the building and the counting hall to such other persons as they think fit but in no case shall entry be allowed to the public generally.

Representations to Commissioners.

61. Notwithstanding anything else contained in these regulations, candidates and the counting agents shall at all times have access to the Commissioners for the purpose of making representations on their own behalf or on behalf of the candidate or party represented by them.

Direction of building.

62. The Commission shall have the sole direction of the building designated for the counting and transfer of votes and shall have the right to give such orders as are necessary for the maintenance of order and security within the building.

PART IX
Ballot Paper Account Reconciliation

Counting of votes.

63. The Commission shall proceed to count all the votes cast in a locality in order to establish the total number of votes cast in that locality.

Removal of ballot boxes from strong room.

64. (1) Prior to the removal of each ballot box from the room designated by the Commission to hold all the ballot boxes in terms of regulation 16 of these regulations, the party delegates or their substitutes shall have the right to examine the seals affixed to each ballot box.

(2) Any objection raised by the party delegates or their substitutes as to the integrity of such seals shall be examined by the Commission whose decision thereon shall be final and not subject to appeal.

Opening of each ballot box.

65. One ballot box at a time shall be opened and prior to the opening of each ballot box the Commission shall cause the ballot paper account for that ballot box to be affixed in such a manner that it may be clearly seen by the candidates and agents and shall show the candidates and agents the seals on the ballot box in order that they may ascertain that such seals are intact.

Objections to opening of ballot box.

66. Any party delegate, candidate or agent may, prior to the opening of the ballot box, make representations claiming that the seals of the box have been tampered with. Where such an objection is made the box shall not be opened until the Commission, after consulting the party delegates or their substitutes, shall have given such directions and taken such measures as it may consider necessary.

67. Where no objections are made and where the Electoral Commission in terms of the previous regulation of these regulations so directs, the ballot box shall be opened and the number of ballot papers contained therein shall be counted, face downwards, to ascertain that the number of votes in that ballot box corresponds to the ballot paper account.

Checking of ballot paper account.

68. Where the ballot papers in the ballot box do not tally with the ballot paper account the attention of the Commission shall be drawn to the fact and the Commission, after consultation with the party delegates, or their substitutes shall give such directions as it may deem fit and such decision shall be final.

When ballot papers do not tally with ballot paper account.

69. Where the ballot papers in the ballot box and the ballot paper account tally, the votes shall be put together and placed in a pigeon hole indicating the number of the ballot box. The pigeon hole and ballot papers must at all times be clearly visible by parties, candidates and agents. The ballot papers in each pigeon hole shall be put in parcels of fifty ballot papers each with any remainder being put at the bottom of the pile and the supervisor shall ensure that each parcel is counted for accuracy by more than one counter.

When ballot papers and ballot paper account tally.

70. The process described in regulations 63 to 69 of these regulations shall be repeated until all ballot boxes have been opened to ascertain that the ballot papers in each box tally with the ballot paper account relative to it.

All ballot boxes to be opened.

71. After all ballot boxes have been opened and reconciled with the relative ballot paper account the Electoral Commission shall prior to proceeding to the sorting of votes declare the total number of votes cast and their distribution by ballot box.

Number of votes cast.

PART X

Counting and Sorting of Votes

72. (1) Ballot papers shall be sorted in accordance with this Part of these regulations.

Sorting of ballot papers.

(2) In this Part unless the context otherwise requires:

(a) The expression "continuing candidate" means any candidate not elected and not excluded from the poll.

(b) The expression "first preference" means the figure "1" standing alone opposite the name of a candidate; the expression "second preference" means the figure "2" standing alone opposite the name of a candidate; and the expression "third preference" means the figure "3" standing alone opposite the name of a candidate, and so on.

(c) The expression "next available preference" means a second or subsequent preference recorded in consecutive numerical order for a continuing candidate, the preferences next in order on the ballot paper for candidates already elected or excluded from the poll being ignored.

(d) The expression "transferable paper" means a ballot paper on which, following a first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate.

(e) The expression "non-transferable paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate:

Provided that a paper shall be deemed to have become a non-transferable paper whenever:

(i) the names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference; or

(ii) the name of the candidate next in order of preference (whether continuing or not) is marked either by a number not following consecutively after some other number on the ballot paper or by two or more numbers; or

(iii) for any other reason it cannot be determined with certainty for which of the continuing candidates the next available preference of the voter is recorded.

(f) The expression "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate.

(g) The expression "transferred vote" in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.

(h) The expression "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota.

(i) The expression "count" means:

(i) all the operations involved in the counting of the first preferences recorded for candidates; or

(ii) all the operations involved in the transfer of the surplus of an elected candidate; or

(iii) all the operations involved in the transfer of the votes of an excluded candidate or of two or more candidates excluded together.

Sorting of ballot papers.

73. The Commission shall cause the ballot papers to be sorted out into parcels according to their first preference recorded for each candidate, rejecting any that are invalid.

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

(a) 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 to the counters;

(b) 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;

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

(d) if the counters decide that there is a possibility that, for any reason according to the Act or these regulations, a ballot paper may be invalid or if any candidate or agent for the same reason so claims, the counter shall place such ballot paper in a tray marked "dubious";

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

75. (1) When a counter has so disposed of the parcel of ballot papers mentioned in the previous regulation he shall be given another parcel to sort in the same manner and so on and so forth until all the parcels on the rack have been counted. Continuation of sorting process.

(2) When all the parcels on the rack have been counted the supervisor shall take the next topmost parcel of ballot papers from each pigeon hole repeating the sorting process mentioned in regulation 74 and in paragraph (1) of this regulation and so on and so forth until all ballot papers have, in phases, been removed from the pigeon holes, put on the rack and sorted.

76. (1) Whenever the supervisor in charge of the sorting of votes determines that in the tray marked as "dubious" there are a sufficient number of ballot papers he shall call one of the Principal Assistant Electoral Commissioners to collect such papers. Dubious Votes.

(2) The dubious ballot papers may only be removed from the tray by a Principal Assistant Electoral Commissioner who shall personally take them to a table designated for that purpose.

(3) The Electoral Commission, or the Principal Assistant Electoral Commissioners, shall, after hearing the representations of the party delegates or their substitutes, decide in respect of each paper, whether it is valid or invalid and if they decide that it is invalid they shall so stamp the paper on its face.

(4) The decision of the Principal Assistant Electoral Commissioners shall be subject to an appeal to a member of the Electoral Commission designated to hear such appeals by the Commission and his decision shall be final.

(5) Once all the dubious ballot papers have been declared valid or invalid, they shall be returned by a Principal Assistant Electoral Commissioner who shall pass them on to a supervisor.

(6) The supervisor shall cause the invalid ballot papers to be put in a tray marked "invalid" and the valid ballot papers to be sorted in accordance with the preceding regulations.

Counting papers.

77. (1) The Commission shall then count the number of papers in the tray of each candidate, and credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate, and they shall ascertain the total number of valid papers.

(2) When counting the number of papers placed in the tray of each candidate, the supervisor shall direct that such papers be bundled in packets of fifty papers each and that each packet is counted by at least two counters.

Ascertainment of quota.

78. The Commission shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled. The result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate. This number is herein called the "quota".

Candidate with quota elected.

79. If at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall thereupon be elected.

Transfer of surplus.

80. (1) If at the end of any count the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred, as in this regulation provided, to the continuing candidates for whom the next available preferences have been recorded on the ballot papers in the parcel or subparcel received by the elected candidate at that count.

Priority of surplus.

(2) A surplus which arises from any count shall be transferred before a surplus which may arise from a subsequent count.

(3) If more than one candidate has a surplus arising from the same count, the largest surplus shall first be dealt with.

Equality of surplus.

(4) If two or more candidates have each an equal surplus arising from the same count, the surplus of the candidate with the greatest number of votes at the first count at which the candidates in question had an unequal number of votes shall first be dealt with. Where the number of votes credited to such candidates were equal at all counts the Commission shall determine by lot which surplus they will first deal with.

Original votes only.

(5)(a) If the votes credited to an elected candidate consist of original votes only, the Commission shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred.

Original and transferred votes.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Commission shall examine the papers contained in the last sub-parcel last received by the elected candidate whose surplus is to be transferred.

Papers sorted to next available preference.

(c) In either case the Commission shall sort the transferable papers into sub-parcels according to the next available preference recorded thereon, shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

Transferable papers equal or less than surplus.

(6) If the total number of papers in the sub-parcels of transferable papers is not greater than the surplus, the Commission shall transfer the whole of each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next available preference, and shall set aside as a separate parcel so many of the non-transferable papers as are not required for the quota of the elected candidate. The particular papers set aside shall be those last filed in the sub-parcel of non-transferable papers.

Transferable papers exceed surplus; proportionate transfer.

(7)(a) If the total number of transferable papers is greater than the surplus, the Commission shall transfer from each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next available preference the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers.

Ascertainment of number of papers to be transferred.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional parts, if any, of each number so ascertained.

Treatment of fractional parts.

(c) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest as are necessary to make the total number of papers to be transferred equal to the surplus, shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

Equality of fractional parts.

(d) If two or more fractional parts are of equal magnitude, that fractional part shall be deemed to be the largest which arises from the largest sub-parcels and if the sub-parcels in question are equal in size, the fractional part credited to the candidate with the greatest number of votes at the first count at which the candidates in question had an unequal number of votes shall be deemed to be the largest. Where the numbers of votes credited to such candidates were equal at all counts the Commission shall determine by lot which fractional part shall be deemed to be the largest.

Papers transferred from sub-parcels.

(e) The particular papers transferred from each sub-parcel shall be those last filed in the sub-parcel, and each paper so transferred shall be marked with the number of the count at which the transfer took place.

Exclusion of candidates. One candidate excluded.

81. (1) If at the end of any count no candidate has a surplus and one or more vacancies remain unfilled, the Commission shall exclude from the poll the candidate credited with the lowest number of votes; shall examine all the papers of that candidate; shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon for continuing candidates; shall transfer each sub-parcel to the candidate for whom that preference is recorded; and shall make a separate sub-parcel of the non-transferable papers.

Two or more excluded.

(2) If the total of the votes of the two or more candidates lowest on the poll is less than the number of the votes credited to the next highest candidate the Commission may at the same count exclude those candidates from the poll and transfer their votes as in this regulation provided.

Selection of candidate for exclusion.

(3) If, when a candidate has to be excluded, two or more candidates have each the same number of votes and are lowest on the poll, the candidate with the lowest number of votes at the first count at which the candidates in question had an unequal number of votes shall be excluded, and, where the numbers of votes credited to those candidates were equal at all counts, the Commission shall decide by lot which shall be excluded.

Last vacancies.

82. Notwithstanding anything contained in these regulations:

(1) If at the end of any count the number of elected candidates is equal to the number of vacancies to be filled, no further transfer of votes shall be made.

(2) If on the exclusion of a candidate or candidates the number of the then continuing candidates is equal to the number of vacancies to be filled, the continuing candidates shall thereupon be elected and no further transfer of votes shall be made.

Procedure in transferring votes. Papers transferred.

83. (1) Whenever any transfer is made each sub-parcel of papers transferred shall be placed on the top of the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with a number of votes equal to the number of papers transferred to him.

Non-transferable papers set aside.

(2) Non-transferable papers, except such as in the transfer of a surplus may be required for the quota of the elected candidate, shall be set aside as a separate parcel together with any parcel of non-transferable papers already set aside.

Papers retained for quota.

(3) On the transfer of the surplus of an elected candidate, all papers not transferred to continuing candidates and not set aside as provided in the preceding paragraph of this regulation shall be placed together in one parcel as the quota of the elected candidate and the parcel shall be marked with the name of the elected candidate.

Partial re-counts.

84. Any candidate or agent may, at the end of any count, request the Commission to re-examine and re-count all or any of the papers dealt with during that count, and the Commission shall forthwith re-examine and re-count accordingly the papers indicated without making any alterations in the arrangements of the papers in the various parcels save where such alteration may be necessary in consequence of any error discovered in the re-count; the Commission may also at their discretion re-count papers either once or more often in any case in which they are not satisfied as to the accuracy of any previous count; provided that nothing herein shall make it obligatory on the Commission to re-count the same papers more than once.

Election petitions.

85. (1) Upon an election petition the Court may direct the total or partial re-count of the ballot papers and the result of the election to be ascertained in accordance with these regulations.

(2) On any re-count, subject to such modifications as may be necessary by reason of any order of the Court, each paper originally declared valid shall, whenever any transfer of votes takes place, follow the same course as at the original counting of the votes.

Decision of returning officers on transfer.

86. (1) If any question shall arise in relation to any transfer of votes, the decision of the Commission whether expressed or implied by their acts, shall be final unless an objection is made in writing by any candidate or agent before the declaration of the poll, and in that event the decision of the Commission may be reversed upon an election petition.

(2) If any decision of the Commission is so reversed, the transfer in question and all operations subsequent thereto shall be void and the Court shall direct what transfer is to be made in place of the transfer in question, and shall cause the subsequent operations to be carried out and the result of the election to be ascertained in accordance with these regulations.

Result of poll. Form of declaration.

87. The declaration of the result of the poll shall include a record of any transfer of votes made under these regulations, and of the total number of votes credited to each candidate after any such transfer, and shall be in the form shown in the Twelfth Schedule to these regulations, or in a form to the like effect.

PART XI
Casual Vacancies

Notice of vacancy.

88. In the event of a vacancy in a Local Council the Commission shall, within three days from the date of the notification by the Secretary of the Council, give notice, to be published in the Gazette, of an election to fill the seat vacated.

Nominations.

89. Within five days after the publication of such notice any person who:

(a) at the election held immediately prior to the occurrence of the said vacancy was a candidate nominated for election as a Council-

lor for that locality in respect of which the vacancy has arisen, and did not withdraw from the election and was not elected, and

(b) is still qualified to be so elected,

may with his consent, be nominated as a candidate for the said vacancy.

Notice of valid nominations.

90. Within three days after the last day fixed for the receipt of nominations, the Commission shall decide on the validity of the nominations, and shall publish in the authorised form, the names and description of the persons validly nominated, and the locality the seat whereof is to be filled.

If two or more nominations, ballot papers of vacating councillor are examined.

91. If there are any valid nominations, the Commission shall, within four days, proceed to examine the ballot papers in the sealed parcel of the vacating councillor and the following provisions shall apply:-

(1) All candidates for the locality at the election shall be deemed to be candidates excluded from the poll except those who have been validly nominated for the vacant seat.

(2) The papers preserved under seal in accordance with these regulations in the parcel of the vacating Councillor shall be examined and transferred to the validly nominated candidates first available in order of preference shown upon such papers, and each validly nominated candidate shall be credited with one vote in respect of each paper transferred.

(3) In any case where there is only one validly nominated candidate, if such candidate is credited with votes in number equal to or exceeding half the number of papers in the parcel of the vacating Councillor, he shall be declared elected.

(4) In any case where there are two or more validly nominated candidates, the Commission shall exclude from the poll the candidate credited with the lowest number of votes and shall transfer his votes according to the next available preferences shown upon the ballot papers for the continuing candidate or candidates. The process of excluding the candidate lowest in the poll and of transferring his votes according to the next available preferences shall be continued until there is only one candidate remaining. If such candidate shall have then been credited with votes in number equal to or exceeding half the number of papers in the parcel of the vacating Councillor, that candidate shall be declared elected:

Provided that if at any time any candidates shall have been credited with votes exceeding the combined total of votes of all other candidates, and at the same time equal to or exceeding half the number of papers in the parcel of the vacating Councillor, he shall be declared elected without further transfer.

Vacancy filled by co-option in special cases.

92. (1) If a vacancy occurs in a seat which has been filled in accordance with this Part of these regulations, or in the eventuality mentioned in paragraph (1) of regulation 24 of these regulations, or if on a vacancy occurring no candidate is validly nominated, or if after examination of the ballot papers of the vacating Councillor no candidate secures election, the

vacancy shall be filled by co-option in accordance with subsection (4) of section 8 of the Act.

(2) In filling a vacancy by co-option, regard shall be had to the representation as nearly as may be of the interests and opinions represented and held by the vacating Councillor.

PART XII
Illegal Practices

Making of contracts in respect of election expenses.

93. A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election shall not be enforceable against a candidate at such election, unless made by the candidate himself.

Payment of expenses.

94. (1) Except as permitted by or in pursuance of these regulations, no payment and no advance or deposit shall be made whether before, during or after such election, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by the candidate; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as gift, loan, advance or deposit, shall be paid to the candidate and not otherwise:

Provided that this regulation shall not be deemed to apply to any sum disbursed by any person out of his own money for any expense legally incurred by himself and not exceeding two hundred and fifty Maltese liri, if such sum is not repaid to him;

Provided further that the Minister may, from time to time, by notice in the Gazette specify higher sums which in no case shall exceed five hundred Maltese liri.

(2) A statement of the particulars of any payments so made by any other person in terms of the previous paragraph of this regulation shall be sent to the candidate within the time limited by these regulations for the sending in of claims and shall be accompanied by a receipt.

(3) A person who makes any payment, advance, or deposit in contravention of this regulation or pays in contravention of this regulation any money so provided as aforesaid and any candidate who, having been aware of such payment, advance or deposit, knowingly benefits from the same, shall be guilty of an illegal practice.

Periods for sending in claims and making payments for election expenses.

95. (1) Every payment made by a candidate in respect of any expenses incurred on account of or in respect of the conduct or management of an election shall, except where less than twenty-five Maltese liri, be vouched for by a bill stating the particulars and by a receipt:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher sums which in no case shall exceed one hundred Maltese liri.

(2) Every claim against a candidate at an election in respect of any expenses incurred on account of or in respect of the conduct or management of such election, which is not sent in to the candidate within the time limited by these regulations, shall be barred and shall not be paid; and subject to such exception as may be allowed in pursuance of these regulations, a candidate who pays a claim in contravention of this regulation shall be guilty of an illegal practice.

(3) Except as by these regulations permitted, the time limited by these regulations for sending in claims shall be thirty days after the day on which the candidate returned is declared elected.

(4) All expenses incurred by or on behalf of a candidate at an election, which are incurred on account of or in respect of the conduct or management of such election, shall be paid within the time limited by these regulations and not otherwise; and, subject to such exception as may be allowed in pursuance of these regulations, a candidate who makes a payment in contravention of this provision shall be guilty of an illegal practice.

(5) Except as by these regulations permitted, the time limited by these regulations for the payment of such expenses as aforesaid shall be forty days after the day on which the candidate returned is declared elected.

(6) If the candidate in the case of any claim sent in to him within the time limited by these regulations disputes it, or refuses or fails to pay it within the said period of forty days, such claim shall be deemed to be a disputed claim.

(7) The claimant may, if he thinks fit, bring an action for a disputed claim in the competent Civil Court; and any sum paid by the candidate in pursuance of the judgment or order of such Court shall be deemed to be paid within the time limited by these regulations.

(8) On cause shown to the satisfaction of the competent Civil Court, the Court on application by the claimant or by the candidate may, by order, give leave for the payment by a candidate of a disputed claim, or of a claim for any such expenses as aforesaid, although sent in after the time in this regulation mentioned for sending in claims, or although the same was sent in to the candidate.

(9) Any sum specified in any such order may be paid by the candidate, and when paid in pursuance of such leave shall be deemed to be paid within the time limited by these regulations.

Petty Expenses.

96. (1) Any person may, if so authorized in writing by the candidate pay any necessary expense for stationery, postage, telegrams, and other petty expenses to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the candidate.

(2) A statement of the particulars of payments made by any person so authorized shall be sent to the candidate within the time limited by these regulations for the sending in of claims, and shall be vouched for by a

bill containing the receipt of that person.

Expenses in excess of maximum to be illegal practice.

97. (1) Subject to such exception as may be allowed in pursuance of these regulations, no sum shall be paid and no expense shall be incurred by a candidate at an election, whether before, during, or after an election on account of or in respect of the conduct or management of such election, in excess of five hundred Maltese liri or ten Malta cents for every registered voter in the locality contested by the candidate whichever is the higher:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher sums which in no case shall exceed one thousand Maltese liri or twenty Malta cents for every registered voter in the locality contested by the candidate whichever is the higher.

(2) In the case of candidates standing for election in the same locality as members of the same political party, the expenses of such candidates may be added together and there shall not be deemed to have been a contravention of this regulation unless the aggregate expenses of such candidates, when added together, exceed either the sum of five hundred Maltese liri multiplied by the number of such candidates or the sum of twenty thousand Maltese liri, whichever is the smaller:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher sums which in no case shall exceed either the sum of one thousand Maltese liri multiplied by the number of such candidates or the sum of forty thousand Maltese liri, whichever is the smaller:

Provided further that if the aggregate of such expenses exceeds either of the sums aforesaid, the expenses of each such candidate shall be separated from the expenses of the others and the provisions of paragraph (1) of this regulation shall apply.

(3) Any candidate who knowingly acts in contravention of this regulation shall be guilty of an illegal practice.

Certain expenditure to be illegal practice.

98. (1) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made on account of the conveyance of voters to or from the poll, except for the hiring of vehicles.

(2) Subject to such exception as may be allowed in pursuance of these regulations, if any payment or contract for payment is knowingly made in contravention of this regulation either before, during, or after an election, the person making such payment or contract shall be guilty of an illegal practice, and any person receiving such payment or being a party to any such contract, knowing the same to be in contravention of this regulation, shall also be guilty of an illegal practice.

Certain employment to be illegal.

99. (1) No person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for a reasonable number of assistants and professional persons, having

regard to the area of the locality and the number of voters on the Local Councils' Electoral Register for such locality.

(2) Subject to such exception as may be allowed in pursuance of these regulations, if any person is engaged or employed in contravention of this regulation, either before, during or after an election, the person engaging or employing him shall be guilty of an illegal practice.

Saving for creditors.

100. The provisions of these regulations prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of any expense in excess of a certain maximum, shall not affect the right of any creditor, who, when the contract was made or the expense was incurred, was ignorant of the same being in contravention of these regulations.

Return and declaration respecting election expenses.

101. (1) Within sixty days after the date of the publication of the result of an election in the Gazette, every candidate at that election shall transmit to the Commissioners a return of his election expenses, containing the particulars specified in the Thirteenth Schedule to these regulations, signed by the candidate. In the case of the candidate's absence from Malta the duties imposed on him may be performed by a duly appointed representative.

(2) Every such return shall contain a statement of all payments made by the candidate, or by any persons on behalf of the candidate, or in his interest, for expenses incurred on account of, or in respect of, the conduct and management of the election, and a further statement of all unpaid claims in respect of such expenses, of which he is aware.

(3) The return shall be accompanied by declarations to be made on oath by the candidate before a Magistrate, Commissioner for Justice or a Commissioner in the form contained in the Thirteenth Schedule to these regulations.

(4) If any candidate acts in contravention of the requirements of this regulation, he shall, subject to the provisions of regulation 107, be guilty of an illegal practice.

Publication of notice in respect of return of election expenses.

102. When any return of election expenses and the declarations made in respect thereof have been lodged with the Commissioners, the Commissioners shall, as soon as may be, cause a notice of the date on which the return and the declarations have been lodged, and of the time and place at which they can be inspected to be affixed in some conspicuous place in the Electoral Office and to be published in the Gazette, and any person shall be entitled, on payment of a fee of one Maltese lira, to inspect any such return or declarations and, on payment of a fee of one Maltese lira for every folio of 120 words, to obtain a copy or copies of any part thereof.

Punishment on conviction for illegal practice.

103. (1) Any person committing an illegal practice shall, on conviction, be liable to a fine (*multa*) not exceeding five hundred Maltese liri and shall in consequence of such conviction become incapable, during a period of four years from the date of conviction, of being registered as a voter or voting at any election or of being elected a Councillor, and if before that date

he has been elected a Councillor, his election shall be vacated from the date of such conviction:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (multa) not exceeding three thousand Maltese liri.

(2) No prosecution for an illegal practice shall be instituted without the sanction of the Attorney General.

PART XIII
Corrupt Practices

Personation.

104. Any person who at an election held under the Act applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person or, who having voted once at any such election, applies at the same election for a ballot paper in his own name, shall be guilty of the offence of personation.

Treating.

105. (1) Any person who corruptly by himself or by any other person, either before, during or after an election, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing any food, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election, shall be guilty of the offence of treating.

(2) Every voter who corruptly accepts or takes any such food, drink, entertainment, or provision shall also be guilty of the offence of treating.

Undue influence.

106. Every person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts, or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise of any voter or thereby compels, induces, or prevails upon any voter either to give or refrain from giving his vote at any election, shall be guilty of the offence of undue influence.

Bribery.

107. The following persons shall be deemed guilty of the offence of bribery:

(a) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers, promises or promises to procure, or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in

order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election under the Act;

(b) every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises or promises to procure or to endeavour to procure any office, place or employment to or for any voter or to or for any person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election under the Act;

(c) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a Councillor, or the vote of any voter at any election under the Act;

(d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procures or engages, promises or endeavours to procure, the return of any person as a Councillor or the vote of any voter at any election under the Act;

(e) every person who advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election under the Act; or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election;

(f) every person being a voter who, before or during any election under the Act, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

(g) every person who, after any election under the Act, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at any such election.

Punishment and incapacities for corrupt practice.

108. (1) Any person who commits the offence of personation, treating, undue influence, or bribery or aids, abets, counsels, or procures the commission of the offence of personation, and any candidate who knowingly makes the declaration, as to election expenses required by regulation 101, falsely, shall be guilty of a corrupt practice and shall be liable, on conviction, in the discretion of the Court, to a fine (*multa*) not exceeding one thousand Maltese liri, or to imprisonment for a term not exceeding six months, or to

both such fine (*multa*) and imprisonment, and shall in consequence of such conviction become incapable, for a period of seven years from the date of his conviction of being registered as a voter or voting at an election under the Act, or of being elected a Councillor, and if at that date he has been elected Councillor, his election shall be vacated from the date of such conviction:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (multa) of ten thousand Maltese liri.

(2) No prosecution for a corrupt practice shall be instituted without the sanction of the Attorney General.

(3) For the purposes of this Part of these regulations, references to "voting" or to "refraining from voting", or to "giving" or "refraining from giving a vote", shall include references to "voting" or "refraining from voting" in a particular way.

PART XIV
Excuse for Corrupt and Illegal Practices

Reasons exonerating candidates in certain cases of corrupt and illegal practices.

109. The election of a candidate, who has been guilty of the offence of treating and undue influence, and illegal practice, or of any such offences, in reference to such election shall not, by reason of such offences, be declared void, nor shall the candidate be subject to any incapacity under these regulations, if the Court is satisfied after giving the Attorney General an opportunity of being heard that the candidate has proved:-

(a) that no corrupt or illegal practice was committed at such election by the candidate and the offences aforesaid were committed contrary to the orders and without the sanction or connivance of such candidate; and

(b) that such candidate took all reasonable means for preventing the commission of corrupt and illegal practices at such election; and

(c) that the offences aforesaid were of a trivial, unimportant and limited character; and

(d) that in all other respects the election was free from any corrupt or illegal practice on the part of such candidate.

Power of Courts to except innocent act from being illegal practice, etc.

110. Where, in any proceedings, it is shown to the Court by such evidence as seems to the Court sufficient:-

(a) that any act or omission of a candidate at any election, or of any other agent or person, would, by reason of being the payment of a sum or the incurring of expense in excess of any maximum amount allowed by these regulations, or of being a payment, engagement, employment, or contract in contravention of these regulations, or of otherwise being in contravention of any of the provisions of these

regulations, be but for this regulation an illegal practice; and

(b) that any such act or omission arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case, did not arise from any want of good faith,

and under the circumstances it seems to the Court, after giving the Attorney General an opportunity of being heard, to be just that the candidate at the said election and other agent and person or any of them, should not be subject to any of the consequences under these regulations, the Court may allow such act or omission to be an exception from the provisions of these regulations which would otherwise make the same an illegal practice, and thereupon such candidate, agent, or person shall not be subject to any of the consequences under these regulations of the said act or omission.

Authorized excuse for non-compliance with provisions as to return and declaration respecting election expense.

111. (1) Where the return and declarations respecting election expenses of a candidate at an election have not been transmitted as required by these regulations, or being transmitted contain some error or false statement, then if the candidate in any criminal or civil proceedings under these regulations proves to the satisfaction of the Court that the failure to transmit such return and declarations, or any of them or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or by reason of inadvertence, or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the candidate; the Court may, after giving the Attorney General an opportunity of being heard, make such order for allowing an authorized excuse for the failure to transmit such return and declarations, or for an error or false statement in such return and declarations, as to the Court seems just.

(2) Where in any proceedings it appears to the Court that any person has refused or failed to make such return or to supply such particulars as will enable the candidate to comply with the provisions of these regulations as to the return and declaration respecting election expenses, the Court, before making an order allowing the excuse as in this regulation mentioned, shall order such person to appear, and shall, unless he attends, and shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the Court seems just, and to make or deliver the same within such time and to such person and in such manner as the Court may direct, or may order him to be examined with respect to such particulars, and in default of compliance with any such order, such person shall be guilty of an illegal practice.

(3) The Court may allow the excuse conditionally upon the making of a return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the Court, seem best calculated for carrying into effect the objects of these regulations; and an order allowing an authorized excuse shall relieve the candidate from any liability or consequences under these regulations in respect of the matter excused by the order.

(4) The date of the order, or if conditions and terms are to be

complied with, the date at which the applicant fully complies with them, is referred to in these regulations as the date of the allowance of the excuse.

PART XV
Grounds for Avoiding Elections

Avoidance by conviction of candidates.

112. The election of a candidate as a Councillor is avoided by his conviction for any corrupt or illegal practice.

Avoidance of election on other grounds.

113. The election of a candidate as a Councillor shall be declared void on any of the following grounds which may be proved to the satisfaction of the Court namely:

(a) if by reason of general bribery, general treating, or general intimidation, or other misconduct, or other circumstances, the majority of electors were or may have been prevented from electing candidates whom they preferred;

(b) non-compliance with the provisions of these regulations relating to election if it appears to the Court that the election was not conducted in accordance with the principles laid down in such provisions and that such non-compliance affected the result of the election;

(c) that a corrupt practice or an illegal practice was committed in connection with the election by the candidate;

(d) that the candidate personally engaged a person as a canvasser or agent knowing that such person had within seven years previous to such engagement been found guilty of a corrupt practice;

(e) that the candidate was at the time of his election a person disqualified for election as a Councillor.

PART XVI
Publication of Results in each Locality

Publication of result of election and of counting details.

114. (1) The Commission shall, not later than on the working day following that on which the result of the counting of the votes has been ascertained, publish a declaration containing the names of the candidates elected in each locality and such other particulars as the Commission may consider necessary.

(2) The Commission shall deposit the declaration aforesaid with the Minister and shall cause a copy of such declaration to be published without delay in the Gazette.

(3) Every candidate whose name is published in the Gazette in accordance with the provisions of paragraph (1) of regulation 24 or who is declared elected in accordance with the provisions of this regulation shall be considered to be a Councillor of that particular locality.

(4) The Commission shall publish in the Gazette not later than seven days after the end of counting a declaration of the result of the election which declaration shall include a record of the total votes cast, the total valid and invalid votes, the total votes credited to each political party, the quota, the first preference credited to each candidate, any transfer of votes made, and of the total number of votes credited to each candidate after any such transfer, and any such other information as the Electoral Commission may consider necessary. Such declaration shall be in such form as the Electoral Commission may determine as likely to impart easily all the information likely to be required by the public.

Preservations of documents.

115. (1) The Commission shall preserve until the publication of the official result of the next following election all used ballot papers in separate packets, as follows:-

(a) the spoilt ballot papers;

(b) the invalid ballot papers;

(c) the papers at the completion of the counting in the parcel of each elected candidate and of each non-elected candidate whose papers have not been transferred;

(d) all the non-transferable papers not retained in the parcel of an elected candidate.

(2) The Commissioners shall endorse on each packet a description of its contents, the date of the election and the locality to which they relate.

(3) The Commission shall further preserve for the same period a copy of the declaration of the result of the count and of any document showing the operations of the transfer of each surplus.

(4) Party delegates, candidates, and counting agents shall have the right to affix their seals and signatures to such packets.

Power of Court to order unsealing of packets.

116. It shall be lawful for the Constitutional Court before which any question is brought as to the right of any person to be or to remain an elected Councillor and for any Court before which any proceedings are commenced in accordance with the provisions of the Act or these regulations to order the opening of the packets referred to in paragraph (1) of regulation 46 and in regulation 115 and the production of one or more of the documents therein contained under such conditions and precautions as may be necessary to maintain the secrecy of the voting consistently with the due administration of justice.

PART XVII
Penal Provisions

Penalty for giving false information.

117. Any person who knowingly makes or subscribes to a false

declaration or otherwise gives false information in connection with the registration, transfer or cancellation of any voter shall be guilty of an offence against these regulations and shall on conviction be liable to imprisonment for a term not exceeding one month or to a fine (*multa*) not exceeding fifty Maltese liri or to both such imprisonment and fine:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) not exceeding five hundred Maltese liri.

Penalty for misconduct in polling places, etc.

118. Every person who misconducts himself in any polling place or contravenes any of the provisions of regulation 35 or 36 of these regulations or takes part in any public meeting or public demonstration held in contravention of any of the provisions of these regulations, or fails to obey the lawful order of the Assistant Commissioners or other lawful authority in relation to an election, shall on conviction be liable to a fine (*multa*) not exceeding fifty Maltese liri:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) not exceeding one hundred Maltese liri.

Penalty for offences in respect of nomination, etc.

119. (1) Every person who:

(a) forges or fraudulently defaces or fraudulently destroys any nomination paper or delivers to the Commissioner any nomination paper knowing the same to be forged; or

(b) forges or counterfeits or fraudulently defaces or fraudulently destroys any voting document or ballot paper or the official mark on any ballot paper; or

(c) without due authority supplies any voting document or ballot paper to any person; or

(d) forges or counterfeits or is in unlawful possession of any stamp or seal used by the Chief Electoral Commissioner or the Election Commissioners or the Principal Assistant Electoral Commissioners or the Assistant Commissioners;

(e) is in unlawful possession of any voting document or ballot paper; or

(f) fraudulently puts into any ballot box anything other than the ballot paper which he is authorized by law to put in; or

(g) fraudulently takes out of the polling place any ballot paper; or

(h) without due authority, destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the election,

shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) not exceeding five hundred Maltese liri or to imprisonment for a term not exceeding six months or to both such fine and imprisonment:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) not exceeding three thousand Maltese liri.

(2) Every person who aids or abets the commission of an offence under this regulation or attempts to commit any such offence shall be liable, on conviction, to the punishment provided for the offence.

Infringement of secrecy as to manner of voting.

120. Every Principal Assistant Electoral Commissioner and every Assistant Commissioner who shall reveal the manner of voting of any voter when such manner of voting shall have come to his knowledge in the course of the exercise of his functions under these regulations shall be guilty of an offence, and shall, on conviction, be liable to a fine (*multa*) not exceeding one hundred Maltese liri or to imprisonment for a term not exceeding one month or to both such fine and imprisonment:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) not exceeding five hundred Maltese liri.

Prohibition of activities capable of influencing voters immediately before the election.

121. (1) During the day on which an election for Councillors is held and during the day immediately preceding such an election, no person shall hold a public demonstration or shall address any public meeting or any other gathering whatsoever in any place or building accessible to the public, or on the broadcasting media, on any matter intended or likely to influence voters in the exercise of the franchise, or publish or cause to be published any newspaper, printed matter or other means of communication to the public containing any matter aforesaid, or issue or cause to be issued any statement or declaration on any matter aforesaid or knowingly distribute any newspaper, printed matter, or other means of communication, or any statement or declaration as aforesaid, and any person acting in contravention of any of the provisions of this regulation shall be liable on conviction to a fine (*multa*) not exceeding five hundred Maltese liri or to imprisonment for a term not exceeding six months or to both such fine and imprisonment:

Provided that the Minister may, from time to time, by notice in the Gazette specify higher penalties which in no case shall exceed a fine (*multa*) not exceeding three thousand Maltese liri.

(2) Every person who aids or abets the commission of an offence under this regulation or attempts to commit any such offence, shall be liable on conviction to the punishment provided for the offence.

Competent Courts.

122. (1) All questions regarding the right of any person to be or remain a Councillor shall be referred to and decided by the Constitutional Court.

(2) Any criminal proceedings for offences under these regulations shall be brought before the Courts of Magistrates and subject to the

following provisions of this regulation, the provisions of the Criminal Code shall apply to any such proceedings. Cap 9.

(3) Notwithstanding anything contained in the Probation of Offenders Act, a person who commits any offence under these regulations shall be convicted and sentenced in respect of that offence and may not be placed on probation or discharged under that Act. Cap 152.

(4) Every decision of the Courts of Magistrates in respect of an offence under these regulations, may, in all cases, be appealed against by the Attorney General and by the party convicted.

PART XVIII
Saving as to Right of Political Parties

123. The non-exercise by any political party, delegate, candidate, agent or any person nominated for appointment by a political party, of any right, power or privilege granted by these regulations shall not of itself invalidate any action or procedure in respect of which the right, power or privilege has been granted by these regulations. Non-exercise of certain rights.

124. The political parties shall have the right to ask that information, documents and lists which the commission should forward to them, be forwarded in such electro-magnetic format as the commission can reasonably supply through the use of its equipment. Right to information in electro-magnetic format.

FIRST SCHEDULE

(Regulation 4)

Form of Oath of Office to be taken by the Election Commissioners

I, ..., *Chief Electoral Commissioner/Electoral Commissioner do swear/affirm that I will faithfully perform the duties of Commissioner to conduct the election of Local Councils according to law. (So help me God.)

* *delete where necessary*

SECOND SCHEDULE

(Regulation 8a)

Form of Application for a Person who is not a Citizen of Malta for Registration as a Voter for Local Councils

To the Electoral Commission, Valletta, Malta

Surname ..... I.D. Card No. .....
Name .....
Place of birth .....
Date of birth .....
Nationality ..... Passport Number .....
Place of ordinary residence .....
Name of town or village .....
Street and number of premises .....
.....
.....
Name and surname of applicant's father .....

His place of birth ..... His nationality* .....
* *(if applicant's father is dead, give his nationality at the time of his death)*

Name and maiden surname of applicant's mother .....

Her place of birth ..... Her nationality** .....
** *(if applicant's mother is dead, give her nationality at the time of her death)*

I hereby apply to be registered as a voter for .....
(1) in accordance with the Local Councils Act, 1993, to be registered as a voter for the election of Councillors.

Date ....
Signature or mark of applicant

(1) Insert name of locality.

FOR OFFICIAL USE ONLY

Remarks
...../...../.....
Vtd. .....
Chd .....

THIRD SCHEDULE

(Regulation 8b)

Form of Corrections or Transfers (Local Councils) for a Person who is not a Citizen of Malta

To the Electoral Commission

I (1) ..... I.D. Card No. .....
formerly residing at (2) ....., do hereby give notice that I have transferred my residence to (3) .....
.....

Date ....
Signature or mark of applicant (4)

.....
Signature and I.D. of witness

Address of witness .....

(1) Name and surname (also nickname, if any).
(2) Former address as shown on the Local Councils' Electoral Register.
(3) Present address.
(4) Should applicant be unable to write, the person filling in the form is to affix his or her signature and furnish his or her full address and I.D. Card No. below applicant's mark.

FOURTH SCHEDULE

(Regulation 8c)

Form of Application for a Person who is not a Citizen of Malta for the Correction of Designation or Address (Local Councils)

To the Electoral Commissioner

My name (and/or my address*) appearing in the Local Councils' Electoral Register under (1) ..... has been wrongly designated and I hereby apply that my name (and/or my address*) be corrected as follows (2).....

Date ....

Signature or mark of applicant (3)

.....

Signature and I.D. of witness

Address of witness .....

(*) Cancel the words which do not apply.

(1) Locality, full address and I.D. Card No. as shown on the Local Councils' Electoral Register.

(2) State correction desired to be made.

(3) Should applicant be unable to write, the person filling in the form is to affix his or her signature and furnish his or her full address and I.D. Card No. below applicant's mark.

FIFTH SCHEDULE

(Regulation 8d)

Form of Application by Female Electors who are not Citizens of Malta for the Correction of Surname and Address in Consequence of Marriage (Local Councils)

To the Electoral Commission

As (1) on the ..... I married (2) ..... I.D. Card No. .....
I (3) ..... I. D. Card No. ..... formerly residing at (4) ..... and registered as an elector under that address, do hereby apply that my surname (and/or address*) be now shown as follows (5) .....

Date ....
Signature or mark of applicant (6)

.....
Signature and I.D. of witness

Address of witness .....

* Cancel the words which do not apply.

(1) Date of marriage.
(2) Name, surname in full and I.D. Card No. of applicant's husband.
(3) Maiden surname (also nickname, if any) and I.D. Card No. of applicant.
(4) Address as shown on the Local Councils' Electoral Register.
(5) Present address.
(6) Should applicant be unable.to write, the person filling in the form is to affix his signature and furnish his full address and I.D. Card No. below applicant's mark.

SIXTH SCHEDULE

(Regulation 15)

Form of Notice by the Electoral Commission

The Electoral Commission established in terms of section 60 of the Constitution hereby notifies that in virtue of the provisions of the Local Councils Act, 1993, an election is being held in the locality/localities of .....* on Saturday, ...

.....

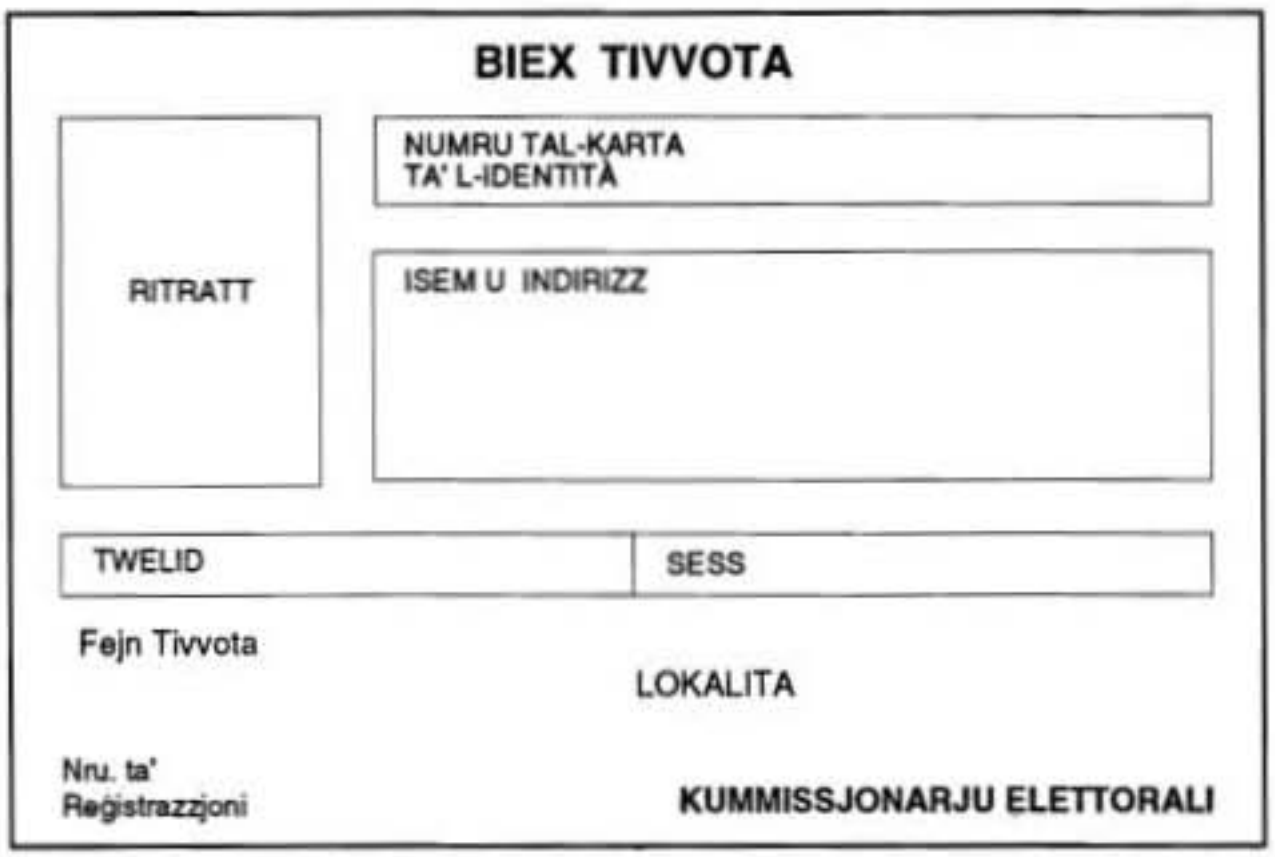
Chief Electoral Commissioner

* *complete as necessary*

SEVENTH SCHEDULE

(Regulation 17)

Form of Voting Document



EIGHTH SCHEDULE

(Regulation 20)

Form of Ballot Paper

No. of Councillors to be elected ..... Locality		
Mark order of preference in spaces below	**Badge of Candidate**	**Names of Candidates**
		PARTIT TAL-FJURI
		JONES, (John Jones, of 52 Old Bakery Street, Tartani, Director)
		MAGRO, (William David Magro, of 10 Tower Road, Tartani, Chef)
		MUSCAT, (Francesco Muscat of 1 St. Paul's Str. Tartani, Driver)
		VELLA, (James Vella, of 5 Garcin Street, Tartani, Architect)
		WILLIAMS, (Francis Williams of 85 Church Street, Tartani, Chemist)
		PARTIT TAL- GHASFUR
		AZZOPARDI, (Spiro Azzopardi, of 18 Marina Street, Tartani, Tailor)
		BORG, (Assuero Borg, of 69 G Barbara Street, Tartani, Clerk)
		CASSAR, (Lela Cassar, of "Dolores", Main Street, Tartani, Housewife)
		MIZZI, (Glormu Mizzi, of 70 Two Gates Street, Tartani, Advocate)
		ZARB, (Fortunat Zarb, of 15 Fountain Street, Tartani, Bank Clerk)
		PARTIT TAS-SIĠAR
		AZZOPARDI, (Reginald Azzopardi, of 165 St. Dominic Street, Tartani, Clerk)
		ZAMMIT, (Lawrence Zammit of "Josdor", 188 Bwieraq Street, Tartani, Chemist)
		KANDIDATI INDIPENDENTI
		BUHAGIAR, (George Buhagiar, of 23 Republic Street, Tartani, Merchant)
		GALEA, (Ninu Galea, of 67 Rjallu Alley, Tartani, Painter)

NINTH SCHEDULE

(Regulation 22)

Form of Nomination Paper

To the Election Commissioners
We, the undersigned, being voters entitled to vote at an election of Local Councils and being registered on the Local Councils' Electoral Register for
(1) ..... , do hereby nominate
(2) ..... as a candidate
for the said locality and in the interests of the (3) .....

I, (2) ..... residing at .....
consent to the above nomination and that my name on the ballot paper be indicated as (4) .....

Date ....

Signature of candidate
(or of lawful representative
as the case may be)

(1) Name of locality.
(2) Name, surname, address, and I.D. Card No. and occupation of person nominated.
(3) Name of political party.
(4) Surname and name.

TENTH SCHEDULE

(Regulation 26, 56)

Form of Oath to be taken by Principal Assistant Electoral Commissioners and Assistant Electoral Commissioners

I, ..., Principal Assistant Electoral Commissioner/Assistant Electoral Commissioner* duly appointed to supervise the taking of the poll at the election of the Local Council of ..... swear/affirm that I will faithfully perform the duties of such office according to the provisions of the law, and to report by letter addressed to the Minister any irregularity observed by me in the conduct of the election.

I also swear/affirm to maintain secrecy regarding the vote given by any elector which may become known to me. (So help me God.)

Date ..... Signature .....

I.D. Card No. .....

* *delete as necessary*

ELEVENTH SCHEDULE

(Regulation 39)

Form of oath which an Assistant Commissioner may administer to a Voter

I, (1) ..... of (2) ..... do swear/affirm that I am the same person whose name appears as A.B. in the Local Councils' Electoral Register and that I have not already voted either here or elsewhere at this election for Local Councillors. (So help me God.)

Date ..... Signature or mark of voter .....
Sworn/Affirmed before me this ..... day of .....

.....
Signature of Assistant Election Commissioner

1. Name in full.
2. Address and I.D. Card No. of voter.

TWELFTH SCHEDULE

(Regulation 87)

Declaration of Result of Poll

Name of Locality .....

Election of Councillors for the above Locality in the year .....

We, the undersigned, being the Electoral Commissioners at the poll for the election of Councillors for the said Locality held on the ..... day of ..... of the year ....., do hereby give notice that the result of the Poll and of the transfer of votes is as follows:

Number of valid votes .....
Number of councillors to be elected .....
Quota (number of votes sufficient to secure election of a candidate) .....

Names of Candidates	1st Count	2nd Count		3rd Count		4th Count		5th Count		6th Count		Names of Candidates Elected
	Votes	Transfer of	Result	Transfer of	Result	Transfer of	Result	Transfer of	Result	Transfer of	Result	
Non-transferable papers												
Total		—		—		—		—		—		

And we do hereby declare the said ..... duly elected Councillors for the said Locality.

Dated this ..... day of ..... of the year .....

.....
Electoral Commissioners

THIRTEENTH SCHEDULE

(Regulation 101)

Return of Election Expenses

1. Under the head of receipts there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security, or equivalent of money was received in respect of expenses incurred on account of or in connection with or incidental to the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure there shall be shown:

(a) the personal expenses of the candidate incurred or paid by him;

(b) the name, the rate, and total amount of the pay of each person employed as an agent, assitents or professional people;

(c) the travelling expenses and any other expenses incurred by the candidate on account of agents, assitents or professional people;

(d) the travelling expenses of persons, whether in receipt of a salary or not, incurred in connection with the candidature and whether paid or incurred by the candidate or the person so travelling;

(e) the cost whether paid or incurred, of:

(i) printing;
(ii) advertising;
(iii) stationery;
(iv) postage;
(v) telegrams;
(vi) rooms hired either for public meetings or as committee rooms;

(f) any other miscellaneous expenses, whether paid or incurred.

Note:

1) All expenses incurred in connection with the candidature whether paid by the candidate or any other persons, or remaining unpaid on the date of the return. are to be set out.

2) For all items over twenty-five Malta cents unless from the nature of the case (e.g. postage) a receipt is not obtainable, vouchers have to be attached.

3) All sums paid out, but for which no receipt is attached, are to be set out in detail with dates of payments.

4) All sums unpaid are to be set out in a separate list.

FORM OF DECLARATION BY CANDIDATE

I, ..., being a candidate for election in the locality of ....., do hereby swear/affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses therein set out, no expenses of any nature whatsoever have to my knowledge or belief been incurred in connection with or for the purposes of my candidature.

.....
Candidate

Sworn/Affirmed before me

.....
Magistrate/Commissioner for Justice/Commissioner of Oaths

FOURTEENTH SCHEDULE

(Regulation 34(3)

Form to be affixed in each Polling Booth

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.

FOURTH SCHEDULE

(Section 33)

Items excluded from responsibility of Local Councils

Industrial Areas:	
Attard Industrial Estate	Limits of Attard
Bulebel Industrial Estate	Limits of Żejtun
Ħal Far Industrial Estate	Limits of Birżebbuġa
Kordin Industrial Estate	Limits of Paola
Luqa Industrial Estate	Limits of Luqa
Marsa Industrial Estate	Limits of Marsa
Mrieħel Industrial Estate	Limits of Birkirkara
Ricasoli Industrial Estate	Limits of Kalkara
San Ġwann Industrial Estate	Limits of San Ġwann
Xewkija Industrial Estate	Limits of Xewkija
Mosta Technopark	Limits of Mosta
Gozo Crafts Village	Limits of Għarb
Ta' Qali Crafts Village	Limits of Attard
Malta Drydocks	Bormla
Malta Freeport	Limits of Birżebbuġa
Malta Shipbuilding	Limits of Marsa
Delimara Power Station	Limits of Marsaxlokk
Marsa Power Station	Limits of Marsa
Airport	Limits of Luqa
Bus Terminus	Valletta
Albertown Reverse Osmosis Plant	Limits of Marsa
Ċirkewwa Reverse Osmosis Plant	Limits of Mellieħa
Għar Lapsi Reverse Osmosis Plant	Limits of Siġġiewi
Pembroke Reverse Osmosis Plant	Limits of Pembroke
Tigne' Reverse Osmosis Plant	Sliema
Gas Installation	Limits of Birżebbuġa
Petroleum Installation	Limits of Birżebbuġa
Sant'Antnin Solid Waste Plant	Limits of Marsaskala
Sant'Antnin Sewage Plant	Limits of Marsaskala
All the Ports listed in the First Schedule to the Maritime Authority Act, 1991.	Act XVII of 1991.

Social and Health Centres:	
University of Malta	Msida
Craig Hospital	Rabat, Gozo
Gozo Mental Hospital	Rabat, Gozo
Mount Carmel Hospital	Limits of Attard
St Luke's Hospital	Piet
St Vincent de Paul Hospital	Limits of Luqa
Sir Paul Boffa Hospital	Floriana
Zammit Clapp Hospital	San Ġiljan
Magħtab Dumping Site	Limits of Naxxar
Wied Fulija Dumping Site	Limits of Żurrieq
Government Ministry Buildings (ex Beltissebħ)	Floriana

Marsa Sports Complex	Limits of Marsa
National Swimming Pool	Limits of Marsaskala
Ta' Qali National Football Stadium	Limits of Attard
Ta' Qali Basketball Pavilion	Limits of Attard
Kordin Sports Complex	Limits of Paola
Tigne' Football Ground	Sliema
University Sports Complex	Msida
Bidnija Shooting Range	Limits of San Pawl il-Baħar
Gozo Sports Complex	Rabat, Gozo
Military Shooting Ranges	Limits of Pembroke

Cemeteries:

Addolarata Cemetery	Limits of Paola
Ta' Braxia Cemetery	Limits of Ħamrun
Kalkara Cemetery	Kalkara
Msida Bastions Cemetery	Floriana
Mtarfa Cemetery	Limits of Attard

Parks and Heritage Sites:

(Forts and fortifications to include moats, glacis and those components of the forts or fortifications which though not obvious are part of them)

Buskett	Limits of Siġġiewi
Ta' Qali	Limits of Attard
Għadira	Limits of Mellieħa
Simar	San Pawl il-Baħar
Comino	
Cominotto	
Filfla	
Fungus Rock	
Manoel Island	
St Paul's Islands	
Ġgantija	Limits of Xagħra, Gozo
Ħaġar Qim	Limits of Qrendi
Birgu Fortifications	
Bormla Fortifications	
Cittadella Fortifications	Rabat, Gozo
Floriana Fortifications	
Mdina Fortifications	
Senglea Fortifications	
Valletta Fortifications	
Fort Manoel	
Fort Ricasoli	
Fort St Angelo	
Fort St Elmo	
Cottonera Lines	
Victoria Lines	
City Gate	Valletta
Portes des Bombes	Floriana
Wignacourt Aqueduct and Fountain	
All archaeological sites registered with the Museums Department	

Gardens and Monuments:

Independence Arena	Floriana
The Mall	Floriana
Lower Barrakka Gardens	Valletta
Upper Barrakka Gardens	Valletta
Argotti Botanical Gardens	Floriana
Rundle Gardens	Rabat, Gozo
San Anton Palace Gardens	Attard
Verdala Palace Gardens	Siġġiewi
Independence Monument	Floriana
Great Siege Monument	Valletta
Siege Bell Monument	Valletta
War Memorial	Floriana
RAF Memorial	Floriana
Sette Giugno Monument	Valletta
31 March 1979 Monument	Birgu
Enrico Mizzi Monument	Valletta
Ġorġ Borg Olivier Monument	Valletta
Pawlu Boffa Monument	Valletta
Christ the King Monument	Floriana
Dun Mikiel Xerri Monument	Valletta
Anton Buttigieg Monument	Ħamrun
Manwel Dimech Monument	Valletta
Spencer Monument	Ħamrun
Queen Victoria Monument	Valletta
Manoel de Vilhena Monument	Floriana

Roads:

The arterial and distributor roads determined by the Structure Plan.

FIFTH SCHEDULE

(Section 24)

Oath of Office of Councillors/Mayor/Deputy Mayor

I, ... duly elected Councillor for the locality of ..... solemnly swear/affirm that I will faithfully and conscientiously perform my duties as Councillor/Mayor/Deputy Mayor* in accordance with the provisions of The Local Councils Act, 1993 and the Constitution of Malta.

* *Delete where necessary*

SIXTH SCHEDULE

(Section 43)

Standing Orders

Chairing of Meetings.

1. (1) The Mayor shall chair meetings of the Council.

(2) In the absence of the Mayor the person presiding the meeting shall exercise all the functions of the Mayor according to these Standing Orders.

(3) The procedures to be followed in the conduct of meetings of committees of the Council shall, unless the contrary intention appears, be those outlined in these Standing Orders.

(4) Any reference in these Standing Orders to a Councillor or a member of a Council shall be construed as reference to a Mayor or Deputy Mayor as the case may be unless the contrary intention appears.

Quorum.

2. (1) The quorum necessary for the transaction of business of the Council shall be the least whole number above fifty per cent of the number of Councillors in office and not debarred by reason of a declared interest.

(2) If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Mayor may fix.

Voting.

3. (1) Except where otherwise provided by these Standing Orders, members shall vote by show of hands.

(2) If a member so requests, the Secretary shall record the names of the members who voted on any question so as to show whether they voted for or against it.

(3) The person presiding may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave an original vote:

Provided that the person presiding shall not give a casting vote if there is an equality of votes in an election for Mayor.

(4) Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority of the Council as constituted in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until such majority of votes is given in favour of one person.

First Meeting of the Council after Election.

4. At the first meeting of the newly elected Council the business shall be:

(a) To elect a Mayor, and/or Chairmen of committees or sub-committees as required.

(b) To receive the Mayor's and/or Chairmen's declaration of acceptance of office or, if not then received, to decide when it shall be received.

(c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

(d) To decide when any declarations of acceptance of office which have not been received shall be received.

(e) To elect a Deputy Mayor where such office exists.

(f) To appoint committees.

Order of Business.

5. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

(a) To read and consider the Minutes:

Provided that if a copy has been circulated to each member before the meeting, the Minutes may be taken as read.

(b) After consideration, to approve that the Mayor sign the Minutes as a correct record.

(c) To deal with business expressly required by law or regulation to be done.

(d) To dispose of business, if any, remaining from the last meeting.

(e) To receive such communications as the Mayor may wish to lay before the Council.

(f) To answer questions from Councillors.

(g) To receive and consider reports and minutes of committees.

(h) To receive and consider reports from officers of the Council.

(i) To authorise the sealing of documents.

(j) To authorise the signing of orders for payment.

(k) To consider resolutions or recommendations in the order in which they have been notified.

(l) To deal with any other business specified in the summons.

6. A motion to vary the order of business on the ground of urgency:- Motion of Urgency.

(a) may be proposed by the Mayor or by any member and, if proposed by the Mayor may be put to the vote without being seconded, and

(b) shall be put to the vote without discussion.

7. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Secretary or the mover has given notice in writing of its terms and has delivered the notice to the Secretary at least six days before. Resolution to be put on the Agenda.

8. (1) The Secretary shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council. Duties of Secretary in connection with Resolutions.

(2) The Secretary shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

9. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice. When Resolution is to be treated as withdrawn.

10. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report: Resolution falling within the province of a Committee of the Council.

Provided that the Mayor, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

11. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its locality. Resolutions to be relevant.

12. Resolutions dealing with the following matters may be moved without notice:- Resolutions moved without notice.

(a) To appoint a Mayor or a person to preside the meeting in the absence of the Mayor.

(b) To correct the Minutes.

(c) To approve the Minutes.

(d) To alter the order of business.

(e) To proceed to the next business.

(f) To close or adjourn the debate.

(g) To refer a matter to a committee.

(h) To appoint a committee or any members thereof.

(i) To adopt a report.

(j) To authorise the sealing of documents.

(k) To amend a resolution.

(l) To give leave to withdraw a resolution or an amendment.

(m) To extend the time limit for speeches.

(n) To silence or eject from the meeting a member named for misconduct.

(o) To invite a member to declare an interest in the subject matter under debate.

(p) To give the consent of the Council where such consent is required by these Standing Orders.

(q) To adjourn the meeting.

Questions.

13. (1) A member may ask the Mayor and/or the Secretary any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.

(2) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

(3) Every question shall be put and answered without discussion.

No discussion on Minutes except on accuracy.

14. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Mayor.

Rules of Debate.

15. (1) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if so required by the Mayor, be reduced to writing and handed to him before it is further discussed or put to the meeting.

(2) A member when seconding a resolution or amendment may,

if he then declare his intention to do so, reserve his speech until a later period of the debate.

(3) A member shall direct his intervention to the question under discussion or to a personal explanation or to a question of order.

(4) An intervention by a mover of a resolution shall not exceed ten minutes, and no other intervention shall exceed five minutes, except by consent of the Council.

(5) An amendment shall be either:-

(a) To leave out words.

(b) To leave out words and insert or add others.

(c) To insert or add words.

(6) An amendment shall not have the effect of negating the resolution before the Council.

(7) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.

(8) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

(9) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

(10) A member shall be heard forthwith when he intervenes to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former intervention by him which may have been misunderstood.

(11) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

(12) When a resolution is under debate no other resolution shall be moved except the following:-

(a) To amend the resolution.
(b) To proceed to the next business.
(c) To adjourn the debate.
(d) That the question be now put.
(e) That a member named be not further heard.

(f) That a member named do leave the meeting.

(g) That the resolution be referred to a committee.

(h) To adjourn the meeting.

Member to remain seated.

16. A member shall remain seated when speaking unless permitted to stand by the Mayor.

Rulings given by Mayor.

17. Rulings given by Mayor.

(1) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be discussed.

(2) Members shall address the Mayor.

(3) If two or more members wish to intervene, the Mayor shall call upon one of them to speak first.

(4) Whenever the Mayor or a member is speaking during a debate all other members shall be seated and silent.

When the Mayor shall put certain Motions.

18. At the end of any intervention a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Mayor shall put the motion but, in the case of a motion "to put the question", he shall do so only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

Adjournment and subsequent Proceedings.

19. Where a meeting is adjourned the subsequent proceedings shall be deemed to be part of the original meeting and no new notices or agendas need to be issued except a notification to members not present of the date of the continuation of the meeting.

Disorderly Conduct.

20. (1) No member shall at a meeting disregard the ruling of the Mayor, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(2) If, in the opinion of the Mayor, a member has broken the provisions of paragraph (1) of this Standing Order, the Mayor shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

(3) If either of the motions mentioned in paragraph (2) is disobeyed, the Mayor may suspend the meeting or take such further steps as may

reasonably be necessary to enforce them.

Right to Reply.

21. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce any new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution.

22. A member may, with the consent of his seconder, move amendments to his own resolution.

Rescission of previous Resolution.

23. (1) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least two members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

(2) When a special resolution or any other resolution moved under the provisions of paragraph (1) of this Standing Order has been disposed of, no similar resolution may be moved within a further six months.

Resolutions on Expenditure.

24. Any resolution which is moved otherwise than in pursuance of a recommendation of the committee responsible for finance or of another committee after recommendation by the committee responsible for finance and which, if carried, would, in the opinion of the Mayor, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the committee responsible for finance shall report on the financial aspect of the matter).

Sealing of Documents.

25. (1) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

(2) The Council's Seal shall alone be used for sealing documents. It shall be applied by the Secretary in the presence of two Councillors who shall sign the document as witnesses.

Committees.

26. (1) The Council may at its first meeting, or at any other time, appoint such committees as are necessary, and subject to any provision in any law or regulation:-

(a) may appoint persons other than members of the Council to any committee; and

(b) may subject to the provisions of Standing Order 23, at any time dissolve or alter the membership of a committee.

(2) The Mayor shall be an ex officio member of every committee.

Summoning of Committee.

27. The Chairman of a committee may summon a meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of the Mayor or not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

Quorum of Committees.

28. Except where ordered by the Council in the case of a committee, the quorum of a committee shall be the least whole number above fifty per cent of the number of members of the committee not debarred by reason of a declared interest.

Sub-Committees.

29. (1) There shall be sub-committees, whose name, and number of members, and the bodies to be invited to nominate members shall be determined by the Council.

(2) The Secretary shall inform the members of every sub-committee of the terms of reference of the sub-committee.

(3) A sub-committee may make recommendations and give notice thereof to the Council.

(4) A sub-committee may consist wholly of persons who are not members of the Council.

Voting in Committees or Sub-Committees.

30. (1) Members of committees or sub-committees entitled to vote shall vote by show of hands.

(2) Chairmen of committees and sub-committees shall in the case of equality of votes have a second or casting vote.

Presence of Councillors at Committee or Sub-Committee Meetings.

31. A Councillor who has proposed a resolution which has been referred to any committee or sub-committee of which he is not a member, may explain his resolution to the committee or sub-committee but shall not vote.

Accounts and Financial Statement.

32. (1) Orders for the payment of money shall be authorised by resolution of the Council and signed by two Councillors.

(2) Except as provided in paragraph (3) of this Standing Order or by any other law or regulation, all accounts for payment and claims upon the Council shall be laid before the Council.

(3) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Secretary. Such payment shall be authorised by the committee or sub-committee, if any, having charge of the business to which it relates, or by the Secretary with the approval of the Mayor.

(4) All payments ratified under paragraph (3) of this Standing Order shall be separately included in the next schedule of payments laid

before the Council.

Canvassing of and Recommendations by Members.

33. (1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Secretary shall make known the purport of this paragraph of this Standing Order to every candidate.

(2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

Inspection of Documents.

34. (1) A Councillor may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

(2) All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and the public.

Authorised Activities.

35. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:

(a) inspect any lands or premises which the Council has a right or duty to inspect; or

(b) issue orders, instructions or directions;

unless authorised to do so by the Council or the relevant committee or sub-committee.

Bye-Laws.

36. (1) Bye-laws shall be enacted in both the Maltese and the English languages and, if there is any conflict between the Maltese and the English texts of any bye-law, the Maltese text shall prevail.

(2) Draft bye-laws shall include the title, the objects and reasons, short marginal notes, sections, sub-sections, paragraphs and sub-paragraphs individually numbered.

(3) Draft bye-laws duly signed by a proposer and a seconder shall be put on the agenda of a Council not less than four weeks and not more than eight weeks from the date on which they have been received by the Secretary.

(4) The Secretary shall, on receipt of draft bye-laws, cause a copy thereof to be transmitted or delivered to each Councillor in both languages. Should the Minister forward to the Council any amendments to the proposed bye-laws, such amendments shall likewise be transmitted or delivered to each Councillor by the Secretary forthwith:

Provided that the draft bye-laws or any amendments thereto shall be transmitted or delivered to each Councillor in type-written or printed form.

(5) When draft bye-laws are brought up for discussion by the Council, the proposer shall summarise the objects and reasons for the motion in an intervention which shall not exceed five minutes. No debate shall be held on the motion and the Chairman of the meeting shall bring the objects and reasons of the draft bye-laws to a vote.

(6) Once the objects and reasons have been approved, the Council may at the same sitting proceed to discuss the draft bye-laws section by section allowing for the draft bye-laws and any amendments thereto to be approved by a majority of those present:

Provided that amendments to the draft bye-laws shall be relevant to the subject matter of the bye-laws.

(7) On the approval of all sections by the Council, the Mayor may order that, in the case where amendments have been made, a newly typed version be produced and shall cause a copy thereof to be transmitted or delivered to each Councillor.

(8) At the next meeting of the Council the members present shall, without debate, approve or not approve the bye-laws.

(9) Draft bye-laws which are not approved by the Council or which are objected to by the Minister shall not be tabled again before a period of six months from the date when they have been objected to or not approved as the case may be.

Consultations.

37. (1) Should the Council be consulted by the Planning Authority or by any other competent authority about an application or applications for planning or any other permission, the Secretary shall, as soon as the request is received, enter in a book kept for the purpose the following particulars of each consultation:-

(a) the date on which the request was received;

(b) the name of the authority consulting the Council;

(c) the name of the applicant;

(d) the place to which it relates; and

(e) a summary of the nature of the application.

(2) The Secretary shall refer every request for consultation to the Mayor within forty-eight hours of receiving it.

(3) The Mayor may act in conformity with delegated powers from the Council or shall refer the request to the Council or a committee of

the Council previously empowered by the Council to handle such requests.

38. The Council shall follow such tendering procedures as the Minister may from time to time by regulations prescribe. **Tendering Procedures.**

39. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner which the Minister may by regulations prescribe. **Code of Conduct on Complaints.**

40. A copy of these Standing Orders shall be given to each member by the Secretary upon delivery to him of the member's declaration of acceptance of office. **Standing Orders to be given to Members.**

SEVENTH SCHEDULE

(Section 4, 25)

Election of Mayor and Deputy Mayor

Part I
Voting Procedure

1. At the meeting at which the Mayor and/or Deputy Mayor is/are to be elected Councillors shall forthwith proceed with the election procedure in accordance with the Standing Orders.

2. The Councillors shall elect the Mayor and, where applicable, the Deputy Mayor by separate secret ballot.

3. Nominations shall not be made and a Councillor shall vote by writing, on the ballot paper, the name of the Councillor who is his or her choice for Mayor or Deputy Mayor.

4. Whereafter the third ballot no Councillor has obtained a majority of the votes cast, subsequent ballots shall be held between the Councillors who had been voted for in the third ballot until one of them receives a majority of the votes cast:

Provided that where there are more than two candidates, the person receiving the least number of votes at each subsequent election shall be eliminated.

5. The Secretary shall cause the name of the elected Mayor and, where applicable, of the Deputy Mayor to be published in the Government Gazette together with the date of the election.

6. The ballot papers shall remain sealed and archived in the Council premises by the Secretary under his seal.

Part II
Form of Ballot Paper

BALLOT PAPER
FOR THE
ELECTION OF MAYOR

Write the name of the Councillor who is your choice for Mayor

Official Stamp
Date
Signature of Secretary

BALLOT PAPER
FOR THE
ELECTION OF DEPUTY MAYOR

Write the name of the Councillor who is your choice for Deputy Mayor

Official Stamp
Date
Signature of Secretary

EIGHTH SCHEDULE

(Section 63)

Approved Non-Governmental Organisations

1. Angel Fish Swimming Club
2. Angela House - Guardamangia
3. Association for the Transport of the Maltese Sick and Poor to Lourdes
4. Association of Speech Therapists
5. Association for Spina Bifida and Hydrocephalus
6. Caritas National Council
7. Central Office of the Diocesan Commission for Children's Homes
8. Cini Institute - St Venera
9. Dar il-Wens
10. Dar tal-Providenza - Siġġiewi
11. Diabetes Association (Malta)
12. Din l-Art Ħelwa
13. Dyslexia Association
14. Fatima Working Girls' House - Sliema
15. Federation of Societies for the Handicapped
16. Fra Diegu - Ħamrun
17. Friends of Attard Hospital Society
18. Għaqda Franġiskana għall-Għomja
19. Għaqda Ġenituri Tfal Ħandikappati
20. Għaqda għat-Tfal u Żgħażagħ Neqsin mis-Smiegħ
21. Għaqda Ħandikappati Għawdxin
22. Għaqda Ħbieb ta' l-Isptar Monte Carmeli
23. Għaqda Ħidma Filantropika
24. Għaqda tal-Ħemofilja
25. Għaqda ta' Schizophrenia
26. Għaqda Zgħazagħ Ħandikappati
27. Girl Guides Association
28. Good Shepherd Institute-Balzan
29. Gozo Association for the Deaf
30. Ħbieb taċ-Ċentru Ħidma Soċjali
31. Hospice Movement
32. Jesus of Nazareth - Żejtun
33. Kummissjoni Ħidma għall-Morda u Ħandikappati
34. Lourdes Home - Għawdex
35. Malta Anti-Cancer Society
36. Malta Catholic Action
37. Malta Community Chest Fund
38. Missionaries of Charity of Mother Theresa
39. M.M.D.N.A.
40. Muscular Dystrophy Group
41. Oratorju Maria Immakulata - Mosta
42. Ospizio San Giuseppe - Żebbuġ
43. Physically Handicapped and Deaf Sub Aqua Club
44. Physically Handicapped Rehabilitation Fund
45. Playing Fields Association
46. Salesian Boys Brigade
47. Societas Doctrinae Christianae (M.U.S.E.U.M.) Female Section

48. Societas Doctrinae Christianae (M.U.S.E.U.M.) Men's Section
49. Society for the Blind
50. St Francis De Paul Institute - Birkirkara
51. St John's Ambulance
52. St Joseph Home - St Venera
53. St Joseph Home - Żabbar
54. St Joseph Home - Żejtun
55. St Joseph Institute - Cospicua
56. St Joseph Institute - Għawdex
57. St Paul's Home - Ħamrun
58. St Therese Children's Home - Żurrieq
59. The Foundation for Respite Care Services
60. The Holy Family Home - Naxxar
61. The Meat Fund
62. The Scouts Association
63. The St Jeanne Antide Welfare Campaign
64. Ursoline Creche - Sliema
65. Ursoline Creche - Tarxien
66. Ursoline Creche - Valletta
67. Żgħażagħ Ħaddiema Nsara

NINTH SCHEDULE

(Section 6)

List of Member Countries of the Council of Europe whose nationals are entitled to vote in Local Council Elections

United Kingdom of Great Britain and Northern Ireland

TENTH SCHEDULE

(Section 55)

Financial allocation to Councils

Monies appropriated for Local Councils in terms of section 55 shall be allocated to each Council as follows:

where S_n is the allocation which will be received by locality (n)

$$S_n = \{0.75 \times S_t \times P_n/P_t\} + \{0.25 \times S_t \times A_n/A_t\}$$

and where :

S_t is the total appropriation made by the Minister responsible for finance in terms of section 55;

P_n is the population of locality (n); provided that for the purposes of this formula each locality shall be assumed to have a population of at least 1,000;

P_t is the population of all localities added together; provided that for the purposes of this formula each locality shall be assumed to have a population of at least 1,000;

A_n is the surface area under the responsibility of locality (n); provided that for the purposes of this formula national territories marked on the maps in the Second Schedule to this Act shall be excluded;

A_t is the surface area under the responsibility of all localities added together; provided that for the purposes of this formula the national territories marked on the maps in the Second Schedule to this Act shall be excluded.

Passed by the House of Representatives at Sitting No.149 of the 14th June, 1993.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives

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