

MALTA

ATT Nru. XI ta' l-1996

ATT mahruġ b'ligi mill-Parlament ta' Malta.

ACT No. XI of 1996

AN ACT enacted by the Parliament of Malta.

ATT ta' l-1996 li jemenda l-Kostituzzjoni ta' Malta.

AN ACT to amend the Constitution of Malta.

Naghti l-kunsens tieghi.

(L.S.)

Ugo Mifsud Bonnici
President

2 ta' April, 1996

Att Nru. XI ta' l-1996

ATT ta' l-1996 li jemenda l-Kostituzzjoni ta' Malta

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1996 li jemenda l-Kostituzzjoni ta' Malta, u għandu jinqara u jiftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawnhekk iżjed 'il quddiem imsejha "il-Kostituzzjoni".

Titolu fil-qosor u bidu fis-sehh.

(2) Dan l-Att għandu jibda fis-sehh minnufih wara x-xoljiment tal-Parlament li jahbat wara l-hruġ tiegħu b'ligi.

2. Minflok il-proviso għas-subartikolu (1) ta' l-artikolu 52 tal-Kostituzzjoni għandu jidhol dan li ġej:

Emenda ta' l-artikolu 52 tal-Kostituzzjoni.

"Izda meta —

(i) f'xi elezzjoni generali, partit politiku wiehed jikseb fit-total kollu aktar minn hamsin fil-mija tal-voti validi kollha mitfughin f'dik l-elezzjoni, kif akkreditati lill-kandidati tiegħu mill-Kummissjoni Elettorali fl-ewwel għadd tal-voti kollha, iżda n-numru tal-kandidati tiegħu eletti f'dik l-elezzjoni jkun anqas mit-total tal-kandidati l-oħra li jiġu eletti; jew

(ii) f'elezzjoni ġenerali li tkun kontestata minn aktar minn żewġ partiti politiċi u li fiha kandidati minn tnejn biss minn dawn il-partiti jiġu eletti, partij politiku jgħib perċentwali tal-voti validi kollha mitfughin f'dik l-elezzjoni, kif akkreditati lill-kandidati ta' dak il-partit mill-Kummissjoni Elettorali fl-ewwel għadd tal-voti kollha, li tkun aktar minn dik il-perċentwali li jgħib xi partij wiehed iehor, iżda n-numru tal-kandidati eletti għall-istess partij f'dik l-elezzjoni jkun anqas min-numru tal-kandidati l-oħra hekk eletti,

in-numru tal-membri tal-Kamra tad-Deputati għandu jiżdied bin-numru ta' membri li jkun mehtieġ biex il-partij li jgħib aktar minn hamsin fil-mija, jew il-perċentwali oghla, tal-voti validi kollha, kif ikun il-każ, ikollu membru wiehed aktar mit-total tal-kandidati l-oħra eletti f'dik l-elezzjoni; u f'kull każ bhal dan, dawk il-kandidati għandhom jiġu dikjarati mill-Kummissjoni Elettorali bhal eletti biex jimlew il-postijiet addizzjonali miżjuda b'dan il-proviso illi, billi jkunu kandidati tal-partij l-aħhar imsemmi f'dik l-elezzjoni, kienu ġew akkreditati mill-Kummissjoni Elettorali fl-aħhar għadd bl-oghla jew l-eqreb oghla numru ta' voti mingħajr ma jkunu ġew eletti rrispettivament minn liema jkun id-distrett elettorali li fih jirrikorri dak l-oghla jew l-eqreb oghla numru ta' voti.”.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 526 tas-27 ta' Marzu, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati.

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

2nd April, 1996

ACT No. XI of 1996

An Act to amend the Constitution of Malta

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

1. (1) This Act may be cited as the Constitution of Malta (Amendment) Act, 1996, and shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”. Short title and commencement.

(2) This Act shall come into force immediately after the dissolution of Parliament next following its enactment.

2. For the proviso to subsection (1) of section 52 of the Constitution there shall be substituted the following: Amendment of section 52 of the Constitution.

“Provided that where —

(i) at any general election, a political party obtains in the aggregate more than fifty per centum of all the valid votes cast at that election, as credited to its candidates by the Electoral Commission at the first count of all the votes, but the number of its candidates elected at such election is less than the total of all the other candidates so elected; or

(ii) at a general election which is contested by more than two political parties and in which only candidates of two of such parties are elected, a political party obtains a percentage of all the valid votes cast at such election, as credited to its candidates by the Electoral Commission at the first count of all the votes, which is greater than that obtained by any one other party, but the number of its candidates elected at such election is less than the number of the other candidates so elected,

the number of members of the House of Representatives shall be increased by as many members as may be necessary in order that the party obtaining more than fifty per centum, or the larger percentage, of all the valid votes, as the case may be, shall have one member more than the total of the other candidates elected at that election; and, in any such case, such persons shall be declared by the Electoral Commission to be elected to fill the additional seats created by this proviso who, being candidates of the party last mentioned at such elections, were credited by the Electoral Commission at the last count, with the highest or next higher number of votes without being elected, irrespective of the division in which such highest or higher number of votes occurs.”.

Passed by the House of Representatives at Sitting No. 526
of the 27th March, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.