

MALTA

ATT Nru. XV ta' l-1996

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

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

ACT No. XV of 1996

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the General Elections Act, 1991.

Naghti l-kunsens tieghi.

(L.S.)

UGO MIFSUD BONNICI
President

2 ta' Lulju, 1996

ATT Nru. XV ta' l-1996

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

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1996 li jemenda l-Att dwar l-Elezzjonijiet Ġenerali, u għandu jinqara u jinftihem bhala haġa wahda ma' l-Att ta' l-1991 dwar l-Elezzjonijiet Ġenerali, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor
u bidu fis-sehh.
Att Nru. XXI
ta' l-1991.

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

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

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

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

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

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

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

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

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

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

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

3. Minflok il-kliem "Il-Prim Ministru jista' jagħmel" fl-artikolu 3 ta' l-Att prinċipali għandhom jidhlu l-kliem "Il-Kummissjoni tista' tagħmel", u minnufih f'tarf l-istess artikolu għandhom jiżdiedu l-kliem "Il-Prim Ministru għandu minnufih wara l-pubblikazzjoni ta' regolamenti bhal dawk, ipogġi l-istess fuq il-Mejda tal-Kamra.”.

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

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

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

5. L-artikolu 6 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(b) fis-subartikolu (2) tiegħu, minflok il-kliem “Kull uffiċjal tal-Pulizija” għandhom jidhlu l-kliem “Kull segretarju ta’ Kunsill Lokali u kull uffiċjal tal-Pulizija”;

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

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

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

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

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

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

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

(4) Ir-rappreżentanza ġuridika tal-Kummissjoni tvesti fil-Kummissjunarju Elettorali Prinċipali jew f’dak il-membru ieħor jew dawk il-membri oħra tal-Kummissjoni kif il-Kummissjoni tista’ tistabbilixxi b’riżoluzzjoni, liema riżoluzzjoni ma tibdiex issehh qabel ma tiġi pubblikata fil-Gazzetta.”.

7. L-artikolu 10 ta’ l-Att prinċipali għandu jiġi emendat kif ġej:

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

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

(b) fis-subartikolu (6) tiegħu, minflok il-kliem “jew f’għamla miktuba jew stampata li ma jkunx mehtieg ebda strument jew proċess elettroniku, manjetiku jew xi proċess ieħor simili biex

jinqara, u f'ebda ghamla ohra" ghandhom jidhlu l-kliem "jew miktubin, stampati jew f'ghamla elettronika hekk kif id-delegati jistghu jehtiegu u hekk kif il-Kummissjoni jkollha l-kapaçita' teknika li tipprovdi".

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

8. Minnufih wara s-subartikolu (2) ta' l-artikolu 11 ta' l-Att prinçipali ghandu jidhol dan is-subartikolu gdid li ġej:

“(3) Il-Kummissjoni ghandha tassigura li jiġu osservati proçeduri ta' kontrolli u sigurtà partikolarment fl-açcess ghat-*terminals*, l-introduzzjoni, l-użu u l-ipproçessar ta' l-informazzjoni, u l-istampar ta' dokumenti ta' identifikazzjoni. Il-Kummissjoni ghandha tassigura wkoll li d-*database* tar-Registru Elettorali tkun tinkludi biss dettalji dwar persuni eligibbli ghall-vot. Il-partiti jkollhom ukoll id-dritt, qabel ma jinghata bidu ghal xi proçess elettro-manjetiku fil-proçess elettorali, li jitolbu li ssir *dummy run* sabiex jassiguraw il-validità ta' l-istess proçess elettro-manjetiku.”.

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

9. L-artikolu 13 ta' l-Att prinçipali ghandu jiġi emendat kif ġej:

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

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

(ç) minflok is-subartikoli (4), (5) u (6) tiegħu, ghandu jidhol dan li ġej:

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

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

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

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

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

“(9) Fil-każ ta' applikazzjoni jew appell imsejsa fuq inabilità tal-mohh, l-Uffiċjal Revizur ghandu, ghad li jkunu assenti l-applikanti jew l-appellant jew l-avukat, il-prokuratur legali jew persuna oħra li tkun qed tirrappreżentah, jirreferi l-applikazzjoni jew l-appell lill-Bord Mediku ghad-deċiżjoni tieghu.

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

10. Minnufih wara s-subartikolu (2) ta' l-artikolu 16 ta' l-Att prinċipali ghandu jidhol is-subartikolu (3) li ġejj:

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

“(3) Kull min jikser id-dispożizzjonijiet tas-subartikolu (2) ta' dan l-artikolu jkun hati ta' reat u jehel meta jinstab hati l-piena stabbilita ghar-reati taht l-artikolu 112 ta' dan l-Att.”.

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

11. L-artikolu 19 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

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

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

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

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

12. L-artikolu 20 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minnufih wara l-kliem “fis-servizz tal-Gvern ta’ Malta” ghandhom jidhlu l-kliem “u l-uffiċjali kollha ta’ kull korp imwaqqaf b’liġi”;

(b) fis-subartikolu (3) tiegħu:

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

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

(ċ) fis-subartikolu (4) tiegħu:

(i) minnufih wara l-kliem “r-Registatur tal-Qrati ta’ Ghawdex” ghandhom jidhlu l-kliem “jew dawk il-persuni ohrajn li jkollhom dik il-funzjoni”; u

(ii) minnufih wara l-kliem “minn Qorti kompetenti” ghandhom jiżdiedu l-kliem “kif ukoll lista li jkun fiha partikolaritajiet bħal dawk ta’ dawk il-persuni kollha li jkunu nghataw kundanna ta’ prigunerija (tkun kif tkun imsejha) ta’ aktar minn tnax-il xahar imposta fuqhom minn Qorti ta’ Malta jew kundanna ta’ prigunerija bħal dik li l-eskuzzjoni tagħha tkun ġiet sospiza.”; u

(d) minnufih wara s-subartikolu (4) tiegħu, għandhom jiżdiedu dawn is-subartikoli li ġejjin:

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

(6) L-uffiċjal pubbliku jew persuna oħra responsabbli għall-uffiċċju fejn tingħata jew tiġi irtirata ċ-ċittadinanza għandu matul l-ewwel hamest ijiem ta’ kull xahar jgħaddi lista li jkun fiha l-isem, il-kunjom, in-numru tal-karta ta’ l-identità, jekk ikollha, u partikolaritajiet oħra ta’ kull persuna li tkun inġhatat iċ-ċittadinanza jew li kellha ċ-ċittadinanza tagħha irtirata matul ix-xahar ta’ qabel.

(7) Il-Kummissjoni għandha tghaddi lid-delegati tal-partiti kopja ta’ dawk il-listi fi żmien hamest ijiem minn meta jkunu waslulha.”.

13. Minnufih wara s-subartikolu (3) ta’ l-artikolu 26 ta’ l-Att prinċipali, għandu jiżdied dan is-subartikolu li ġej:

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

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

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

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

15. Minnufih wara l-kliem “fir-rigward tad-delegati tal-partit.” fl-artikolu 29 ta’ l-Att prinċipali, għandhom jidhlu l-kliem “Dan it-tagħrif għandu jingħata bid-dettalji kollha mehtieġa u għandu jingħata minnufih.”.

Emenda ta’
l-artikolu 29 ta’
l-Att prinċipali.

16. Minflok is-subartikolu (1) ta’ l-artikolu 31 ta’ l-Att prinċipali għandu jidhol dan li ġej:

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

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

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

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

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

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

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

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

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

(4) Meta l-Kummissjoni fit-twettiq tas-setgħat tagħha skond is-subartikolu (1) ta’ l-artikolu 31 ta’ dan l-Att, taqsam iktar lil xi lokalità din ghandha turi dak it-tagħrif ghal kull parti minn dik il-lokalità li tkun ġiet hekk maqsuma iktar.”;u

(ċ) minnufih wara s-subartikolu (6) tiegħu, kif enumerat mill-gdid, għandu jidhol is-subartikolu (7) kif ġej:

“(7) Il-Kummissjoni għandha b’żieda tippubblika r-Registru Elettorali f’format elettro-manjetiku.”.

18. Fl-artikolu 36 ta’ l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”. Emenda ta’
l-artikolu 36 ta’
l-Att prinċipali.
19. Fl-artikolu 37 ta’ l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”. Emenda ta’
l-artikolu 37 ta’
l-Att prinċipali.
20. Fl-artikolu 38 ta’ l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”. Emenda ta’
l-artikolu 38 ta’
l-Att prinċipali.
21. Fis-subartikolu (1) ta’ l-artikolu 40 ta’ l-Att prinċipali, minflok il-kliem “erbatax-il jum” għandhom jidhlu l-kliem “wiehed u għoxrin jum”. Emenda ta’
l-artikolu 40 ta’
l-Att prinċipali.
22. Fis-subartikolu (4) ta’ l-artikolu 41 ta’ l-Att prinċipali minflok il-kliem “għandha tiġi riferita lill-Uffiċjal Revizur” għandhom jidhlu l-kliem “għandha tiġi iffirmata mill-membri kollha tal-Bord Mediku u ċ -*Chairman* tiegħu għandu jirreferiha lill-Uffiċjal Revizur”. Emenda ta’
l-artikolu 41 ta’
l-Att prinċipali.
23. Fl-artikolu 42 ta’ l-Att prinċipali minnufih wara l-kliem “L-Uffiċjali Revizuri” għandhom jidhlu l-kliem “u l-Qorti ta’ l-Appell”. Emenda ta’
l-artikolu 42 ta’
l-Att prinċipali.
24. Fl-artikolu 43 ta’ l-Att prinċipali, minnufih wara l-kliem “għandha tirrevedi r-Registru Elettorali skond dak iċ-ċertifikat.” għandhom jidhlu l-kliem “Kopji ta’ dawk iċ-ċertifikati jintbagħtu mill-Kummissjoni lid-delegati tal-partiti fi żmien hamest ijiem minn meta jkunu waslu għand il-Kummissjoni u għandhom jiġu pubblikati fil-Gazzetta kemm jista’ jkun malajr.”. Emenda ta’
l-artikolu 43 ta’
l-Att prinċipali.
25. L-artikolu 45 ta’ l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta’
l-artikolu 45 ta’
l-Att prinċipali.
- (a) minflok il-kliem “tmint ijiem” għandhom jidhlu l-kliem “tlett ijiem”; u
- (b) fil-paragrafu (a) tiegħu, il-kliem “tax-xoghol” għandhom jithassru.
26. L-artikolu 46 ta’ l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta’
l-artikolu 46 ta’
l-Att prinċipali.
- (a) fis-subartikolu (1) tiegħu, minflok il-kliem “mill-hmistax-il jum” għandhom jidhlu l-kliem “mid-dsatax-il jum” u minnufih wara l-kliem “u li jkun magħmul minn” għandhom jidhlu l-kliem “dik il-karta ta’ sigurezza u”;

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

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

“Il-Kummissjoni ghandha wkoll tistampa fuq id-dokument għall-votazzjoni dak il-kodiċi ta’ sigurezza raġonevoli li jista’ hekk jintalab mill-partiti politiċi u hekk kif il-Kummissjoni jista’ jidhrilha li jkun sew, b’dan illi l-partiti politiċi ghandhom jikkonsenjaw dak il-kodiċi ta’ sigurezza lill-Kummissjoni immedjatement qabel ma jinbeda l-istampar tad-dokumenti għall-votazzjoni jew mhux aktar tard minn dak iż-żmien, li ma jkunx aktar minn erbgha u għoxrin siegħa qabel l-istampar, li l-Kummissjoni tista’ tistabilixxi minhabba esigenzi tekniċi; id-delegati ghandhom jinghataw ukoll il-faċilità li jivverifikaw l-eżattezza tagħhom anke permezz ta’ *dummy run* tal-proċess u permezz ta’ *audit trails* li jstabilixxu l-validità tas-sistema f’kull hin tal-proċess u jinghatalhom kopja ta’ *l-audit trail*.”;

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

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

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

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

(9) Minkejja kull haġa li tinsab fis-subartikoli (6), (7) u (8) ta' dan l-artikolu, meta l-Kummissjoni ssir taf li persuna li isimha jidher fuq il-lista msemmija fis-subartikolu (5) ta' dan l-artikolu tkun reġistrata f'dar ta' mistrieħ, jew li tkun qiegħda fi sptar, jew li tkun tbatì minn xi disabilità jew li tkun tinsab dejjem fis-sodda jew li tkun mod iehor fiżikament inkapaċi milli tidher f'wieħed mill-postijiet stabbiliti mill-Kummissjoni skond is-subartikolu (8) ta' dan l-artikolu sabiex titlob li jingħatalha d-dokument għall-votazzjoni tagħha, ikun id-dmir tal-Kummissjoni li twassal dak id-dokument lill-persuna konċernata jew permezz ta' wieħed mill-kummissjonarji jew minn xi persuna li tkun mahtura għal dak il-ghan mill-Kummissjoni minflokhom. Il-Kummissjonarju jew il-persuna mahtura kif imsemmi qabel jistgħu jinterrogaw lil dik il-persuna bil-gurament sabiex tiġi stabbilita l-identità tagħha u t-talba tagħha li tingħata d-dokument. Dak id-dokument ma għandux jingħata lil dik il-persuna kemm-il darba ma turix il-karta ta' l-identità tagħha lill-Kummissjonarju jew lill-persuna mahtura kif imsemmija qabel, skond il-każ.

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

(11) Il-partiti politiċi għandhom jingħataw il-fakultà li jissorveljaw il-proċess imsemmi fis-subartikoli preċedenti.”.

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

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

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

(b) minflok il-kliem minn “mahruġ speċjali għal hekk” sal-kliem “jithassar minn fuq dik il-lista; u (iii)” għandhom jidhlu l-kliem “li fuq jkun hemm il-kelma “SPECJALI”, sakemm din il-kelma ma tkun tghatti b'ebda mod xi biċċa mit-tagħrif li jkun hemm fuq id-dokument. Il-kelma “SPECJALI” għandha tiddaħhal ukoll

magenb isem dak l-elettur fil-lista msemmija fis-subartikolu (1) ta' l-artikolu 64 ta' dan l-Att u".

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

28. Fis-subartikolu (1) ta' l-artikolu 48 ta' l-Att prinċipali, il-kliem "il-kamra tal-votazzjoni fejn dawn il-persuni kienu oriġinarjament mahsubin li jivvutaw, u l-kamra tal-votazzjoni fejn issa ghandhom jivvotaw," ghandhom jithassru.

Emenda ta' l-artikolu 49 ta' l-Att prinċipali.

29. L-artikolu 49 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

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

(b) fis-subartikolu (6) tiegħu, minflok il-kliem "jista' jiġi stampat" ghandhom jidhlu l-kliem "ghandu jiġi stampat".

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

30. L-artikolu 51 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

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

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

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

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

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

“(6) Meta l-Kummissjoni tirċievi xi oppożizzjoni skond id-dispożizzjonijiet tas-subartikoli (3) u (4) ta’ dan l-artikolu, il-Kummissjoni għandha tistabbilixxi data għas-smigh ta’ dik l-oppożizzjoni, minnufih tgharraf bil-miktub lil dak il-kandidat li tkun saret oppożizzjoni dwaru, billi tagħtih kopja ta’ l-oppożizzjoni li tkun ġiet preżentata kontriha, u għandha tgharraf sew lil min jagħmel l-oppożizzjoni kif ukoll lill-kandidat bid-data stabbilita għas-smigh ta’ dik l-oppożizzjoni. In-notifika għandha ssir b’kull mezz li l-Kummissjoni tqis li tkun xierqa sabiex tiżgura li l-partijiet involuti jaslulhom dawk l-avviżi fl-inqas żmien possibbli.

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

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

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

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

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

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

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

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

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

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

(b) fis-subartikolu (1) tiegħu, minnufih wara l-kliem "kmamar tal-votazzjoni" għandhom jidhlu l-kliem "li jkun hemm fid-distretti elettorali li għalihom ikun qed jikkontesta";

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

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

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

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

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

34. Is-subartikolu (1) ta' l-artikolu 58 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

Emenda ta' l-artikolu 58 ta' l-Att prinċipali.

(a) minnufih wara l-kliem “ta' xi kandidat għall-elezzjoni,” għandhom jidhlu l-kliem “jew ma jkunx reġistrat bħala elettur fir-Reġistru Elettorali li jkun ġie l-aħħar pubblikat,”; u

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

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

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

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

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

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

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

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

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

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

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

Zieda ta' l-artikolu 61A ġdid ma' l-Att prinċipali.

“Aġenti distrettwali.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39. Fl-artikolu 62 ta' l-Att prinċipali, minnufih wara l-kliem “Ebda persuna ma tista' tinhatar” għandhom jidhlu l-kliem “aġent distrettwali,” u minnufih wara l-kliem “jew aġent ta' partij” għandhom jidhlu l-kliem “jekk ma tkunx reġistrata bħala elettur fir-Registru Elettorali li jkun għe l-aħħar pubblikat jew”.

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

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

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

(b) fis-subartikolu (1) tiegħu, minflok il-kliem minr “Flimkien ma' l-isem, l-indirizz” sal-kliem “ritratt tal-passaport u l-Kummissjonarju” għandhom jidhlu l-kliem “Il-Kummissjonarji”; u

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

“(2) Il-Kummissjoni għandha tghaddi lil kull partit politiku li jitlobhom bil-miktub, il-listi ta’ l-aġenti kollha preżentati mill-partiti politiċi l-oħra kollha kif ukoll l-aġenti ta’ kandidati preżentati mill-kandidati u minn min ġew nominati fi żmien jumejn minn meta jaslulha l-listi u l-partiti politiċi jistgħu jagħmlu l-oppożizzjoni tagħhom dwar dan fi żmien erbat ijiem minn dak inhar.”.

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

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

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

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

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

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

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

“Dispożizzjonijiet dwar kamra tal-votazzjoni u kompartimenti tal-votazzjoni.

68. (1) Il-Kummissjoni għandha tiżgura, skond kemm ikun possibbli, li f’kull kamra tal-votazzjoni jkun hemm distanza sew bejn il-post fejn ikunu qeghdin bil-qeghda l-Assistenti Kummissjonarji u l-kompartimenti tal-votazzjoni li ġewwa fihom jidhlu l-eletturi sabiex jimmarkaw il-poloż tal-votazzjoni tagħhom. Il-kompartimenti tal-votazzjoni għandhom jiġu konstruwiti b’mod tali li jeskludu l-possibiltà li xi hadd ikun jista’ jara kif l-elettur ikun qed jivvota.

(2) Il-Kummissjoni għandha titlob lill-partiti politiċi biex dawn jgħaddulha għadd biżżejjed ta’ ritratti tal-kandidati relattivi sabiex il-Kummissjoni tkun tista’ twaħhal ritratt ta’ kull kandidat f’kull kamra tal-votazzjoni tad-distrett

elettorali fejn il-kandidat ikun qed jikkontesta l-elezzjoni. Kull ritratt ghandu jkollu isem il-kandidat u l-isem u l-*badge* tal-partit li jkun qed jirrappreżenta, jekk ikun il-każ, u r-ritratti ghandhom jintwerew f'dak l-ordni kif jidhru l-ismijiet tal-kandidati fuq il-polza tal-votazzjoni. Il-Kummissjoni ghandha tagħti dawk id-direttivi li tista' tqis li jkunu xierqa dwar il-qies u l-ghamla ta' dawk ir-ritratti.

(3) Il-Kummissjoni ghandha tiżgura li f'kull kompartiment tal-votazzjoni jkun hemm imwahhal, f'post li l-elettur ikun jista' jara sew, kopja ta' l-Istruzzjonijiet lill-eletturi stabbiliti fit-Tmien Skeda (B) li tinsab ma' dan l-Att, u li jkun hemm strumenti għall-kitba disponibbli għall-użu ta' l-eletturi.

(4) Il-Kummissjoni ghandha tordna lill-Assistenti Kummissjonarji jiżguraw sew li jqeghdu l-kaxxi tal-votazzjoni kemm jista' jkun fil-qrib ta' fejn ikunu huma qegħdin bil-qegħda u b'dak il-mod li huma jkunu jistghu jaraw sew lill-elettur li jkun qieghed jitfa' l-polza tal-votazzjoni tiegħu għewwa fiha.

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

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

(7) Il-kaxex tal-votazzjoni ghandu jkollhom dawk il-qisien u jinhadmu minn dak il-materjal li l-Kummissjoni tiddeċiedi dwaru iżda l-Kummissjoni ghandha tiżgura li l-kaxxa tkun tista' tiġi sigillata waqt il-votazzjoni u li ma jkunx jista' jsir tbaġħbis magħha mingħajr ma wiehed jinduna. Il-wieċ tal-kaxxa ghandu jkun magħmul minn materjal trasparenti, sakemm dan ikun teknikament possibbli.

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

68A. (1) F'xi jum li jkun kemm jista' prattikament qrib tal-jum tal-votazzjoni iżda mhux qabel tlett ijiem minn dak il-jum, il-Kummissjoni ghandha tikkonsenja f'kull post

tal-votazzjoni, il-kaxex tal-votazzjoni, il-lista ta' persuni li jkollhom jedd jivvotaw f'dak il-post, il-poloż tal-votazzjoni u kull dokument u materjal relevanti iehor li jkun se jintuża f'dak il-post tal-votazzjoni fil-jum tal-votazzjoni u ghandha tissigilla dawk id-dokumenti u materjal fil-kamra stabbilita ghal dan il-ghan skond ma hemm fl-artikolu ta' qabel ta' dan l-Att. Il-kamra ghandha tinzamm mixghula f'kull hin.

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

Trasferiment
tal-kaxex
tal-votaz-
zjoni ghal
ġol-kmamar
tal-
votazzjoni.

69. (1) Fil-jum stabbilit ghall-votazzjoni u tletin minuta qabel ma din tibda, il-kamra fil-post tal-votazzjoni fejn il-kaxex tal-votazzjoni u dokumenti oħra jkunu nħażnu mill-Kummissjoni ghandha tinfetħ u l-kaxex, id-dokumenti u l-materjal jiġu trasferiti ghal ġo kull kamra tal-votazzjoni mill-Assistenti Kummissjonarji relattivi.

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

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

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

(5) Wara li l-kaxxa tal-votazzjoni tkun ġiet sigillata, iċ-*Chairperson* ta' l-Assistenti Kummissjonarji ghandu jaghti xiehda ta' dan fuq il-formula provduta mill-Kummissjoni filwaqt li jitlob lil kull min kien preżenti waqt

l-issigillar sabiex jiffirma bhala xhud, u ma' dan kulhadd jitlaq 'il barra mill-kamra hlief l-Assistenti Kummissjonarji u hekk tibda l-votazzjoni.

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

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

43. L-artikolu 70 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

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

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

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

44. L-artikolu 71 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) minflok il-kelma “quddiem” fil-paragrafi (a) u (b) tas-subartikolu (2) u fil-paragrafi (b) u (ċ) tas-subartikolu (3), ghandha tidhol f'kull każ il-kelma “hdejn”;

(b) fil-paragrafu (f) tas-subartikolu (3) tiegħu minflok il-kliem “kif imfisser fis-subartikolu (4) ta' l-artikolu 70” ghandhom jidhlu l-kliem “tal-Kummissjoni”; u

(ċ) minflok is-subartikolu (4) tiegħu ghandu jidhol dan li ġej:

“(4) L-elettur jaghti l-vot tiegħu b'mod sigriet ġewwa kompartiment tal-votazzjoni. Wara li jkun temm jikteb fuq il-polza tal-votazzjoni tiegħu, l-elettur ghandu jitwi l-polza tal-votazzjoni b'mod li jibqa' jidher it-timbru uffiċjali u ma jkunx jidher kif ivvota, juri t-timbru uffiċjali liċ-*Chairperson* ta' l-Assistenti Kummissjonarji biex l-Assistenti Kummissjonarji jivverifikaw l-istess, u ghandu mbagħad jitfa' l-polza tal-votazzjoni fil-kaxxa tal-voti quddiem l-Assistenti Kummissjonarji.”.

45. Is-subartikolu (4) ta' l-artikolu 72 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) minflok il-kliem “b’gurament id-dikjarazzjoni tiegħu” għandhom jidhlu l-kliem “id-dikjarazzjoni tiegħu b’gurament skond il-formula murija fil-Hmistax-il Skeda li tinsab ma’ dan l-Att”; u

(b) minflok il-paragrafu (d) tiegħu għandu jidhol dan li ġej:

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

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

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

“Postijiet tal-votazzjoni mhallta.

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

(2) Post ta’ votazzjoni mhallat huwa post tal-votazzjoni fejn ikun hemm kaxxa tal-votazzjoni għal kull distrett elettoralu u fejn l-eletturi msemmija fil-paragrafi (a) u (b) tas-subartikolu (4) ta’ dan l-artikolu għandhom jivvutaw indipendentement mid-distrett elettoralu fejn jistgħu jkunu reġistrati fir-Registru Elettorali li jkun ġie l-aħhar ippubblikat, billi jitfegħu l-vot tagħhom fil-kaxxa tal-votazzjoni korrispondenti għad-distrett elettoralu fejn ikunu reġistrati.

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

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

(b) f’San Vincenz de Paule.

(4) (a) Minkejja kull dispożizzjoni oħra f’dan l-Att, kull min ikun ġie magħżul biex iservi bħala Assistent Kummissjonarju Elettorali, inkluż jekk ikun ġie magħżul bħala rizerva, għandu jiġfa’ l-vot tiegħu fil-post indikat fil-paragrafu (a) tas-subartikolu (3) ta’ dan l-artikolu u

ghandu jagħmel dan fil-jum ta' qabel il-jum tal-votazzjoni bejn is-7.00 a.m. u l-10.00 p.m.

(b) Għall-finijiet u effetti kollha ta' dan l-artikolu l-persuni li għandhom jivvutaw skond il-paragrafu (a) ta' dan is-subartikolu huma dawk kollha li isimhom ikun ippubblikat fil-lista msemmija fis-subartikolu (6) ta' l-artikolu 59 ta' dan l-Att, anke jekk xi wahda minn dawk il-persuni tkun irriżenjat il-ħatra tagħha wara l-pubblikazzjoni ta' dik il-lista.

(c) Il-votanti kollha li sebat ijiem qabel il-jum ta' l-elezzjoni jkunu residenti, iżda mhux reġistrati bħala votanti, f'San Vincenz de Paule għandhom jivvutaw fil-post indikat fil-paragrafu (b) tas-subartikolu (3) ta' dan l-artikolu, u jkun obligu tas-sotto-kumitat imwaqqaf permezz ta' l-artikolu 81 ta' dan l-Att, li jiddetermina min huma dawn il-votanti.

(5) Għall-finijiet u effetti kollha ta' dan l-Att post tal-votazzjoni mhallat jitqies bħala post tal-votazzjoni ordinarju u d-drittijiet u obligi imposti fuq il-Kummissjoni u persuni mahtura minnha, partiti politiċi, aġenti u kandidati għandhom *mutatis mutandis* japplikaw.

(6) Kopja ta' listi tal-persuni intitolati biex jivvotaw f'postijiet tal-votazzjoni mhallta għandha tingħata mill-Kummissjoni Elettorali lill-partiti politiċi mill-anqas erbat ijiem qabel il-ġurnata ta' l-elezzjoni.”.

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

47. L-artikolu 78 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok il-kliem “aġent elettorali” kull fejn jinsabu għandhom jidhlu l-kliem “aġent ta' kandidat”; u

(b) fis-subparagrafu (iii) tal-paragrafu (ċ) tas-subartikolu (6) tiegħu, minnufih wara l-kliem “l-ismijiet” għandhom jidhlu l-kliem “u, jew, il-partikolaritajiet”.

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

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

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

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

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

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

(d) minnufih wara s-subartikolu (2) tiegħu għandu jidhol is-subartikolu (3) ġdid li ġej:

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

(e) minflok is-subartikolu (6) tiegħu kif enumerat mill-ġdid għandu jidhol dan li ġej:

“(6) (a) Matul il-ġum stabbilit għall-votazzjoni hadd ma għandu jithalla jidhol, mingħajr l-awtorità tal-Kummissjoni, fi djar ta’ l-anzjani.

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

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

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

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

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

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

tbagħbis. Il-klassifika tal-poloż tal-votazzjoni kollha għandha tibda fl-istess hin fid-distretti elettorali kollha.”.

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

51. L-artikolu 86 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(b) fis-subartikolu (9) tiegħu minflok il-kliem “l-proċess tal-għadd” għandhom jidhlu l-kliem “l-proċess ta' klassifika”.

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

52. Fis-subartikolu (4) ta' l-artikolu 87 ta' l-Att prinċipali minflok il-kliem “aġenti elettorali u ta' partit” għandhom jidhlu l-kliem “aġenti ta' kandidati u ta' partit”.

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

53. L-artikolu 89 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(b) fis-subartikolu (2) tiegħu minflok il-kliem “l-għadd ta' kandidati” għandhom jidhlu l-kliem “għaxra iktar mill-għadd ta' kandidati”.

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

54. L-artikolu 90 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (ċ) tiegħu minnufih wara l-kliem “għadd ta' kmamar kif jista'” għandha tidhol il-kelma “jkun”, u minflok il-kliem “personnel tax-xandir *bona fide* u korrispondenti tal-ġurnali li jkunu qabel ġew akkreditati mill-Kummissjoni” għandhom jidhlu l-kliem “personell tax-xandir u korrispondenti tal-ġurnali *bona fide* li jkunu qabel ġew akkreditati mill-Kummissjoni; il-Kummissjoni għandha l-jedd u d-dover li tassigura li l-personell tax-xandir u l-korrispondenti tal-ġurnali akkreditati minnha jaqdu biss il-funzjoni professjonali tagħhom u fin-nuqqas il-Kummissjoni tikkancella l-akkreditazzjoni lil min jonqos. Il-Kummissjoni għandha mhux aktar tard minn hamest ijiem qabel jum il-votazzjoni, tagħti lista dettaljata tal-personell kollu li jkun ġie akkreditat minnha sabiex iwettaq xi funzjoni fil-jiem ta' l-għadd tal-voti fl-imkien fejn isir l-għadd tal-voti”;

(b) fil-paragrafu (d) tieghu minnufih wara l-kliem “tas-sala ta’ l-ghadd tal-voti” għandhom jiżdiedu l-kliem “u d-delegati tal-partiti u s-sostituti tagħhom ikollhom jedd ta’ dhul f’dik iż-żona f’kull waqt”;

(ċ) fit-test Malti fil-paragrafu (f) tieghu minflok il-kliem “b’dan ġew nominati minn dawk id-delegati” għandhom jidhlu l-kliem “b’dan li d-delegati tal-partiti u sitt sostituti tagħhom li jkunu ġew nominati minn dawk id-delegati”;

(d) il-paragrafu (h) tieghu għandu jithassar;

(e) il-paragrafi (i), (j), (k), (l) u (m) tieghu għandhom jiġu rispettivament enumerati mill-ġdid (h), (i), (j), (k) u (l); u

(f) fil-paragrafu (m) tieghu minnufih wara l-kliem “f’kull zona ta’ l-imkien” għandhom jidhlu l-kliem “inkluża kull zona ristretta”.

55. Minflok l-artikolu 92 ta’ l-Att prinċipali għandu jidhol dan li ġej:

“Hatra ta’ persuni biex jiżguraw it-tmexxija sew tal-bini eċċ.

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

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

Ċirkostanzi straordinarji.

(2) F’ċirkostanzi straordinarji, il-Kummissjoni għandha thalli jidhlu fil-bini stabbilit għall-hażna tal-kaxex tal-voti u għall-ghadd tal-poloż tal-votazzjoni kull persuna ohra li tqis meħtieġa b’dan illi f’ebda każ ma għandha thalli li jidhol il-pubbliku in generali.

Biljetti ta’ identità.

(3) Hlief għall-uffiċjali tal-Pulizija u għall-membri tal-Forzi Armati ta’ Malta, kull min jithalla jidhol fil-bini stabbilit għall-hażna tal-kaxex tal-voti u għall-ghadd tal-poloż tal-votazzjoni għandu jingħata mill-Kummissjoni biljett ta’ identità li jkun juri d-dettalji meħtieġa dwar l-aġent għall-ghadd u għandu jilbes dak il-biljett ta’ identità f’kull waqt meta jkun ġewwa dak il-bini jew fil-viċinanzi tieghu.”.

56. Fl-artikolu 93 ta’ l-Att prinċipali minflok il-kliem “aġenti elettorali” għandhom jidhlu l-kliem “aġenti tal-kandidati”.

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

57. Minflok l-artikolu 95 ta’ l-Att prinċipali għandu jidhol dan li ġej:

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

“Rikonċiljazzjoni tar-rendikont ta’ poloz tal-votazzjoni. 95. Kemm jista’ jkun prattikament malajr wara li l-kaxex tal-voti jibded jigu depożitati fil-kamra stabbilita mill-Kummissjoni għall-ħażna tal-kaxex tal-voti skond ma hemm fl-artikolu 45 ta’ dan l-Att, il-Kummissjoni għandha tghaddi biex tirikonċilja r-Rendikont ta’ Poloz tal-Votazzjoni ta’ kull kaxxa konsenjata mill-Assistenti Kummissjonarji ma’ l-għadd attwali ta’ poloz tal-votazzjoni li jkunu jinsabu f’ dik il-kaxxa u għal dak l-ghan għandhom jirrilaxxjaw minn dik il-kamra (kemm jista’ jkun malajr wara li jaslu fiha sakemm ma tinholoqx konfużjoni fuq l-imwejjed fejn isir l-għadd) il-kaxex tal-voti sabiex jittiehdu fuq l-imwejjed fejn isir l-għadd ta’ kull distrett elettoralu relattiv bil-ghan li ssir dik ir-rikonċiljazzjoni.”.

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

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

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

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

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

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

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

61. Fis-subartikolu (4) ta’ l-artikolu 107 ta’ l-Att prinċipali minflok il-kliem “aġenti elettoralu” għandhom jidhlu l-kliem “aġenti ta’ kandidati”.

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

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

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

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

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

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

63. Minnufih wara l-paragrafu (b) fis-subartikolu (2) ta' l-artikolu 116 ta' l-Att prinċipali għandhom jidhlu dawn iż-żewġ paragrafi li ġejjin:

Emenda ta' l-artikolu 116 ta' l-Att prinċipali.

“(ċ) ikun fuq *billboard* debitament awtorizzat; u

(d) ikun fuq *streamer* debitament awtorizzat.”.

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

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

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

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

(a) fil-paragrafu (1) tar-regolament 5 minflok il-kliem “fl-artikolu” għandhom jidhlu l-kliem “fir-regolament”;

(b) minnufih wara l-paragrafu (2) tar-regolament 7 għandu jiżdied dan li ġej:

“(3) Il-Kummissjoni Elettorali tista' tordna illi fl-istess distrett elettorali jingħaddu l-poloz fl-istess hin ta' aktar minn kandidat wiehed sakemm huma jiżguraw li l-poloz tal-votazzjoni li jappartjenu lil kandidati differenti jinżammu mifrudin.

(4) Fi tmiem l-għadd f'distrett elettorali partikolari l-Kummissjoni għandha tiddikjara xi jkun l-għadd totali ta' poloz tal-votazzjoni validi f'dak id-distrett u xi jkun l-għadd totali ta' voti validi akkreditati lil kull kandidat f'dak id-distrett elettorali.”; u

(ċ) fil-paragrafu (7) tar-regolament 10 minflok il-kliem “frazzjonijiet” u “frazzjon” għandhom jidhlu l-kliem “partijiet deċimali (sa erba' figuri deċimali)” u “parti deċimali (sa erba' figuri deċimali)” rispettivament.

66. Minnufih wara l-Erbatax-il Skeda li tinsab ma' l-Att prinċipali għandha tidhol l-Iskeda li ġejja:

Żieda tal-Hmistax-il Skeda ma' l-Att prinċipali.

“IL-HMISTAX-IL SKEDA

(Artikolu 72)

Formola tal-Ġurament li Assistent Kummissjonarju Elettorali għandu jagħti lil elettur.

Jiena (1) Nru. ta' l-I.D.
..... li noqghod (2)
nahlef/niddikjara solennement illi jiena qieghed nitlob l-ghajjnuna ta' l-Assistenti Kummissjonarji Elettorali sabiex inkun nista' nivvota peress li ma nistax nimmarka l-polza tal-votazzjoni. (U hekk Alla jghinni).

Data Firma jew marka ta' l-Elettur
.....
Mahluf/Dikjarat quddiemi llum

.....

Firma ta' l-Assistent
Kummissjonarju Elettorali

- (1) Isem shih
- (2) Indirizz ta' l-elettur”.

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

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

- (a) fl-artikolu (2) tiegħu t-tifsira ta' “Registru Elettorali tal-Kunsilli Lokali” għandha tithassar;
- (b) l-artikolu 5 tiegħu għandu jithassar;
- (c) l-artikolu 6 tiegħu għandu jiġi enumerat mill-ġdid bhala l-artikolu 5 u għandu jiġi emendat kif ġej:

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

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

(iii) fis-subartikolu (2) tieghu minflok il-kliem “ikollhom jedd li jkunu registrati bhala votanti fir-Registru Elettorali ghall-Kunsilli Lokali” ghandhom jidhlu l-kliem “jkollhom jedd li jivvotaw fl-elezzjonijiet tal-Kunsilli Lokali”; u minnufih wara l-paragrafu (d) tieghu ghandu jidhol dan il-paragrafu (e) ġdid li ġej:

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

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

“Registru speċjali.

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

(e) fl-artikolu 7 tieghu minflok il-kliem “tar-Registru Elettorali ghall-Kunsilli Lokali” ghandhom jidhlu l-kliem “tar-Registru Elettorali jew tar-Registru Speċjali”;

(f) fl-artikolu 11 tieghu minflok il-kliem “fir-Registru Elettorali ghall-Kunsilli Lokali” ghandhom jidhlu l-kliem “fir-Registru Elettorali jew fir-Registru Speċjali”; u

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














SKEDA

(Artikolu 64)

"IT-TMIEN SKEDA

(Artikolu 49)

Formula tal-Polza

Ghadd ta' Deputati li ghandhom jigu eletti		Distrett
Isem tal-Kandidati	Badge tal-Kandidat	Immarka skond li-preferenzi li taghti
PARTIT TAL-FJURI		
JONES , (John Jones, of 52, Old Bakery Street, Valletta, Merchant)		
MAGRO , (William David Magro, of 10, Tower Road, Sliema, Painter)		
MIFSUD , (Joseph Mifsud, of 16, Victoria Avenue, Sliema, Labourer)		
MUSCAT , (Francesco Muscat, of 1, St. Paul's Street, Żabbar, Driver)		
VELLA , (James Vella, of 5, Republic Street, St. Julians, Architect)		
WILLIAMS , (Francis Williams, of 85, Genuis Street, Żurriq, Chemist)		
PARTIT TAL-GHASFUR		
AZZOPARDI , (Spiro Azzopardi, of 13, Marina Street, Żejtun, Printer)		
BORG , (Assuero Borg, of 69, Barbara Street, Mellieha, Clerk)		
CASSAR , (Lela Cassar, of "Dolores", Main Street, Cospicua, Housewife)		
MIZZI , (Glormu Mizzi, of 70, Two Gates Street, Lija, Lawyer)		
ZARB , (Fortunat Zarb, of 15, Strait Street, Luqa, Clerk)		
PARTIT TAS-SIĠAR		
AZZOPARDI , (Reginald Azzopardi, of 165, St. Domenic Street, Qormi, Clerk)		
ZAMMIT , (Lawrence Zammit, of "Josdor", 188, Bwieraq Street, Hamrun, Chemist)		
KANDIDATI INDIPENDENTI		
BUHAGIAR , (Louis Buhagiar, of 55, Republic Street, Żabbar, Merchant)		
GALEA , (Ninu Galea, of 67, B'Kara Lane, Qrendi, Worker)		

IT-TMIEN SKEDA B

(Artikolu 68 (3))

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

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

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 549 ta' l-Erbgha, 5 ta' Ġunju, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

2nd July, 1996

ACT No. XV of 1996
AN ACT to amend the General Elections Act, 1991.

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

1. (1) This Act may be cited as the General Elections (Amendment) Act, 1996 and shall be read and construed as one with the General Elections Act, 1991, hereinafter referred to as the “principal Act”.

Short title
and
commencement.
Act No.XXI of 1991.

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

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

Amendment of
section 2
of the
principal Act.

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

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

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

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

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

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

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

Amendment of section 3 of the principal Act.

3. For the words “The Prime Minister may” in section 3 of the principal Act there shall be substituted the words “The Commission may”, and immediately at the end of the same section there shall be added the words “The Prime Minister shall upon the publication of such regulations lay the same upon the Table of the House.”.

Amendment of section 5 of the principal Act.

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

Amendment of section 6 of the principal Act.

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

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

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

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

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

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

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

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

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

(4) The legal representation of the Commission shall vest in the Chief Electoral Commissioner or in such other member or such other members of the Commission, as the Commission may establish by resolution, which resolution shall not come into force before it is published in the Gazette.”.

7. Section 10 of the principal Act shall be amended as follows: Amendment of section 10 of the principal Act.

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

(b) in subsection (6) thereof, the words “or written or printed form that shall not require any device or electronic or magnetic or similar process to be read, and in no other form” shall be substituted by the words “or written, printed or electronic format as the

delegates may require and the Commission is technically able to provide”.

Amendment of
section 11
of the
principal Act.

8. Immediately after subsection (2) of section 11 of the principal Act there shall be inserted the following new subsection:

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

Amendment of
section 13
of the
principal Act.

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

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

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

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

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

(5) Service shall be effected by registered post. Where any of the persons to be served with the application or appeal by registered post is not found, the Revising Officer shall direct that the person shall be served by an officer of the Court. Where the person is not found by such officer of the Court, the Revising Officer shall, on the report of the officer of the Court direct that the application or appeal be posted on the

notice board of the police station and the Local Council office of the locality in which the person concerned resides and to be published twice in all local daily newspapers and where necessary, shall appoint another day for the hearing.

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

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

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

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

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

10. Immediately after subsection (2) of section 16 of the principal Act, there shall be added the following subsection (3):

Amendment of
section 16
of the
principal Act.

“(3) Any person who contravenes the provisions of subsection (2) of this section shall be guilty of an offence and shall on conviction be liable to the penalties established for offences against section 112 of this Act.”.

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

Amendment of
section 19
of the
principal Act.

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

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

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

Amendment of
section 20
of the
principal Act.

12. Section 20 of the principal Act shall be amended as follows:

(a) in subsection (1) thereof immediately after the words “in the service of the Government of Malta” there shall be inserted the words “and all officers of bodies corporate established by law”;

(b) in subsection (3) thereof:

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

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

(c) in subsection (4) thereof:

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

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

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

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

of any person who has been released from prison in the preceding month.

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

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

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

Amendment of section 26 of the principal Act.

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

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

Amendment of section 28 of the principal Act.

15. Immediately after the words “in relation to the party delegates.” in section 29 of the principal Act, there shall be inserted the words “This information is to be given with all the necessary details and is to be given forthwith.”.

Amendment of section 29 of the principal Act.

16. For subsection (1) of section 31 of the principal Act there shall be substituted the following:

Amendment of section 31 of the principal Act.

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

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

Amendment of section 33 of the principal Act.

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

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

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

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

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

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

(c) immediately after subsection (6) thereof as renumbered, there shall be added the following subsection:

“(7) The Commission shall in addition publish the Electoral Register in electro-magnetic format.”.

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

- 19.** In section 37 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.
Amendment of section 37 of the principal Act.
- 20.** In section 38 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.
Amendment of section 38 of the principal Act.
- 21.** In subsection (1) of section 40 of the principal Act, for the words “fourteen days” there shall be substituted the words “twenty one days”.
Amendment of section 40 of the principal Act.
- 22.** In subsection (4) of section 41 of the principal Act for the words “shall be referred to the Revising Officer” there shall be substituted the words “shall be signed by all the members of the Medical Board and its Chairman shall refer it to the Revising Officer”.
Amendment of section 41 of the principal Act.
- 23.** In section 42 of the principal Act, immediately after the words “Revising Officers” there shall be inserted the words “and the Court of Appeal”.
Amendment of section 42 of the principal Act.
- 24.** In section 43 of the principal Act, immediately after the words “shall revise the Electoral Register accordingly.”, there shall be added the words “Copies of such certificates shall be sent by the Commission to the party delegates within five days of their receipt and shall be published in the Gazette as soon as possible.”.
Amendment of section 43 of the principal Act.
- 25.** Section 45 of the principal Act shall be amended as follows:
Amendment of section 45 of the principal Act.
- (a) for the words “eight days” there shall be substituted the words “three days”; and
- (b) in paragraph (a) thereof, the word “working” shall be deleted.
- 26.** Section 46 of the principal Act shall be amended as follows:
Amendment of section 46 of the principal Act.
- (a) in subsection (1) thereof, for the words “fifteen days” there shall be substituted the words “nineteen days” and immediately after the words “and made of such” there shall be inserted the words “security paper and”;
- (b) in paragraph (i) of the proviso to subsection (1) thereof, for the words “seven days” there shall be substituted the words “three days”;
- (c) immediately at the end of subsection (2) thereof, there shall be added the following words:

“The Commission shall also print on the voting document such reasonable security code as requested by the political parties and as the Commission may think fit, provided that the political parties shall deliver such security code to the Commission immediately prior to the start of printing of the voting documents or not later than such time, not being prior to twenty-four hours prior to such printing, that the Commission may establish because of technical necessity; the delegates shall be given the facility to verify the exactness thereof even by means of a dummy run of the process and by means of an audit trail that establishes the validity of the system at any stage of the process and to be given a copy of the audit trail.”;

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

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

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

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

(9) Notwithstanding anything contained in subsections (6), (7) and (8) of this section, where the Commission is aware that any person whose name appears on the list mentioned in subsection (5) of this section is registered in a retirement home, or is in a hospital, or suffers from a disability or is bed-ridden or is otherwise physically unable to appear at one of the places designated by the Commission in terms of subsection (8) of this section to claim delivery of his voting document, it shall be the duty of the Commission to effect service of such document on the person concerned either through one of the

Commissioners or by any person appointed for the purpose by the Commission in their stead. The Commissioner or person appointed as aforesaid may examine such person on oath for the purpose of establishing his identity and of establishing the claim to receive the document. The document aforesaid shall not be delivered to such person unless he produces his identity card to the Commissioner or person appointed as aforesaid, as the case may be.

(10) If for any reason whatsoever other than any of the reasons mentioned in section 47 of this Act, the Commission decides that it is necessary to reprint any voting document or documents it shall immediately inform the political parties accordingly giving them all relative information thereto. Any documents so reprinted shall bear the mark 'REPRINT' which mark shall not in any way obscure any of the information contained in the document.

(11) The political parties shall be given the faculty to supervise the process mentioned in the preceding subsections."

27. Section 47 of the principal Act shall be amended as follows: Amendment of section 47 of the principal Act.

(a) for the words "6.00 p.m." there shall be substituted the words "9.00 p.m."; and

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

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

29. Section 49 of the principal Act shall be amended as follows: Amendment of section 49 of the principal Act.

(a) in subsection (1) thereof, for the words "Not later than three days prior to" there shall be substituted the words "The Commission shall as near as practically possible to the day of the poll print such number of ballot papers as may be necessary for

the poll in such form and on such material as may be provided for in this Act and not later than two days prior to”; and

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

Amendment of
section 51
of the
principal Act.

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

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

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

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

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

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

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

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

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

(9) Where the decision of the Commission does not uphold the objection, it shall be final. Where the decision upholds the objection the candidate may contest the decision by filing an application in contestation with the Commission before the Court of Appeal within twenty four hours of the delivery of the decision by the Commission. The Court of Appeal shall hear such applications with urgency and shall determine the same before the time when in terms of section 49 of this Act the Commission is to start printing the ballot papers.”.

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

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

33. Section 57 of the principal Act shall be amended as follows: Amendment of section 57 of the principal Act.

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

(b) in subsection (1) thereof, immediately after the words “polling booths” there shall be inserted the words “that there are in the electoral divisions being contested by it”;

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

“(2) In submitting such lists the political parties may distinguish between those persons whom they wish to see appointed to a polling place and those persons whom they wish to be held in reserve and shall moreover have the right

to indicate who of the persons nominated by them should be assigned to polling places in retirement homes and hospitals. The political parties may, if they so prefer, submit such lists in electro-magnetic format. Notwithstanding the nomination by a political party each person so nominated shall still file any application required by the Commission from any other person wishing to serve as Assistant Commissioner.”; and

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

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

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

Amendment of section 58 of the principal Act.

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

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

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

Amendment of section 59 of the principal Act.

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

Amendment of section 60 of the principal Act.

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

Amendment of section 61 of the principal Act.

37. Section 61 of the principal Act shall be amended as follows:

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

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

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

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

Addition of
new section 61A
to the
principal Act.

“District
agents.

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

(2) The district agents shall represent the party nominating them with the Commission in the district to which they are appointed and for this purpose shall have access to the Commissioners at all times and shall have the right, notwithstanding any other provision of this Act to the contrary, to accompany any Commissioner into any polling place or polling booth for the purpose of determining any matter that may arise during voting:

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

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

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

57 of this Act.”.

Amendment of
section 62
of the
principal Act.

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

Amendment of
section 63
of the
principal Act.

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

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

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

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

“(2) The Commission shall forward to each political party which asks for them in writing the lists of all agents submitted by all the other political parties as well as all candidates’ agents submitted by the candidates and by whom they have been nominated within two days of the receipt thereof and the political parties may make objections thereto within four days thereof.”.

Amendment of
section 64
of the
principal Act.

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

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

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

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

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

Substitution of sections 68 and 69 of the principal Act.

“Provisions with regard to polling booths and voting compartments.

68. (1) The Commission shall ensure that, as far as possible, there is in each polling booth an adequate distance between the place where the Assistant Commissioners sit and the voting compartments within which voters are to mark their ballot papers. The voting compartments shall be constructed in such a manner as to exclude the possibility that any person may see how the voter is marking his ballot paper.

(2) The Commission shall request the political parties to furnish it with a sufficient number of photographs of its candidates in order that the Commission may affix one photograph of each candidate in each polling booth of the electoral division in which the candidate is contesting. Each photograph shall have the name of the candidate and the name and badge of the party he is representing, if any, and photographs shall be displayed in the order that the candidates' names appear on the ballot paper. The Commission shall give such directions as it may deem appropriate regarding the size and format of such photographs.

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

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

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

(6) The political parties shall be afforded all

facilities to inspect all polling places well in advance of polling day and to make suggestions to the Commission on the use thereof.

(7) The ballot boxes shall be of such size and shall be manufactured of such material as the Commission shall determine provided that the Commission shall ensure that it is suitable to be sealed during voting and may not be tampered with without detection. The top of the ballot box is to be made of translucent material, in as far as this is technically possible.

Ballot boxes and documents for polling booths.

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

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

Transfer of ballot boxes to polling booths.

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

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

(3) After ascertaining that the ballot box is empty, if necessary by removing any extraneous material therein,

the Chairperson of the Assistant Commissioners shall proceed to seal the ballot box in the manner and with the seal provided to him by the Commission ensuring that he does not seal the opening through which the ballot papers are to be inserted by voters.

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

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

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

43. Section 70 of the principal Act shall be amended as follows: Amendment of section 70 of the principal Act.

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

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

44. Section 71 of the principal Act shall be amended as follows: Amendment of section 71 of the principal Act.

(a) for the word “opposite” in paragraphs (a) and (b) of subsection (2) and paragraphs (b) and (c) of subsection (3), there shall be substituted in each case the word “against”;

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

(c) for subsection (4) thereof, there shall be substituted the following:

“(4) A voter shall record his vote secretly in the voting compartment. After marking the ballot paper the voter shall fold the ballot paper so as to show the official mark while concealing his vote, show the official mark to the Chairperson of the Assistant Commissioners, so that the Assistant Commissioners may verify the same, and shall then put the ballot paper in the ballot box in the presence of the Assistant Commissioners.”.

Amendment of section 72 of the principal Act.

45. Subsection (4) of section 72 of the principal Act shall be amended as follows:

(a) the words “his declaration on oath” are to be substituted by the words “his declaration on oath using the format shown in the Fifteenth Schedule annexed to this Act”; and

(b) for paragraph (d) thereof there shall be substituted the following:

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

Substitution of section 77 of the principal Act.

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

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

(2) A mixed polling place is a polling place which contains a ballot box for each electoral division and where the voters mentioned in paragraphs (a) and (b) of subsection (4) of this section shall vote independently of the electoral division where they may be registered in the last published Electoral Register by casting their vote in the ballot box appertaining to the electoral division where they are registered.

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

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

(b) at Saint Vincent de Paule.

(4) (a) Notwithstanding any other provision of this Act, every person who shall have been selected to serve as an Assistant Electoral Commissioner, including those selected to serve as reserves, shall cast their vote at the place indicated in paragraph (a) of subsection (3) of this section, and shall do so the day preceding the polling day between 7.00 a.m. and 10.00 p.m.

(b) For all effects and purposes of this section, the persons who shall vote in accordance with paragraph (a) shall be all those whose name is published in the list referred to in subsection (6) of section 59 of this Act, even if any one of such persons shall have resigned his appointment after the publication of that list.

(c) All voters who seven days before polling day shall be resident, but not registered as voters, at Saint Vincent de Paule shall vote at the place indicated in paragraph (b) of subsection (3) of this section, and it shall be the duty of the sub-committee set up under section 81 of this Act, to determine who these voters shall be.

(5) For all effects and purposes of this Act a mixed polling place shall be considered as an ordinary polling place and the rights and duties imposed on the Commission and persons appointed by it, political parties, agents and candidates shall *mutatis mutandis* apply.

(6) A copy of the list of persons entitled to vote in a mixed polling place shall be given by the Electoral Commission to the political parties at least four days prior to polling day.”.

47. Section 78 of the principal Act shall be amended as follows:

Amendment of
section 78
of the
principal Act.

(a) for the words “election agent” wherever they occur, there shall be substituted the words “candidate’s agent”; and

(b) in subparagraph (iii) of paragraph (c) of subsection (6) thereof, immediately after the words “the names” there shall be inserted the words “and, or, the particulars”.

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

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

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

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

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

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

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

(e) for subsection (6) thereof as renumbered there shall be substituted the following:

“(6) (a) During the day fixed for the voting no person shall without the authority of the Commission be allowed to enter retirement homes.

(b) The provisions of paragraph (a) of this subsection shall not apply to members of the sub-committee, members of the staff and relatives of patients

who have been previously authorised to accompany voters to vote:

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

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

General amendment to Part XIII of the principal Act.

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

Amendment of section 85 of the principal Act.

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

Amendment of section 86 of the principal Act.

(a) immediately at the end of subsection (8) thereof there shall be added the following words: “Ballot boxes shall be transferred from this room to the counting area as soon as practicable for the purpose of undertaking the Ballot Paper Account Reconciliation process mentioned in the following Part of this Act.”; and

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

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

Amendment of section 87 of the principal Act.

53. Section 89 of the principal Act shall be amended as follows:

Amendment of section 89 of the principal Act.

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

(b) in subsection (2) thereof for the words “number of candidates” there shall be substituted the words “ten more than the number of candidates”.

54. Section 90 of the principal Act is to be amended as follows:

Amendment of section 90 of the principal Act.

(a) in the Maltese text of paragraph (c) thereof, immediately after the words “ghadd ta’ kmamar kif jista’” there shall be inserted the word “jkun”, and the words “*bona fide* broadcasting

personnel and newspaper reporters who shall have been previously accredited by the Commission” are to be duly substituted by the words “*bona fide* broadcasting personnel and newspaper reporters who shall have been previously accredited by the Commission; the Commission having the right and the duty to ensure that all the broadcasting personnel and newspaper reporters so accredited by it, carry out only those functions directly related to their profession, failing which such an accreditation is to be cancelled by the Commission. The Commission is further bound to give the political parties, not later than five days prior to the date of the poll, a detailed list of all those persons accredited by it to carry out any functions at the counting hall during the counting process”;

(b) in paragraph (d) thereof immediately following the words “all parts of the counting hall” there shall be added the words “and the party delegates and their sub-delegates shall have the right of free access thereto at all times”;

(c) in the Maltese text of paragraph (f) thereof, for the words “b’dan ġew nominati minn dawk id-delegati” there shall be substituted the words “b’dan li d-delegati tal-partiti u sitt sostituti tagħhom li jkunu ġew nominati minn dawk id-delegati”;

(d) paragraph (h) thereof is to be deleted;

(e) paragraphs (i), (j), (k), (l) and (m) thereof are to be renumbered respectively as (h), (i), (j), (k) and (l) respectively; and

(f) in paragraph (m) thereof immediately after the words “to any part of the building” there shall be inserted the words “including any restricted area”.

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

“Appointment of persons to ensure proper running of building etc.

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

Extraordinary circumstances.

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

Identification cards.

(3) All persons, except for police officers and members of the Armed Forces of Malta, allowed entry into the building designated for the storage of the ballot boxes and the counting of votes shall be issued by the Commission with identity cards specifying the details required for counting agents and shall wear such identification at all times when they are within the said building or the precincts thereof.”.

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

Amendment of section 93 of the principal Act.

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

Substitution of section 95 of the principal Act.

“Reconciliation of ballot paper account.

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

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

Amendment of section 97 of the principal Act.

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

Amendment of section 99 of the principal Act.

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

Amendment of section 101 of the principal Act.

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

Amendment of section 107 of the principal Act.

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

Amendment of section 112 of the principal Act.

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

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

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

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

Amendment of section 116 of the principal Act.

63. Immediately after paragraph (b) of subsection (2) of section 116 of the principal Act there shall be inserted the following two paragraphs:

“(c) is displayed on a duly authorised billboard; and

(d) is displayed on a duly authorised streamer.”.

Substitution of Eighth Schedule to the principal Act.

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

Amendment of Thirteenth Schedule to the principal Act.

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

(a) in paragraph (1) of regulation 5, for the word “section” there shall be substituted the word “regulation”;

(b) immediately after paragraph (2) of regulation 7, there shall be added the following:

“(3) The Electoral Commission may order that in the same electoral division the votes of more than one candidate shall be counted contemporaneously provided that they ensure that the ballot papers belonging to different candidates are kept separate.

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

(c) in paragraph (7) of regulation 10 for the words “fractional parts” wherever they occur, there shall be substituted the words “decimal parts (to four significant places)”.

66. Immediately after the Fourteenth Schedule to the principal Act there shall be inserted the following Schedule:

Addition of Fifteenth Schedule to the principal Act.

“FIFTEENTH SCHEDULE

(Section 72)

Form of Oath which an Assistant Electoral Commissioner may administer to a voter.

I, (1)having Identity Card No..... of (2) do swear/solemnly affirm that I am requesting the assistance of the Assistant Electoral Commissioners so that I may vote since I cannot mark the ballot paper. (So help me God).

Date Signature or mark of voter

Sworn/Affirmed before me this day of

.....
Signature of Assistant Electoral Commissioner

- (1) Name in full
- (2) Address of voter”.

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

Consequential amendments. Act No. XV of 1993.

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

(b) section 5 thereof shall be deleted;

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

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

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

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

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

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

"Special Register.

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

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

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

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














SCHEDULE

(Section 64)

(Section 49)

"EIGHTH SCHEDULE

Form of Ballot Paper

No. of Members to be elected	Division	
Names of Candidates	Badge of Candidate	Mark order of preference in spaces below
PARTIT TAL-FJURI		
JONES , (John Jones, of 52, Old Bakery Street, Valletta, Merchant)		
MAGRO , (William David Magro, of 10, Tower Road, Sliema, Painter)		
MIFSUD , (Joseph Mifsud, of 16, Victoria Avenue, Sliema, Labourer)		
MUSCAT , (Francesco Muscat of 1, St. Paul's Street, Żabbar, Driver)		
VELLA , (James Vella, of 5, Republic Street, St. Julians, Architect)		
WILLIAMS , (Francis Williams of 85, Genuis Street, Żurrieq, Chemist)		
PARTIT TAL-GHASFUR		
AZZOPARDI , (Spiro Azzopardi, of 13, Marina Street, Żejtun, Printer)		
BORG , (Assuero Borg, of 69, Barbara Street, Mellieħa, Clerk)		
CASSAR , (Lela Cassar, of "Dolores", Main Street, Cospicua, Housewife)		
MIZZI , (Glormu Mizzi, of 70, Two Gates Street, Lija, Lawyer)		
ZARB , (Fortunat Zarb, of 15, Strait Street, Luqa, Clerk)		
PARTIT TAS-SIĠAR		
AZZOPARDI , (Reginald Azzopardi, of 165, St. Domenic Street, Qormi, Clerk)		
ZAMMIT , (Lawrence Zammit, of "Josdor", 188, Bwieraq Street, Hamrun, Chemist)		
KANDIDATI INDIPENDENTI		
BUHAGIAR , (Louis Buhagiar, of 55, Republic Street, Żabbar, Merchant)		
GALEA , (Ninu Galea, of 67, B'Kara Lane, Qrendi, Worker)		

SCHEDULE EIGHT B

(Section 68(3))

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

1. Vote by placing the figure 1 against the name of the candidate you most desire to see elected.
2. You are invited (and it is advisable) to place the figure 2 against the name of your second choice, the figure 3 against 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 against the same name, or if you place the figure 1 against 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 ballot paper.”.

Passed by the House of Representatives at Sitting No. 549 of Wednesday, 5th June, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives