Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE ABELA
President

12 ta' Mejju, 2009

ATT Nru. VII tal-2009

ATT biex jemenda l-Att dwar l-Elezzjonijiet Ġenerali, Kap. 354.

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

Titolu fil-qosor.

1. It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2009 li jemenda l-Att dwar l-Elezzjonijiet Ġenerali, u dan l-Att għandu jinftiehem ħaġa waħda ma' l-Att dwar l-Elezzjonijiet Ġenerali, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

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

2. Minnufih wara s-subartikolu (3) ta' l-artikolu 77 ta' l-Att prinċipali, għandu jiżdied dan is-subartikolu ġdid li ġej:

"Votazzjoni li ssir qabel il-jum tal-votazzjoni.

(3A) (a) Minkejja d-disposizzjonijiet ta' din il-liġi jew ta' kull liġi oħra, kull persuna reġistrata bħala votant li jkollha jedd tivvota f'elezzjoni ġenerali, f'elezzjoni ta' Membri tal-Parlament Ewropew jew f'elezzjoni ta' Kunsill Lokali u li jkollha jedd tirċievi d-dokument għall-votazzjoni u li tiddikjara bil-ġurament quddiem il-Kummissjoni Elettorali jew persuni oħra maħturin mill-Kummissjoni sabiex jagħmluha minflok il-Kummissjonarji li hija m'hijiex se tkun Malta fil-jum tal-votazzjoni, ikollha l-jedd li tivvota fil-post indikat

fil-paragrafu (a) tas-subartikolu (3) ta' dan l-artikolu bejn is-7.00am u l-10.00pm sebat ijiem qabel il-jum tal-votazzjoni.

(b) Id-dikjarazzjoni ġuramentata li għaliha hemm referenza fil-paragrafu (a):

(i) tista' ssir bi dritt sa nofsinhar tal-jum tal-Ġimgħa li jkun jaħbat minnufih qabel il-jum stabbilit sabiex persuni jivvutaw qabel il-jum tal-votazzjoni skond il-paragrafu (a) , u

(ii) għandha ssir f'dik il-forma u skond dik il-proċedura hekk kif il-Kummissjoni Elettorali tista' tesiġi.

(ċ) Id-disposizzjonijiet kollha ta' dan l-Att li japplikaw għall-votazzjoni mill-Assistenti Kummissjonarji għandhom, mingħajr preġudizzju għal dan is-subartikolu, japplikaw *mutatis mutandis* għal dawk il-persuni reġistrati bħala votanti li jkollhom il-jedd li jivvutaw qabel il-jum tal-votazzjoni skond il-paragrafu (a):

B'dana però illi min jieħu l-ġurament fuq indikat u ma jkunx irċieva d-dokument tal-votazzjoni, għandu jingħata mill-Kummissjoni jew persuni oħra maħturin mill-Kummissjoni sabiex jagħmluha minflok il-Kummissjonarji, dak id-dokument hekk kif jieħu quddiemhom il-ġurament; jew fin-nuqqas, dan id-dokument jista' jinġabar b'mod personali mill-imkien imħejji apposta mill-Kummissjoni sabiex persuna tivvota sebat ijiem qabel jum il-votazzjoni u dana wara li l-persuna tipproduċi karta ta' l-identità tagħha lir-rappreżentant tal-Kummissjoni Elettorali delegat għaldaqshekk mill-istess Kummissjoni sabiex issir il-kunsinna tad-dokument.

B'dana però wkoll li persuna, wara li tkun għamlet dikjarazzjoni ġuramentata skond il-paragrafu (a) u ma tivvutax fil-jum stabbilit sabiex persuni jivvutaw qabel

il-jum tal-votazzjoni jkollha l-jedd li tivvota fil-jum tal-votazzjoni.”.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 107 tat-30 ta’ April, 2009.

LOUIS GALEA
Speaker

PAULINE ABELA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE ABELA
President

12th May, 2009

ACT No. VII of 2009

AN ACT to amend the General Elections Act, Cap. 354

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

Short title.

1. The short title of this Act is the General Elections (Amendment) Act, 2009 and this Act shall be construed as one with the General Elections Act, hereinafter referred to as "the principal Act".

Amendment of article 77 of the principal Act.

2. Immediately after subarticle (3) of article 77 of the principal Act, there shall be added the following new subarticle:

"Voting before polling day.

(3A) (a) Notwithstanding the other provisions of this Act or of any other law, every registered voter who is entitled to vote at a general election, at an election of Members of the European Parliament or at a Local Council election and who is entitled to receive the voting document and who declares on oath before the Electoral Commission or such other persons appointed by the Commission to act instead of the Commissioners that he will not be in Malta on the day of the election,

shall be entitled to cast his vote at the place indicated in paragraph (a) of subarticle (3) of this article between 7.00am and 10.00pm seven days before polling day.

(b) The sworn declaration referred to in paragraph (a):

(i) may be made, as of right, until noon of the Friday immediately preceeding the day established for voting before polling day in accordance with paragraph (a), and

(ii) shall be made in such form and in accordance with such procedure as the Electoral Commission may require.

(c) All the provisions of this Act applicable to voting by Assistant Commissioners shall, without prejudice to this subarticle, be applied *mutatis mutandis* to registered voters entitled to vote before polling day in accordance with paragraph (a):

Provided that any person who takes the oath as aforesaid and who did not receive his voting document, shall be given, by the Commission or persons nominated by the Commission to act on behalf of the Commissioners, such document when such person takes such oath; or in default, such document may be collected by such person himself from the place designated by the Commission for the purpose of such person voting seven days prior to polling day; provided that such person produces his identity card to the representative of the Commission who is delegated by the Commission for the purpose of delivering such document:

Provided further that a person who, after having made a sworn declaration in accordance with paragraph (a) does not vote on the day established for voting before polling day, shall have the right to vote on polling day.".

VERŻJONI ELETTRONIKA

Passed by the House of Representatives at Sitting No. 107 of 30th April, 2009.

LOUIS GALEA
Speaker

PAULINE ABELA
Clerk to the House of Representatives

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