

ABBOZZ TA' LIĠI msejjaħ

ATT ta' l-2006 li jkompli jemenda l-Kostituzzjoni ta' Malta

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

1. It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2006 li jemenda l-Kostituzzjoni ta' Malta (Emenda Nru. 2), u l-Att għandu jinqara u jftiehem haġa wahda mal-Kostituzzjoni ta' Malta, hawn iżjed 'il quddiem imsejjaħ "il-Kostituzzjoni".

Titolu fil-qosor.

2. Minnufih wara l-artikolu 64 tal-Kostituzzjoni, għandu jiżdied dan l-artikolu ġdid li ġej:-

Żjieda ta'
l-artikolu 64A ġdid
mal-Kostituzzjoni.

"Kariga ta'
Ombudsman.

64A. (1) Ikun hemm Kummissarju għal Investigazzjonijiet Amministrattivi li jissejjaħ *Ombudsman* li jkollu l-funzjoni li jinvestiga kull azzjoni li ssir minn jew f' isem il-Gvern, jew minn dik l-awtorità, dak il-korp jew dik il-persuna oħrajn skond ma jista' jiġi provdut b'liġi (inkluża awtorità, korp jew kariga stabbiliti b'din il-Kostituzzjoni), li jkunu azzjonijiet li jsiru fit-twettiq tal-funzjonijiet amministrattivi tagħhom.

(2) Il-mod tal-hatra, il-perjodu tal-kariga, u l-mod kif issir it-tneħħija jew is-sospensjoni mill-kariga ta' l-

Ombudsman flimkien ma' kull haġa ohra li tkun anċillari jew inċidentali għal dan jew li titqies meħtieġa jew spedjenti għat-twettiq tal-funzjoni msemmija fis-subartikolu (1) għandha tkun regolata b'Att tal-Parlament.”.

Emenda ta' l-artikolu 66 tal-Kostituzzjoni.

3. Fil-paragrafu (b) tas-subartikolu (2) ta' l-artikolu 66 tal-Kostituzzjoni, minflok il-kliem “60 u 61” għandhom jidhlu l-kliem “60, 61 u 64A” .

Emenda ta' l-artikolu 91 tal-Kostituzzjoni.

4. Fis-subartikolu (4) ta' l-artikolu 91 tal-Kostituzzjoni, minflok il-kliem “sittin sena” għandhom jidhlu l-kliem “hamsa u sittin sena” .

Emenda ta' l-artikolu 100 tal-Kostituzzjoni.

5. Fis- subartikolu (3) ta' l-artikolu 100 tal-Kostituzzjoni, minflok il-kliem “sittin sena” għandhom jidhlu l-kliem “hamsa u sittin sena” .

Għanijiet u Raġunijiet

L-għan ta' dan l-Abbozz hu biex jistabbilixxi kostituzzjonalment il-kariga ta' Ombudsman, u biex iżid l-età obligatorja ta' rtirar għall-Avukat Ġenerali u għall-Maġistrati għal hamsa u sittin sena.

**A BILL
entitled**

AN ACT to further amend the Constitution of Malta

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

1. The short title of this Act is the Constitution of Malta (Amendment) (No. 2) Act, 2006 and this Act shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”.

Short title.

2. Immediately after article 64 of the Constitution there shall be added the following new article:

Addition of new article 64A of the Constitution.

“Office of Ombudsman.

64A. (1) There shall be a Commissioner for Administrative Investigations to be called the Ombudsman who shall have the function to investigate actions taken by or on behalf of the Government, or by such other authority, body or person as may be provided by law (including an authority, body or office established by this Constitution), being actions taken in the exercise of their administrative functions.

(2) The manner of appointment, the term of office, and the manner of removal or suspension from office of the

Ombudsman together with any other matter ancillary or incidental thereto or considered necessary or expedient for the carrying out of the function referred to in sub-article (1) shall be provided for by an Act of Parliament.”.

Amendment of article 66 of the Constitution.

3. In paragraph (b) of sub-article (2) of article 66 of the Constitution, for the words “60 and 61” there shall be substituted the words “60, 61 and 64A”.

Amendment of article 91 of the Constitution.

4. In sub-article (4) of article 91 of the Constitution, for the words “sixty years” there shall be substituted the words “sixty-five years”.

Amendment of article 100 of the Constitution.

5. In sub-article (3) of article 100 of the Constitution, for the words “sixty years” there shall be substituted the words “sixty-five years”.

Objects and Reasons

The object of this Bill is to constitutionally establish the office of Ombudsman and to increase the compulsory retirement age of the Attorney General and Magistrates to sixty-five years.