

## ABBOZZ TA' LIĠI msejjaħ

*ATT biex jemenda l-Kostituzzjoni*

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, u l-Att għandu jinqara u jiftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawn iżjed 'il quddiem imsejjaħa "il-Kostituzzjoni". Titolu fil-qosor.

**2.** Fil-proviso mas-subartikolu (4) ta' l-artikolu 61 tal-Kostituzzjoni, minflok il-kliem "fatturi ohra rilevanti." għandhom jidhlu l-kliem "fatturi ohra rilevanti:" u minnufih wara dan għandu jidhol dan il-proviso ġdid li ġej: Emenda ta' l-artikolu 61 tal-Kostituzzjoni.

"Izda wkoll il-Gżira ta' Ghawdex u l-gzejjer ta' l-Arcipelagu Malti minbarra l-Gżira ta' Malta għandhom flimkien ikunu ittrattati bhala distrett elettorali wiehed u ma jistgħux jinqasmu bejn żewġ distretti elettorali jew aktar."

**3.** Minnufih wara l-artikolu 61 tal-Kostituzzjoni għandu jiddaħhal dan l-artikolu ġdid li ġej: Żjieda ta' l-artikolu 61A ġdid mal-Kostituzzjoni.

“Ghawdex u l-gzejjer ta’ l-Arċipelagu Malti minbarra l-Gżira ta’ Malta m’ghandhomx jinqasmu.

61A. (1) Dawn id-disposizzjonijiet li ġejjin ta’ dan l-artikolu ghandhom japplikaw jekk, meta tkun qeghda ssir ir-reviżjoni tal-konfini tad-distretti elettorali skond id-disposizzjonijiet ta’ l-artikolu 61 ta’ din il-Kostituzzjoni, il-Kummissjoni Elettorali kien ikollha, li kieku ma kienx hemm id-disposizzjonijiet tat-tieni proviso mas-subartikolu (4) ta’ l-istess artikolu, taqşam il-Gżira ta’ Ghawdex u l-gzejjer ta’ l-Arċipelagu Malti minbarra l-Gżira ta’ Malta, jew xi parti minnha, bejn żewġ distretti elettorali jew aktar.

(2) Il-Kummissjoni Elettorali ghandha:

(a) tistabbilixxi l-Gżira ta’ Ghawdex flimkien mal-gzejjer ta’ l-Arċipelagu Malti minbarra l-Gżira ta’ Malta bħala distrett elettorali wiehed; u

(b) tapplika d-disposizzjonijiet tas-subartikoli (4) u (5) ta’ l-artikolu 61 ta’ din il-Kostituzzjoni b’riferenza biss għall-eletturi u d-distretti fil-Gżira ta’ Malta minghajr ma tinkludi fil-kalkoli tagħha d-distrett li minnu jkunu jagħmlu Ghawdex u l-gzejjer l-oħra ta’ l-Arċipelagu Malti jew l-eletturi li jkun hemm fih.

(3) Għall-finijiet tal-paragrafu (b) tas-subartikolu (2) ta’ dan l-artikolu, meta jkun qieghed jiġi kalkulat in-numru ta’ eletturi f’kull distrett elettorali fil-Gżira ta’ Malta in-numru totali tad-distretti elettorali ghandu jkun in-numru ta’ distretti elettorali stabbilit bl-artikolu 17 ta’ l-Att dwar l-Elezzjonijiet Ġenerali nieqes wiehed.”.

Kap. 354.

## Għanijiet u Raġunijiet

L-għan ta’ dan l-Abbozz hu biex jipprovdi li l-Gżira ta’ Ghawdex u l-gzejjer ta’ l-Arċipelagu Malti minbarra l-Gżira ta’ Malta m’ghandhomx jinqasmu bejn żewġ distretti elettorali jew aktar.

**A BILL  
entitled**

*AN ACT to amend the Constitution*

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) Act, 2006 and the Act shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”. Short title.

**2.** In the proviso to sub-article (4) of article 61 of the Constitution, for the words “other relevant factors.” there shall be substituted the words “other relevant factors:” and immediately thereafter there shall be inserted the following new proviso: Amendment of article 61 of the Constitution.

“Provided further that the Island of Gozo and the islands of the Maltese Archipelago other than the Island of Malta shall together be treated as one electoral division and may not be divided between two or more electoral divisions.”.

**3.** Immediately after article 61 of the Constitution there shall be inserted the following new article: Addition of new article 61A to the Constitution.

“Gozo and the islands of the Maltese Archipelago other than the Island of Malta not to be divided.

61A. (1) The following provisions of this article shall apply if, when reviewing the boundaries of the electoral divisions in accordance with the provisions of article 61 of this Constitution, the Electoral Commission would, but for the provisions of the second proviso of sub-article (4) of the same article, have had to divide the Island of Gozo and the islands of the Maltese Archipelago other than the Island of Malta, or any part thereof, between two or more electoral divisions.

(2) The Electoral Commission shall:

(a) establish the Island of Gozo together with the islands of the Maltese Archipelago other than the Island of Malta as one electoral division; and

(b) apply the provisions of sub-articles (4) and (5) of article 61 of this Constitution only with reference to the voters and divisions on the Island of Malta without including in its calculations the division consisting of Gozo and the other islands of the Maltese Archipelago or the voters therein.

(3) For the purposes of paragraph (b) of sub-article (2) of this article, when calculating the number of voters in each electoral division on the Island of Malta the total number of electoral divisions shall be the number of electoral divisions established by article 17 of the General Elections Act minus one.”

Cap. 354.

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### Objects and Reasons

The object of this Bill is to provide that the Island of Gozo and the islands of the Maltese Archipelago other than Malta shall not be divided between two or more electoral districts.