Nagħti l-kunsens tiegħi.

(L.S.)

EDWARD FENECH ADAMI
President

10 ta' Awissu, 2004

ATT Nru. XI ta' l-2004

Att dwar il-Membri Parlamentari u l-Impjieg Pubbliku

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:-

1. It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2004 dwar il-Membri Parlamentari u l-Impjieg Pubbliku. Titolu fil-qosor.

2. F'dan l-Att kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'oħra:- Tifsir.

(a) "Kamra" tfisser il-Kamra tad-Deputati;

(b) "kariga pubblika", "uffiċjal pubbliku" u "is-servizz pubbliku" għandhom l-istess tifsira bħal dik mogħtija lilhom bl-artikolu 124 tal-Kostituzzjoni;

(ċ) "korp dixxiplinat" għandha l-istess tifsira bħal dik mogħtija lilha bis-subartikolu (1) ta' l-artikolu 47 tal-Kostituzzjoni;

(d) "Kostituzzjoni" tfisser il-Kostituzzjoni ta' Malta.

3. (1) Bla ħsara għad-disposizzjonijiet ta' l-artikolu 4 ta' dan l-Att, għall-finijiet tal-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 54 tal-Kostituzzjoni, qiegħed b'dan jiġi provdut li uffiċjal pubbliku, li l- Kif uffiċjali pubbliċi jikkwalifikaw biex jiġu eletti membri tal-Kamra.

kariga tiegħu, sostantiva jew xort'oħra, fis-servizz pubbliku ma tkunx qiegħda fuq skala ta' salarju li tkun ogħla mill-iskala ta' salarju 6, jew xi skala ta' salarju oħra li l-Kamra tista' b'Riżoluzzjoni minn żmien għal żmien tistabbilixxi, ikun jikkwalifika biex jiġi elett membru tal-Kamra.

(2) Bla ħsara għad-disposizzjonijiet tas-subartikolu (3) uffiċjal pubbliku li jkun elett membru tal-Kamra jgawdi dawk id-drittijiet, u jkun soġġett għal dawk l-obbligazzjonijiet u kondizzjonijiet, bħal kull uffiċjal pubbliku ieħor fl-istess grad jew pożizzjoni; b'dan illi dak il-membru għandu jitħalla jaqdi dmirijietu fil-Kamra.

(3) Meta l-Prim Ministru jkun jidhirlu li jkun hekk meħtieġ fl-interess pubbliku, huwa jista' b'Ordni pubblikat fil-Gazzetta jagħmel regoli speċjali taħt dan l-Att li bihom jimpedixxi uffiċjali pubbliċi li jiġu eletti fil-Kamra milli jaqdu dmirijiethom f'xi dipartimenti jew uffiċċji partikolari jew milli jwettqu xi dmirijiet partikolari, u dawk l-uffiċjali pubbliċi għandhom jiġu assenjati mill-ġdid band'oħra jew inkella jiġu eżonerati minn dawk id-dmirijiet skond ma jkun speċifikat b'dak l-Ordni.

Membri ta' Korp Dixxiplinat.

4. Id-disposizzjonijiet ta' dan l-Att ma għandhom japplikaw għal ebda membru ta' korp dixxiplinat.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 163 tas-27 ta' Lulju, 2004.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

EDWARD FENECH ADAMI
President

10th August, 2004

ACT No. XI of 2004

Members of Parliament (Public Employment) Act

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. This Act may be cited as the Members of Parliament (Public Employment) Act, 2004. Short title.

2. In this Act unless the context otherwise requires:- Interpretation.

(a) "Constitution" means the Constitution of Malta;

(b) "disciplined force" has the same meaning as is assigned to it by sub-article (1) of article 47 of the Constitution;

(c) "House" means the House of Representatives;

(d) "public office", "public officer" and "public service" shall have the same meaning as is assigned to them by article 124 of the Constitution.

3. (1) Subject to the provisions of article 4 of this Act, for the purposes of paragraph (b) of subarticle (1) of article 54 of the Constitution, it is hereby provided that a public officer, whose office, substantive or otherwise, in the Public Service is not on a salary scale which is higher than salary scale 6, or such other salary scale as the

Qualification of Public officers to be elected as members of the House.

House may by Resolution from time to time determine, shall be qualified to be elected as a member of the House.

(2) Subject to the provisions of subarticle (3) a public officer who is elected as member of the House shall enjoy such rights, and be subject to such obligations and conditions, as any other public officer in the same grade or position; so however that such member shall be allowed to attend to his duties in the House.

(3) Where it appears to the Prime Minister to be necessary in the public interest, he may by Order published in the Gazette make special rules under this Act barring public officers who are elected to the House from serving in particular departments or offices or from performing particular duties, and such public officers shall be reassigned elsewhere or excused from those duties as specified by that Order.

Members of a Disciplined Force.

4. The provisions of this Act shall not apply to any member of a disciplined force.

Passed by the House of Representatives at Sitting No. 163 of the 27th July, 2004.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives