

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,956, 2 ta' Marzu, 2018*

*Taqsimha C*

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## **Nru. 28**

2. 03. 2018

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

#### **HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Owen Bonnici, M.P., Ministru għall-Ġustizzja, Kultura u Gvern Lokali, u moqri għall-Ewwel darba fis-Seduta tas-26 ta' Frar, 2018.

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A BILL introduced by the Honourable Owen Bonnici, M.P., Minister for Justice, Culture and Local Government, and read the First time at the Sitting of the 26 February, 2018.

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

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

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



### **Abbozz ta' Liġi msejjah**

*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 tal-istess, harġet b'liġi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2018 li jemenda l-Att dwar l-Elezzjonijiet Ġenerali. Titolu.

#### **TAQSIMA I**

#### **EMENDI GHALL-ATT DWAR L-ELEZZJONIJIET ĠENERALI**

2. Din it-Taqsima temenda l-Att dwar l-Elezzjonijiet Ġenerali u għandha tinqara u tinftiehem haġa waħda mal-istess Att, hawnhekk iżjed 'il quddiem f'din it-Taqsima msejjah "l-Att prinċipali". Emendi għall-Att dwar l-Elezzjonijiet Ġenerali. Kap. 354.

3. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 2 tal-Att prinċipali.

(a) minnufih wara t-tifsira "dokument ta' identifikazzjoni" għandhom jiżdiedu t-tifsiriet godda li ġejjin:

"l-ewwel jum tal-votazzjoni" tfisser is-Sibt ta' qabel il-jum tal-votazzjoni f'elezzjoni meta ssir votazzjoni qabel skont id-dispożizzjonijiet ta' dan l-Att, minn votanti li ser ikunu msiefrin jew li ser ikunu rikoverati fi sptar fil-jum tal-votazzjoni f'elezzjoni, minn residenti fi djar tal-anzjani, mill-membri tal-Kummissjoni u mir-residenti tal-Faċilità Korrettiva ta' Kordin;

"jum tal-votazzjoni" tfisser il-jum proprju stabbilit għall-votazzjoni fir-*Writ* tal-President imsemmi fl-artikolu 44;"

(b) minnufih wara t-tifsira "post ta' votazzjoni" għandhom jiżdiedu t-tifsiriet godda li ġejjin:

" "it-tielet jum tal-votazzjoni" tfisser il-Ħamis ta' qabel il-jum tal-votazzjoni f'elezzjoni meta l-votazzjoni sseħħ skont id-dispożizzjonijiet partikolari ta' dan l-Att, minn votanti li jinsabu rikoverati fi sptarijiet;

"it-tieni jum tal-votazzjoni" tfisser it-Tlieta ta' qabel il-jum tal-votazzjoni f'elezzjoni meta l-votazzjoni sseħħ skont id-dispożizzjonijiet partikolari ta' dan l-Att, minn votanti li huma assenjati bhala Assistenti Kummissjonarji Elettorali;"

Emenda tal-artikolu 42 tal-Att prinċipali.

4. Fl-artikolu 42 tal-Att prinċipali minnufih wara l-kliem "għall-elezzjoni" għandhom jiżdiedu l-kliem "jew referendum".

Emenda tal-artikolu 46 tal-Att prinċipali.

5. L-artikolu 46 tal-Att prinċipali għandu jiġi emendat kif ġejj:

(a) fl-ewwel proviso tas-subartikolu (1), minnufih wara l-kliem "il-Kummissjoni għandha tirtirah:" għandu jidhol dan il-proviso ġdid li ġejj:

"Izda d-dokumenti tal-votazzjoni tal-persuni elenkati fil-lista tar-residenti tal-Facilità Korrettiva ta' Kordin skont l-artikolu 77(3)(e) għandhom jinżammu mill-Kummissjoni u jiġu mqassma lill-votanti residenti fl-imsemmija Facilità fil-jum tal-votazzjoni stabbilit fl-artikolu 77(4)(e)(ii)(ċċ):";

(b) fis-subparagrafu (ii) tat-tieni proviso tas-subartikolu (1) tiegħu l-kliem "fil-lista msemmija fis-subartikolu (5)" għandhom jiġu sostitwiti bil-kliem "fil-lista msemmija fis-subartikolu (6)";

(ċ) minnufih wara l-paragrafu (e) tas-subartikolu (5) tiegħu għandu jiżdied il-paragrafu ġdid li ġejj:

"(f) Kull votant, li huwa rreġistrat bhala votant f'Malta jew Għawdex, jista' jitlob lill-Kummissjoni Elettorali sabiex jiġbor dak id-dokument tal-vot minn Malta jew minn Għawdex, skont kif ikun il-każ. Talba bħal din għandha ssir lill-Kummissjoni qabel is-6.00pm tal-Ħamis qabel il-jum tal-votazzjoni f'elezzjoni skont is-subartikolu (9)."; u

(d) fis-subartikolu (6) tiegħu l-kliem "mill-aktar fis li

jista' jkun," għandhom jiġu sostitwiti bil-kliem "fi żmien sitt ijiem".

6. L-artikolu 49 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 49 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu l-kliem "u dak l-iskrutinju m'għandux isir iżjed tard minn tliet ijiem qabel il-votazzjoni." għandhom jiġu sostitwiti bil-kliem "u dak l-iskrutinju m'għandux isir iżjed tard minn hamest ijiem qabel l-ewwel votazzjoni."; u

(b) is-subartikolu (5) tiegħu għandu jiġi emendat kif ġej:

(i) mill-kliem "Dik il-lista" sal-kliem "dak il-partit politiku." għandhom jiġu sostitwiti bil-kliem "Il-lista għandha tkun evidenza konklussiva dwar jekk kandidat partikolari jappartjenix ma' partit politiku partikolari u dik il-lista għandha tingħata lill-Kummissjoni sal-aħħar jum għad-dhul tan-nomini".

7. Fl-artikolu 50(1) tal-Att prinċipali l-kliem "fil-jum ta' votazzjoni" għandhom jiġu sostitwiti bil-kliem "fil-jum tal-votazzjoni".

Emenda tal-artikolu 50 tal-Att prinċipali.

8. Fis-subartikolu (2) tal-artikolu 51 tal-Att prinċipali l-kliem "għandu jiġi mwahħal fid-daħla" għandhom jiġu sostitwiti bil-kliem "għandu jiġi muri fid-daħla".

Emenda tal-artikolu 51 tal-Att prinċipali.

9. Fl-artikolu 55 tal-Att prinċipali l-kliem "f'kull żmien sakemm il-poloż tal-votazzjoni ta' dak id-distrett li jkun qiegħed jikkontesta jkun ingħata bidu għall-istampar tagħhom skont ma hemm fl-artikolu 49" għandhom jiġu sostitwiti bil-kliem "sa erbatax-il jum qabel il-jum tal-votazzjoni f'elezzjoni".

Emenda tal-artikolu 55 tal-Att prinċipali.

10. Is-subartikolu (2) tal-artikolu 56 tal-Att prinċipali għandu jiġi enumerat mill-ġdid bħala s-subartikolu (3) u minnufih wara s-subartikolu (1) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

Emenda tal-artikolu 56 tal-Att prinċipali.

(2) Il-Kummissjoni tista' taħtar uffiċjal wieħed imsejjaħ "Uffiċjal tal-Post tal-Votazzjoni" għal kull post tal-votazzjoni li jkun fih aktar minn żewġ ikmamar tal-votazzjoni. Dan l-uffiċjal jew l-uffiċjali li għandu jkollhom esklussivament l-irwol ta' koordinatur bejn il-Kummissjoni Elettorali u *à-Chairpersons* (nominati skont ir-regolament 57(6)) sabiex jeżegwixxu l-istruzzjonijiet tal-Kummissjoni u ma għandhom bl-ebda mod jiehdu deċiżjonijiet dwar sitwazzjonijiet illi jistgħu jinqualgħu,

C 110

liema deċiżjonijiet għandhom jibqgħu dejjem ir-responsabbiltà esklussiva tal-Kummissjoni Elettorali."

Emenda tal-artikolu 57 tal-Att prinċipali.

**11.** Fl-artikolu 57 tal-Att prinċipali il-kliem "Kull partit politiku jkollu jedd, fi żmien għaxart ijiem mill-pubblikazzjoni" għandhom jiġu sostitwiti bil-kliem "Kull partit politiku jkollu jedd, fi żmien tnax-il jum mill-pubblikazzjoni".

Emenda tal-artikolu 77 tal-Att prinċipali.

**12.** L-artikolu 77 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (2) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(2) Post tal-votazzjoni mhallat huwa post tal-votazzjoni fejn ikun hemm kaxxa waħda jew aktar kaxxi tal-voti mhallta għad-distretti differenti, skont il-każ, u fejn il-votanti msemija fis-subartikolu (4)(a) u (b) jivvotaw indipendentament mid-distretti fejn ikunu rreġistrati fl-aħħar Regjistru Elettorali ppubblikat billi jixhtu l-vot tagħhom fil-kaxxa tal-voti mhallta li tappartjeni mad-distretti fejn ikunu rreġistrati.";

(b) is-subartikolu (3)(a) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(a) f'post f'Malta għall-votanti rreġistrati f'Malta u f'post f'Għawdex għall-votanti rreġistrati f'Għawdex, li l-Kummissjoni tistabilixxi b'avviż fil-Gazzetta skont l-artikolu 45.";

(ċ) minnufih wara l-aħħar proviso tas-subartikolu (3)(d) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(e) l-eletturi kollha li jkunu residenti fil-Faċilità Korrettiva ta' Kordin, għandhom jivvutaw fil-post indikat f'dan is-subartikolu w ikun id-dmir tal-persuna responsabbli mill-imsemmija Faċilità li tissottometti lill-Kummissjoni lista bl-isem, kunjom, numru tal-karta tal-identità u data tat-twelid ta' tali eletturi fi żmien tliet ijiem mill-pubblikazzjoni tar-Writ għall-elezzjoni, liema lista trid tibqa' tiġi aġġornata kull jum sa' erbatax-il jum qabel il-jum tal-votazzjoni. Kull persuna residenti fil-Faċilità Korrettiva ta' Kordin imniżżla f'din il-lista titqies li tkun persuna residenti fl-istess Faċilità.";

(d) is-subartikolu (4)(a) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(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 riżerva, għandu jitfa' l-vot tiegħu fil-post f'Malta, jekk hu registrat bħala votant f'Malta, u fil-post f'Għawdex jekk hu registrat bħala votant f'Għawdex, skont kif indikat fis-subartikolu (3)(a) u għandu jagħmel dan fil-jum tat-Tlieta qabel il-jum tal-votazzjoni bejn is-7.00am u l-10.00pm:

Izda dawk l-Assistenti Kummissjonarji u riżervi magħżula sabiex iservu f'Malta u f'Għawdex fil-gurnata allokata għall-votazzjoni tal-Assistenti Kummissjonarji, għandhom jitfgħu l-vot tagħhom fl-ewwel jum tal-votazzjoni fil-post stabbilit fl-artikolu 77(3)(a) bejn is-7.00am u l-10.00pm.";

(e) minnufih wara s-subartikolu (4)(e)(ii) tiegħu għandu jiżdied is-subparagrafu ġdid li ġej:

"(ċċ) li huma residenti fil-Facilità Korrettiva ta' Kordin,";

(f) fis-subartikolu (6) tiegħu, il-kliem "il-gurnata tal-votazzjoni" għandhom jiġu sostitwiti bil-kliem "il-jum tal-votazzjoni".

**13.** Is-subartikolu (3) tal-artikolu 83 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Emenda tal-artikolu 83 tal-Att prinċipali.

"(3) Konsulent mediku li jkollu b'pazjent tiegħu xi elettur li jkun residenti f'xi sptar jew dar tal-anzjani jista', bil-ħruġ 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, li ma jagħtix każ tal-avviż mediku u jiddeċiedi li jitfa' l-vot tiegħu.".

**14.** It-tielet paragrafu tas-subartikolu (2) tal-artikolu 89 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Emenda tal-artikolu 89 tal-Att prinċipali.

"Il-lista ta' dawk l-aġenti għandha, mill-inqas sebat ijiem qabel il-bidu tal-votazzjoni, tintbagħat lill-partiti politiċi u tiġi ppubblikata mill-Kummissjoni fil-Gazzetta b'dan li turi l-isem,

C 112

l-indirizz u numru ta' dokument ta' identifikazzjoni legalment validu ta' kull aġent u tal-partit li jkun qiegħed jagħmel in-nomina tiegħu."

Emenda tal-artikolu 112 tal-Att prinċipali.

**15.** Fil-paragrafu (j) tal-artikolu 112(1) tal-Att prinċipali, il-kliem "il-jedd tiegħu li jivvota," għandhom jiġu sostitwiti bil-kliem "il-jedd tiegħu li jivvota; jew" u minnufih wara għandu jiżdied il-paragrafu ġdid li ġej:

"(k) mingħajr awtorizzazzjoni tal-Kummissjoni jiġbed ritratt jew filmat f' post tal-votazzjoni f'xi jum tal-votazzjoni,".

Żjieda ta' artikolu ġdid 120 mal-Att prinċipali.

**16.** Minnufih wara l-artikolu 119 tal-Att prinċipali għandu jiżdied l-artikolu ġdid li ġej:

"Apparat elettroniku.

120. Il-Kummissjoni tista' tuża apparat elettroniku biex tghodd il-poloż tal-votazzjoni skont l-Iskeda 13 ta' dan l-Att."

## TAQSIMA II EMENDI KONSEKWENZJALI GHALL-ATT DWAR KUNSILLI LOKALI

Emendi konsekvenzjali għall-Att dwar Kunsilli Lokali, Kap. 363.

**17.** Din it-Taqsima temenda l-Att dwar Kunsilli Lokali u għandha tinqara u tinftiehem haġa waħda mal-istess Att, hawnhekk iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda tal-artikolu 119 tal-Att prinċipali.

**18.** Fil-paragrafu (h) tal-artikolu 119(1) tat-Tielet Skeda tal-Att prinċipali, il-kliem "wżati għall-elezzjoni," għandhom jiġu sostitwiti bil-kliem "wżati għall-elezzjoni; jew" u minnufih wara għandu jiżdied il-paragrafu ġdid li ġej:

"(i) mingħajr awtorizzazzjoni tal-Kummissjoni jiġbed ritratt jew filmat f' post tal-votazzjoni f'xi jum tal-votazzjoni,".

Emenda tat-Tielet Skeda tal-Att prinċipali.

**19.** Ir-Regolamenti tal-1993 dwar l-Elezzjonijiet ta' Kunsilli Lokali għandhom jiġu emendati kif ġej:

(a) ir-regolament 2 tiegħu għandu jiġi emendat kif ġej:

(i) fis-subregolament (1) minnufih wara t-tifsira "elezzjoni" għandhom jiżdiedu t-tifsiriet ġodda li ġejjin:

" "l-ewwel jum tal-votazzjoni" tfisser is-Sibt ta' qabel il-jum tal-votazzjoni f'elezzjoni meta ssir votazzjoni qabel skont id-dispożizzjonijiet ta' dan l-Att, minn votanti li ser ikunu msieferin jew li ser

ikunu rikoverati fi sptar fil-jum tal-votazzjoni f'elezzjoni, minn residenti fi djar tal-anzjani, mill-membri tal-Kummissjoni u mir-residenti tal-Facilità Korrettiva ta' Kordin;

"jum tal-votazzjoni" tfisser il-jum proprju stabbilit għall-votazzjoni fl-Avviż imsemmi fir-regolament 15;"; u

(ii) minnufih wara t-tifsira "post ta' votazzjoni" għandhom jiżdiedu t-tifsiriet ġodda li ġejjin:

"it-tielet jum tal-votazzjoni" tfisser il-Ħamis ta' qabel il-jum tal-votazzjoni f'elezzjoni meta l-votazzjoni sseħħ skont id-dispożizzjonijiet partikolari ta' dan l-Att, minn votanti li jinsabu rikoverati fi sptarijiet;

"it-tieni jum tal-votazzjoni" tfisser it-Tlieta ta' qabel il-jum tal-votazzjoni f'elezzjoni meta l-votazzjoni sseħħ skont id-dispożizzjonijiet partikolari ta' dan l-Att, minn votanti li huma assenjati bħala Assistenti Kummissjonarji Elettorali;".

(b) fir-regolament (2)(a) tiegħu l-kliem "l-ġurnata tal-votazzjoni" għandhom jiġu sostitwiti bil-kliem "l-jum tal-votazzjoni";

(ċ) is-subregolamenti (2) u (3) tar-regolament 3 tiegħu għandhom jiġu mħassra u r-regolament 3(1) għandu jiġi enumerat mill-ġdid bħala r-regolament 3;

(d) fir-regolament 16 tiegħu l-kliem "Fil-jum ta' wara l-ħruġ tal-Avviż," għandhom jiġu sostitwiti bil-kliem "Fi żmien tliet ijiem mill-ħruġ tal-Avviż,";

(e) ir-regolament 17 tiegħu għandu jiġi emendat kif ġej:

(i) fis-subregolament (1) tiegħu l-kliem "fi żmien mhux aktar tard mill-ħmistax-il jum wara l-pubblikazzjoni tal-Avviż," għandhom jiġu sostitwiti bil-kliem "fi żmien mhux aktar tard minn dsatax-il jum wara l-pubblikazzjoni tal-Avviż,";

(ii) fl-ewwel proviso tar-regolament (1), minnufih wara l-kliem "il-Kummissjoni għandha tirtirah:" għandu jiżdied il-proviso ġdid li ġej:

"Iżda d-dokumenti tal-votazzjoni tal-persuni elenkati fil-lista ta' residenti tal-Facilità Korrettiva ta' Kordin skont ir-regolament 48A(3)(d) għandhom jinżammu mill-Kummissjoni u jiġu mqassma lill-votanti residenti fl-imsemmija Facilità fil-jum tal-votazzjoni stabbilit fir-regolament 48(4)(d)(ii)(ċ);";

(iii) fis-subregolament (1)(i) tiegħu l-kliem "fi żmien hamest ijiem mill-pubblikazzjoni tal-Avviż," għandhom jiġu sostitwiti bil-kliem "fi żmien tliet ijiem mill-pubblikazzjoni tal-Avviż,";

(iv) minnufih wara s-subregolament (4) tiegħu għandu jiżdied is-subregolament ġdid li ġej:

"(4A) (a) Kull elettur li jkun registrat bħala elettur f'Għawdex jista', fil-perjodu ta' għaxart ijiem wara l-pubblikazzjoni tal-Avviż, jinforma bil-miktub lill-Kummissjoni li dak il-votant jixtieq li d-dokument jingabar minnu stess mill-uffiċċju tal-Kummissjoni f'Malta fil-perjodu li jibda meta d-dokumenti għall-votazzjoni li ma jkunux ġew konsenjati jistgħu jingabru skont is-subartikolu (6) sal-jum tal-Ħamis ta' qabel il-jum tal-votazzjoni.

(b) F'dan il-każ, il-Kummissjoni għandha, sakemm dak id-dokument għall-votazzjoni ma jkunx ġie konsenjat qabel ma tkun irċeviet dik it-talba, tiżgura li dak id-dokument għall-votazzjoni jinżamm jew jingieb lura, u jkun magħmul disponibbli biex jingabar mill-elettur personalment mill-uffiċċju tal-Kummissjoni f'Malta fil-jiem stabbiliti għall-ġbir skont dan is-subregolament.

(ċ) Kull elettur li jkun rreġistrat bħala elettur f'Malta jista', fil-perjodu ta' għaxart ijiem wara l-pubblikazzjoni tal-Avviż, jinforma bil-miktub lill-Kummissjoni li dak il-votant jixtieq li d-dokument jingabar minnu stess mill-uffiċċju tal-Kummissjoni f'Għawdex fil-perjodu li jibda meta d-dokumenti għall-votazzjoni li ma jkunux ġew konsenjati jistgħu jingabru skont is-subartikolu (6) sal-jum tal-Ħamis ta' qabel il-jum tal-votazzjoni.

(d) F'dan il-każ, il-Kummissjoni għandha, sakemm dak id-dokument għall-votazzjoni ma jkunx ġie konsenjat qabel ma tkun irċeviet dik

it-talba, tiżgura li dak id-dokument għall-votazzjoni jinżamm jew jingieb lura, u jkun magħmul disponibbli biex jingabar mill-elettur personalment mill-uffiċċju tal-Kummissjoni f'Għawdex fil-jiem stabbiliti għall-ġbir skont dan is-subregolament.

(e) Il-Kummissjoni għandha żżomm reġistru bil-miktub tat-talbiet kollha li jsiru bis-saħħa ta' dan is-subregolament u għandha tagħti lill-partiti lista ta' kull talba li hekk tirċievi, b'din il-lista tingħata l-ewwel darba fi żmien jumejn wara l-pubblikazzjoni tal-Avviż u aġġornata kull jumejn wara dak il-jum.

(f) Kull elettur, li huwa rreġistrat bħala elettur f'Malta jew Għawdex, jista' jitlob lill-Kummissjoni sabiex jiġbor dak id-dokument tal-vot minn Malta jew minn Għawdex, skont kif ikun il-każ. Talba bħal din għandha ssir lill-Kummissjoni qabel is-6.00pm tal-Ħamis qabel il-jum tal-votazzjoni skont is-subregolament (6)."; u

(v) fis-subregolament (5) tiegħu l-kliem "u fl-ebda każ mhux aktar tard minn tlett ijiem miż-żmien stabbilit fis-subregolament (1)" għandhom jiġu sostitwiti bil-kliem "u fl-ebda każ mhux aktar tard minn sitt ijiem miż-żmien stabbilit fis-subregolament (1)";

(f) fir-regolament 18 tiegħu l-kliem "dik il-persuna tista' mhux iktar tard mis-6.00 p.m. tal-Erbgħa" għandhom jiġu sostitwiti bil-kliem "dik il-persuna tista' mhux iktar tard mid-9.00 p.m tal-Erbgħa";

(g) ir-regolament 20 tiegħu għandu jiġi emendat kif ġej:

(i) fis-subregolament (1) tiegħu l-kliem "Tlett ijiem qabel il-bidu tal-votazzjoni" għandhom jiġu sostitwiti bil-kliem "Jumejn qabel il-bidu tal-votazzjoni,";

(ii) fis-subregolament (1A) tiegħu l-kliem "l-iskrutinju m'għandux isir iżjed tard minn tliet ijiem qabel il-votazzjoni." għandhom jiġu sostitwiti bil-kliem "l-iskrutinju m'għandux isir iżjed tard minn hamest ijiem qabel l-ewwel votazzjoni."; u

(iii) fis-subregolament (5) tiegħu mill-kliem "Dik il-lista" sal-kliem "dak il-partit politiku." għandhom jiġu

sostitwiti bil-kliem "Il-lista għandha tkun evidenza konklussiva dwar jekk kandidat partikolari jappartjenix ma' partit politiku partikolari u dik il-lista għandha tingħata lill-Kummissjoni sal-aħħar jum għad-dhul tan-nomini.";

(h) fir-regolament 21(1) tiegħu l-kliem "fil-jum ta' votazzjoni" għandhom jiġu sostitwiti bil-kliem "fil-jum tal-votazzjoni";

(i) ir-regolament 22 tiegħu għandu jiġi emendat kif ġej:

(i) fis-subregolament (2) tiegħu l-kliem "għandu jiġi mwahhal fid-daħla" għandhom jiġu sostitwiti bil-kliem "għandu jiġu muri fid-daħla"; u

(ii) fir-subregolament (5) tiegħu l-kliem "Il-kummissjonarji għandhom, mhux aktar tard mill-gurnata wara li tiskadi l-gurnata ffissata għad-dhul tal-oppożizzjoni," għandhom jiġu sostitwiti bil-kliem "Il-kummissjonarji għandhom, mhux aktar tard minn jumejn wara li jiskadi l-jum iffissat għad-dhul tal-oppożizzjoni,";

(j) fir-regolament 25 tiegħu l-kliem "fiż-żmien stabbilit għan-nomina" għandhom jiġu sostitwiti bil-kliem "sa' erbatax-il jum qabel il-jum tal-votazzjoni";

(k) ir-regolament 26(2) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subregolament (3) u minnufih wara s-subregolament (1) tiegħu għandu jiżdied is-subregolament ġdid li ġej:

"(2) Il-Kummissjoni tista' tahtar uffiċjal wiehed imsejjaħ "Uffiċjal tal-Post tal-Votazzjoni" għal kull post tal-votazzjoni li jkun fih aktar minn żewġ ikmamar tal-votazzjoni. Dan l-uffiċjal jew l-uffiċjali li għandu jkollhom esklussivament l-irwol ta' koordinatur bejn il-Kummissjoni Elettorali u *Chairpersons* (nominati skont ir-regolament 27(4)) sabiex jeżegwixxu l-istruzzjonijiet tal-Kummissjoni u ma għandhom bl-ebda mod jieħdu deċiżjonijiet dwar sitwazzjonijiet illi jistgħu jinqalġu, liema deċiżjonijiet għandhom jibqgħu dejjem ir-responsabbiltà esklussiva tal-Kummissjoni Elettorali.";

(l) ir-regolament 27 tiegħu għandu jiġi emendat kif ġej:

(i) fis-subregolament (1) tiegħu l-kliem "Kull

partit politiku jkollu jedd, fi żmien sebat ijiem mill-pubblikazzjoni tal-Avviż, li jinnomina numru ta' persuni, li jkun daqs wieħed u nofs in-numru ta' kmamar tal-votazzjoni" għandhom jiġu sostitwiti bil-kliem "Kull partit politiku jkollu jedd, fi żmien tnax il-jum mill-pubblikazzjoni tal-Avviż, li jinnomina numru ta' persuni, li jkun daqs wieħed u terz in-numru tal-kmamar ta' votazzjoni";

(ii) is-subregolament (4) tiegħu għandu jiġi enumerat mill-ġdid bħala is-subregolament (5) u minnufih wara s-subregolament (3) għandu jiżdied is-subregolament ġdid li ġej:

"(4) 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 mal-eletturi.";

(m) fir-regolament 29 tiegħu l-kliem "Il-partiti politiċi jkollhom il-jedd li, mhux iżjed tard minn jumejn" għandhom jiġu sostitwiti bil-kliem "Il-partiti politiċi jkollhom il-jedd li, mhux aktar tard minn erbat ijiem";

(n) ir-regolament 32 tiegħu għandu jiġi sostitwit b'dan li ġej:

"32. (1) Il-Kummissjonarji għandhom mhux aktar tard minn sebat ijiem qabel ma tibda l-votazzjoni jagħtu lill-aġent, dokument tal-identità li ma jistax jitbagħbas li jkun fih ir-ritratt tal-aġent imbullat bis-siġill tal-Kummissjoni u li jkun juri l-isem, l-indirizz u numru ta' dokument ta' identifikazzjoni legalment validu tal-aġent u minn min ikun ġie nominat. Id-dokumenti tal-identità għandhom juru numru progressiv skont kif maħruġin, ikunu ta' kulur differenti sabiex l-aġent elettorali, tat-trasport u ta' partit jintgħarfu faċilment, u jintlibsu b'mod li jidher sew mill-aġent partikolari fit-twettiq ta' dmirijietu.

(2) Il-Kummissjoni għandha tgħaddi lil kull partit politiku li jitlobhom bil-miktub, il-listi tal-aġenti kollha ppreżentati mill-partiti politiċi l-oħra kollha kif ukoll l-aġenti ta' kandidati ppreżentati mill-kandidati u minn min ġew innominati 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.";

(o) fir-regolament 34(3) il-kliem "u wara purtiera jew mezz ieħor li bih ikun jista' jivvota b'mod sigriet" għandhom jithassru;

(p) fir-regolament 35 tiegħu l-kliem "Kull każin ta' partit politiku tul dik id-distanza għandu jinżamm magħluq fil-jum tal-votazzjoni:" għandhom jiġu sostitwiti bil-kliem "Kull każin ta' partit politiku tul id-distanza ta' ħamsin metru miċ-ċentru tal-wisa' tal-bieb tad-dħul li jkun qed jintuża għall-votazzjoni għandu jinżamm magħluq fil-jum tal-votazzjoni:";

(q) ir-regolament 46(6)(ċ)(iii) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(iii) sabiex jirreġistraw l-ismijiet, in-numri tad-dokumenti legali ta' identifikazzjoni, u, jew, id-dettalji tal-persuni li ma jkunux ivvotaw;";

(r) ir-regolament 48A għandu jiġi emendat kif ġej:

(i) minnufih wara s-subregolament (3)(a) tiegħu għandu jiżdied il-paragrafu l-ġdid li ġej:

"(aa) post f'Malta għall-votanti reġistrati f'Malta u f'post f'Għawdex għall-votanti reġistrati f'Għawdex, li l-Kummissjoni tistabbilixxi b'avviż fil-Gazzetta skont ir-regolament 16;";

(ii) minnufih wara l-aħħar proviso s-subregolament (3)(ċ) tiegħu għandu jiżdied il-paragrafu l-ġdid li ġej:

"(d) l-eletturi kollha li jkunu residenti fil-Facilità Korrettiva ta' Kordin, għandhom jivvutaw fil-post indikat f'dan ir-regolament u jkun id-dmir tal-persuna responsabbli mill-imsemmija Facilità li tissottometti lill-Kummissjoni lista bl-isem, kunjom, numru tal-karta tal-identità u data tat-twelid ta' daww l-eletturi fi żmien tliet ijiem mill-pubblikazzjoni tal-Avviż tal-elezzjoni, liema lista triq tibqa' tiġi aġġornata kull jum sa' erbatax-il jum qabel il-jum tal-votazzjoni. Kull persuna residenti fil-Facilità Korrettiva ta' Kordin imniżżla f'din il-lista titqies li

tkun persuna residenti fl-istess Faċilità;

(iii) minnufih wara s-subregolament (4)(d) tiegħu għandhom jiżdiedu l-paragrafi l-godda li ġejjin:

"(e) Minkejja kull dispożizzjoni oħra f'dawn ir-regolamenti, kull min ikun ġie magħżul biex iservi bħala Assistent Kummissjonarju Elettorali, inkluż jekk ikun ġie magħżul bħala riżerva, għandu jitfa' l-vot tiegħu fil-post f'Malta, jekk hu registrat bħala votant f'Malta, u fil-post f'Għawdex jekk hu registrat bħala votant f'Għawdex, skont kif indikat fis-subregolament (3)(aa) u għandu jagħmel dan fil-jum tat-Tlieta qabel il-jum tal-votazzjoni bejn is-7.00am u l-10.00pm:

Iżda dawk l-Assistenti Kummissjonarji u riżervi magħżula sabiex iservu f'Malta u f'Għawdex fil-ġurnata allokata għall-votazzjoni tal-Assistenti Kummissjonarji, għandhom jitfegħu l-vot tagħhom fl-ewwel jum tal-votazzjoni fil-post stabbilit fir-regolament 48A(3)(aa) bejn is-7.00am u l-10.00pm.

(f) Għall-finijiet u effetti kollha ta' dan ir-regolament il-persuni li għandhom jivvutaw skont il-paragrafu (e) huma dawk kollha li isimhom ikun ippubblikat fil-lista msemmija fir-regolament 29(6), ukoll jekk xi waħda minn dawk il-persuni tkun irriżenjat il-ħatra tagħha wara l-pubblikazzjoni ta' dik il-lista.";

(iv) minnufih wara s-subregolament (4)(d)(ii)(bb) tiegħu għandu jiżdied dan li ġej:

"(ċċ) li huma residenti fil-Faċilità Korrettiva ta' Kordin,";

(s) minnufih wara s-subregolament (6) tar-regolament 51 tiegħu għandu jiżdied is-subregolament ġdid li ġej:

"(7) Konsulent mediku li jkollu b'pazjent tiegħu xi elettur li jkun residenti f'xi sptar jew dar tal-anzjani jista', bil-ħruġ 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,

C 120

madankollu, ma għandu b'ebda mod jolqot il-jedd ta' dak l-elettur, li ma jagħtix każ tal-avviż mediku u jiddeċiedi li jitfa' l-vot tiegħu."; u

(t) it-tielet paragrafu tas-subregolament (2) tar-regolament 57 għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"Il-lista ta' dawk l-aġenti għandha, mill-inqas sebat ijiem qabel il-bidu tal-votazzjoni, tintbagħat lill-partiti politiċi u tiġi ppubblikata mill-Kummissjoni fil-Gazzetta b'dan li turi l-isem, l-indirizz u numru ta' dokument ta' identifikazzjoni legalment validu ta' kull aġent u tal-partit li jkun qiegħed jagħmel in-nomina tiegħu.".

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### Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma sabiex jiġu introdotti, il-possibilità li jsir l-għadd tal-voti b'mezz elettroniku, il-possibilità li l-*Advance Voters* u l-Assistenti Kummissjonarji Elettorali reġistrati fuq Għawdex jivvutaw f'post f'Għawdex, it-tifsiriet li saru meħtieġa matul iż-żmien fosthom dawk ta' Uffiċjal tal-Post tal-Votazzjoni, u sabiex l-Att dwar l-Elezzjonijiet Ġenerali (Kap. 354) u l-Att dwar Kunsilli Lokali (Kap. 363) jiġu konformi ma' xulxin fejn jirrigwarda termini u dati ta' skadenza; preżentament f'dawn iż-żewġ liġijiet jeżistu differenzi li jxekklu l-operat speċjalment meta jsiru żewġ elezzjonijiet fl-istess jum.

**A Bill  
entitled**

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

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. The short title of this Act is the General Elections (Amendment) Act, 2018. Short title.

**PART I  
AMENDMENTS TO THE GENERAL ELECTIONS ACT**

2. This Part amends the General Elections Act and shall be read and construed as one with the same Act, hereinafter in this Part referred to as "the principal Act". Amendments to the General Elections Act. Cap. 354.

3. Article 2 of the principal Act shall be amended as follows: Amendment of article 2 of the principal Act.

(a) immediately after the definition "polling booth" there shall be added the following new definition:

"polling day" means the proper day established for voting in the President's Writ referred to in article 44; and

(b) immediately after the definition "polling place" there shall be added the following new definitions:

"the first voting day" means the Saturday before polling day when advanced voting takes place according to the particular provisions of this Act, by voters being abroad or who shall be recovered in a hospital on polling day, by residents in homes for the elderly, by members of the Commission and by residents of the Corradino Correctional Facility;

"the second voting day" means the Tuesday before polling day when voting takes place according to the particular provisions of this Act, by voters who are assigned as Assistant Electoral Commissioners;

"the third voting day" means the Thursday before polling day when voting takes place according to the particular provisions of this Act, by voters recovered in hospitals;"

Amendment of article 42 of the principal Act.

4. In article 42 of the principal Act immediately after the words "for the election" there shall be added the words "or referendum".

Amendment of article 46 of the principal Act.

5. Article 46 of the principal Act shall be amended as follows:

(a) in the first proviso to sub-article (1), immediately after the words "the Commission shall withdraw it" there shall be added the following new proviso:

"However the voting documents of the persons listed in the list of residents of the Corradino Correctional Facility according to article 77(3)(e) shall be kept by the Commission and shall be distributed to the voting residents in the mentioned Facility on the polling day established in article 77(4)(e)(ii)(cc):";

(b) in sub-paragraph (ii) of the second proviso to sub-article (1) thereof the words "in the list mentioned in sub-article (5)" shall be substituted by the words "in the list mentioned in sub-article (6)";

(c) immediately after paragraph (e) of sub-article (5) thereof there shall be added the following new paragraph:

"(f) Any voter, who is registered as a voter in Malta or Gozo, may request the Commission to retrieve such voting document from either Malta or Gozo, as the case may be. Such requests shall reach the Electoral Commission before 6.00 p.m of the Thursday before polling day in terms of sub-article (9)."; and

(d) in sub-article (6) thereof the words "as soon as possible, and in no case later than fifteen days" shall be substituted by the words "within six days".

- 6.** Article 49 of the principal Act shall be amended as follows: Amendment of article 49 of the principal Act.
- (a) in sub-article (1) thereof the words "which scrutiny shall be exercised not later than three days before the poll." shall be substituted by the words "which scrutiny shall be exercised not later than five days before the first poll."; and
- (b) sub-article (5) thereof shall be amended as follows:
- (i) from the words "Such list" to the words "to that political party." shall be substituted by the words "The list shall be conclusive evidence as to whether a particular candidate belongs to that political party and such list shall be delivered to the Commission by the last day of the day fixed for the receipt of nominations."
- 7.** In article 50(1) of the principal Act the words "the day of voting" shall be substituted by the words "polling day". Amendment of article 50 of the principal Act.
- 8.** In the Maltese version of sub-article (2) of article 51 of the principal Act the words "għandu jġi mwahhal fid-daħla" shall be substituted by the words "għandu jġi muri fid-daħla". Amendment of article 51 of the principal Act.
- 9.** In article 55 of the principal Act the words "at any time until the ballot papers for the district he is contesting have started to be printed in terms of article 49" shall be substituted by the words "until fourteen days prior to polling day". Amendment of article 55 of the principal Act.
- 10.** Sub-article (2) of article 56 of the principal Act shall be renumbered as sub-article (3) and immediately after sub-article (1) thereof there shall be added the following new sub-article: Amendment of article 56 of the principal Act.
- "(2) The Commission may appoint one official, referred to as, "Polling Place Officer" for each polling place containing more than two polling booths. This officer or officers who will have the exclusive role of coordinator between the Electoral Commission and the Chairpersons, nominated in accordance with article 57(6), to follow instructions of the Commission and they shall in no way take any decisions regarding any situations which may arise, which decisions shall remain the exclusive responsibility of the Electoral Commission."
- 11.** In article 57 of the principal Act the words "Every political party shall, within ten days of publication" shall be substituted by the words "Every political party shall, within twelve days of publication". Amendment of article 57 of the principal Act.
- 12.** Article 77 of the principal Act shall be amended as follows: Amendment of article 77 of the principal Act.

C 124

(a) sub-article (2) thereof shall be substituted by the following:

"(2) A mixed polling place is a polling place which contains one or more mixed ballot boxes for different divisions, as the case may be, and where the voters mentioned in sub-article (4)(a) and (b) shall vote independently of the division where they may be registered in the last published Electoral Register by casting their vote in the mixed ballot box appertaining to the divisions where they are registered.";

(b) sub-article (3)(a) thereof shall be substituted by the following:

"(a) in a place in Malta for registered voters in Malta and in a place in Gozo for registered voters in Gozo, that the Commission shall establish by notice in the Gazette according to article 45.";

(c) immediately after the last proviso to sub-article (3)(d) thereof there shall be added the following new paragraph:

"(e) all the voters residing at the Corradino Correctional Facility shall vote in the place indicated in this sub-article and it shall be the duty of the person responsible of the mentioned Facility to submit to the Commission a list with the name, surname, identity card number and the date of birth of such voters within three days of the publication of the Writ for the election, which list must continue to be updated everyday up to fourteen days prior to the polling day. Every person residing at the Corradino Correctional Facility listed in the list shall be deemed to be a person residing at the same Facility.";

(d) sub-article (4)(a) thereof shall be substituted by the following:

"(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 in Malta, if he is a registered voter in Malta, and at the place in Gozo if he is a registered voter in Gozo, as indicated in sub-article (3)(a), and shall do so on Tuesday prior to the polling day between 7.00a.m. and 10.00p.m:

Provided that, the Assistant Commissioners and the reserves chosen to serve in Malta and Gozo on the day allocated for the Assistant Commissioners to vote, shall cast their vote on the first polling day at the place established in article 77(3)(a) between 7.00am and 10.00pm.";

(e) immediately after sub-article (4)(e)(ii) thereof there shall be added the following new sub-paragraph:

"(cc) who are residing in the Corradino Correctional Facility,"; and

(f) in the Maltese version of sub-article (6) thereof, the words "il-ġurnata tal-votazzjoni" shall be substituted by the words "il-jum tal-votazzjoni".

**13.** Sub-article (3) of article 83 of the principal Act shall be substituted by the following:

Amendment of article 83 of the principal Act.

"(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, to ignore the medical warning and decide to cast his vote.".

**14.** The third paragraph to sub-article (2) of article 89 of the principal Act shall be substituted by the following:

Amendment of article 89 of the principal Act.

"The list of such agents shall, at least, seven days prior to the start of the poll, be sent to the political parties and be published by the Commission in the Gazette indicating the name, address and a legally valid identification document number of each agent and the party nominating him.".

**15.** In paragraph (j) of article 112(1) of the principal Act the words "right to vote," shall be substituted by the words "right to vote; or" and immediately thereafter there shall be added the following new paragraph:

Amendment of article 112 of the principal Act.

"(k) without authorisation of the Commission takes any photographic or video image at a polling place on any polling day,".

C 126

Adds new article 120 to the principal Act.

**16.** Immediately after article 119 of the principal Act there shall be added the following new article:

"Electronic Equipment.

120. The Commission may make use of electronic equipment to count the ballot papers in accordance with Schedule 13 of this Act."

**PART II  
CONSEQUENTIAL AMENDMENTS TO THE LOCAL COUNCILS ACT**

Consequential amendments to the Local Councils Act. Cap. 363.

**17.** This Part amends the Local Councils Act and shall be read and construed as one with the same Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 119 of the principal Act.

**18.** In paragraph (h) of article 119(1) of the Third Schedule of the principal Act the words "for the purpose of the election," shall be substituted by the words "for the purpose of the election; or" and immediately thereafter there shall be added the following new paragraph:

"(i) without authorisation of the Commission takes any photographic or video image at a polling place on any polling day,".

Amendment of the Third Schedule to the principal Act.

**19.** The Local Councils (Elections) Regulations, 1993 shall be amended as follows:

(a) regulation 2 thereof shall be amended as follows:

(i) in sub-regulation (1) immediately after the definition "polling booth" there shall be added the following new definition:

"polling day" means the proper day established for voting in the Notice referred to in regulation 15; and

(ii) immediately after the definition "polling place" there shall be added the following new definitions:

"the first voting day" means the Saturday before polling day when advanced voting takes place according to the particular provisions of this Act, by voters being abroad or who shall be recovered in a hospital on polling day, by residents in homes for the elderly, by members of the Commission and by residents of the Corradino Correctional Facility;

"the second voting day" means the Tuesday before polling day when voting takes place according to the particular provisions of this Act, by voters who are assigned as Assistant Electoral Commissioners;

"the third voting day" means the Thursday before polling day when voting takes place according to the particular provisions of this Act, by voters recovered in hospitals;"

(b) in the Maltese version of regulation 2(2)(a) thereof the words "l-gurnata tal-votazzjoni" shall be substituted by the words "l-jum tal-votazzjoni";

(c) sub-regulations (2) and (3) of regulation 3 thereof shall be deleted and regulation 3(1) shall be renumbered as regulation 3;

(d) in regulation 16 thereof the words "On the following day of the publication of the Notice," shall be substituted by the words "Within three days of the publication of the Notice,";

(e) regulation 17 thereof shall be amended as follows:

(i) in sub-regulation (1) thereof the words "Within fifteen days of the publication of the Notice," shall be substituted by the words "Within nineteen days of the publication of the Notice,";

(ii) in the first proviso thereof immediately after the words "the Commission shall withdraw it:" there shall be added the following new proviso:

"However the voting documents of the persons listed in the list of residents of the Corradino Correctional Facility according to regulation 48A(3)(d) shall be kept by the Commission and shall be distributed to the voting residents in the mentioned Facility on the polling day established in regulation 48(4)(d)(ii)(cc):";

(iii) in sub-regulation (1)(i) thereof the words "within five days of the publication of the Notice," shall be substituted by the words "within three days of the publication of the Notice,";

(iv) immediately after sub-regulation (4) thereof there shall be added the following new sub-regulation:

"(4A) (a) Any voter who is registered as a voter in Gozo may, in the period of ten days after the publication of the Notice, inform in writing the Commission that such voter desires that his document is collected by himself from the office of the Commission in Malta in the period starting from when undelivered voting documents can be collected in terms of sub-regulation (6) up to the Thursday before polling day.

(b) In such event the Commission shall, unless such voting document had already been delivered prior to the receipt of such request, ensure that such voting document is withheld or retrieved, and made available for collection by the voter personally from the office of the Commission in Malta on the days appointed for collection in terms of this sub-regulation.

(c) Any voter who is registered as a voter in Malta may, in the period of ten days after the publication of the Notice, inform in writing the Commission that such voter desires that his document is collected by himself from the office of the Commission in Gozo in the period starting from when undelivered voting documents can be collected in terms of sub-regulation (6) up to the Thursday before polling day.

(d) In such event the Commission shall, unless such voting document had already been delivered prior to the receipt of such request, ensure that such voting document is withheld or retrieved, and made available for collection by the voter personally from the office of the Commission in Gozo on the days appointed for collection in terms of this sub-regulation.

(e) The Commission shall keep a written record of all requests made by virtue of this sub-regulation and shall provide the parties with a list of such requests received, with such list being supplied first within two days after the publication of the Notice and updated every two days thereafter.

(f) Any voter, who is registered as a voter in Malta or Gozo, may request the

Commission to retrieve such voting document from either Malta or Gozo, as the case may be. Such requests shall reach the Commission before 6.00 p.m of the Thursday before polling day in terms of sub-regulation (6)."; and

(v) in sub-regulation (5) thereof the words "and in no case later than three days from the time established in sub-regulation (1)" shall be substituted by the words "and in no case later than six days from the time established in sub-regulation (1)";

(f) in regulation 18 thereof the words "such person may not later than 6.00p.m. of the Wednesday" shall be substituted by the words "such person may not later than 9.00p.m. of the Wednesday";

(g) regulation 20 thereof shall be amended as follows:

(i) in sub-regulation (1) thereof the words "Three days prior to the commencement of voting," shall be substituted by the words "Two days prior to the commencement of voting,";

(ii) in sub-regulation (1A) thereof the words "which scrutiny shall be exercised not later than three days before the poll." shall be substituted by the words "which scrutiny shall be exercised not later than five days before the first poll."; and

(iii) in sub-regulation (5) thereof from the words "Such list" to the words "to that political party." shall be substituted by the words "The list shall be conclusive evidence as to whether a particular candidate belongs to that political party and such list shall be delivered to the Commission by the last day of the day fixed for the receipt of nominations.".

(h) in regulation 21(1) thereof the words "the day of voting" shall be substituted by the words "polling day";

(i) regulation 22 thereof shall be amended as follows:

(i) in sub-regulation (2) thereof the words "shall be posted at the entrance" shall be substituted by the words "shall be shown at the entrance"; and

(ii) in sub-regulation (5) thereof the words "The

commissioners shall, not later than the day following the expiration of the time fixed for the receipt of objections, " shall be substituted by the words "The Commissioners shall, not later than two days following the expiration of the time fixed for the receipt of objections,";

(j) in regulation 25 thereof the words "during the time prescribed for nomination" shall be substituted by the words "up to fourteen days prior to polling day";

(k) regulation 26(2) thereof shall be renumbered as sub-regulation (3) and immediately after sub-regulation (1) there shall be added the following new sub-regulation:

"(2) The Commission may appoint one official, referred to as, "Polling Place Officer" for each polling place containing more than two polling booths. This officer or officers who will have the exclusive role of coordinator between the Electoral Commission and the Chairpersons, nominated in accordance with regulation 27(4), to follow instructions of the Commission and they shall in no way take any decisions regarding any situations which may arise, which decisions shall remain the exclusive responsibility of the Electoral Commission."

(l) regulation 27 thereof shall be amended as follows:

(i) regulation 27(1) thereof the words "Every political party shall, within seven days of publication of the Notice, be entitled to nominate a number of persons, equal to one and a half times the number of polling booths" shall be substituted by the words "Every political party shall, within twelve days of publication of the Notice, be entitled to nominate a number of persons, equal to one and one-third the number of polling booths"; and

(ii) sub-regulation (4) thereof shall be renumbered as sub-regulation (5) and immediately after sub-regulation (3) there shall be added the following new sub-regulation:

"(4) 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.";

(m) in regulation 29 thereof the words "The political parties, not later than two days". shall be substituted by the words "The political parties, not later than four days";

(n) regulation 32 thereof shall be substituted by the following:

"32. (1) The Commissioners shall not later than seven days before the start of the voting forward to such agent a tamper proof identity document bearing the photograph of the agent franked with the seal of the Commission and indicating the name, address and a legally valid identification document number of the agent and by whom he has been nominated. The identity documents as issued shall be progressively numbered, shall be of a different colour so as to easily distinguish election, transport and party agents and shall be worn in a conspicuous manner by the agent concerned in the exercise of his functions.

(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.";

(o) in regulation 34(3) the words "and behind a curtain or other device to enable him to vote in secret," shall be deleted;

(p) in regulation 35 thereof the words "Any political party club within such distance shall be kept closed on polling day:" shall be substituted by the words "Any political party club within the distance of fifty metres from the centre of the width of the door used as an entrance to the polling place shall be kept closed on polling day:";

(q) regulation 46(6)(c)(iii) thereof shall be substituted by the following:

"(iii) to record the names, the legally valid identification document numbers and, or, the particulars of

the persons who have not voted;";

(r) regulation 48A shall be amended as follows:

(i) immediately after sub-regulation (3)(a) thereof there shall be added the following new paragraph:

"(aa) at a place in Malta for voters registered in Malta and at a place in Gozo for voters registered in Gozo that the Commission establishes in the Gazette according to regulation 16;";

(ii) immediately after the last proviso to sub-regulation (3)(c) thereof there shall be added the following new paragraph:

"(d) all the voters residing at the Corradino Correctional Facility shall vote in the place indicated in this regulation and it shall be the duty of the person responsible of the mentioned Facility to submit to the Commission a list with the name, surname, identity card number and the date of birth of such voters within three days of the publication of the Notice for the election, which list must continue to be updated everyday up to fourteen days prior to the polling day. Every person residing at the Corradino Correctional Facility listed in the list shall be deemed to be a person residing at the same Facility.";

(iii) immediately after sub-regulation (4)(d) thereof there shall be added the following new paragraphs:

"(e) Notwithstanding any other provision of these regulations, 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 in Malta, if he is a registered voter in Malta, and at the place in Gozo if he is a registered voter in Gozo, as indicated in sub-regulation (3)(aa), and shall do so on Tuesday prior to the polling day between 7.00a.m. and 10.00p.m:

Provided that, the Assistant Commissioners and the reserves chosen to serve in Malta and in Gozo on the day allocated for the Assistant Commissioners to

vote, shall cast their vote on the first polling day at the place established in regulation 48A(3)(aa) between 7.00am and 10.00pm.

(f) For all effects and purposes of this regulation, the persons who shall vote in accordance with paragraph (e) shall be all those whose name is published in the list referred to in regulation 29(6), even if any one of such persons shall have resigned his appointment after the publication of that list.";

(iv) immediately after sub-regulation (4)(d)(ii)(bb) thereof there shall be added the following:

"(cc) who are residing in the Corradino Correctional Facility,";

(s) immediately after sub-regulation (6) of regulation 51 thereof there shall be added the following new sub-regulation:

"(7) 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, to ignore the medical warning and decide to cast his vote."; and

(t) the third paragraph of sub-regulation (2) of regulation 57 thereof shall be substituted by the following new paragraph:

"The list of such agents shall, at least, seven days prior to the start of the poll be sent to the political parties and shall be published by the Commission in the Gazette indicating the name, address and a legally valid identification document number of each agent and the party nominating him.".

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C 134

**Objects and reasons**

The objects and reasons of this Bill are to introduce the possibility of vote counting by electronic means, the possibility for Advance Voters and Assistant Electoral Commissioners registered under Gozo to vote in Gozo, the definitions that have become necessary over time including those of Polling Place Officers, and to conform together the General Elections Act (Cap. 354) and the Local Councils Act (Cap. 363) with regards to terms and deadlines; currently there exist differences in these two pieces of legislation which hinder operations especially in the case where elections are held on the same day.

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