

MALTA

ATT Nru XI tal-2019

ATT maħruġ b'ligi mill-Parlament ta' Malta.

ATT biex jemenda l-Att dwar l-Elezzjonijiet Ġenerali, Kap. 354, u konsegwentement l-Att dwar Kunsilli Lokali, Kap. 363.

ACT No. XI of 2019

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the General Elections Act, Cap. 354, and consequentially the Local Councils Act, Cap. 363.

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

5 ta' April, 2019

ATT Nru XI tal-2019

*ATT biex jemenda l-Att dwar l-Elezzjonijiet Ġenerali, Kap. 354, u
konsegwentement l-Att dwar il-Kunsilli Lokali, Kap. 363.*

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

1. It-titolu fil-qosor ta' dan l-Att hu Att tal-2019 li jemenda l-
Ligijiet Elettorali. Titolu fil-qosor.

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
izjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali". Emendi għall-
Att dwar l-
Elezzjonijiet
Ġenerali.
Kap. 354.

Emenda tal-artikolu 2 tal-Att prinċipali.

3. Is-subartikolu (1) tal-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) minnufih wara t-tifsira "Kummissjoni" għandha tiżdied it-tifsira ġdida li ġejja:

" "mingħajr faċilità ta' tfittxija" tfisser li ma tkunx tista' ssir tfittxija fih abbażi tal-isem, il-kunjom u n-numru tal-karta tal-identità;" u

(b) minnufih wara t-tifsira "post ta' votazzjoni" għandha tiżdied it-tifsira ġdida li ġejja:

"Sistema ta' Għadd Elettroniku" tfisser il-proċess, il-programm tal-kompjuter u/jew *hardware* tal-kompjuter, tagħmir ieħor, *data* u servizzi kif jista' jkun meħtieġ sabiex:

(a) iżżomm id-*data* rilevanti fir-rigward tal-elezzjoni li qed issir;

(b) tiegħu immagni ta' kull polza tal-vot u tinterpreta l-preferenzi;

(ċ) tistabilixxi rabta bejn kull vot maħżun elettronikament u l-poloż tal-votazzjoni ekwivalenti permezz ta' identifikatur uniku;

(d) tipproċessa d-*data* miġbura u l-poloż b'tali mod li tikkalkula n-numru ta' voti mitfugħa għal kull kandidat fl-elezzjoni u tiddetermina r-riżultat finali skont dan l-Att; u

(e) tiżgura ż-żamma ta' rekords xierqa;" u

(ċ) minnufih wara t-tifsira "timbru uffiċjali" għandha tiżdied it-tifsira ġdida li ġejja:

" "żmien riservat għall-wiri" tfisser il-ħin li jibda minn dak il-ħin li fih il-Kummissjoni tagħti access lid-delegati tal-partit għall-immagni ta' kull Polza Elettronika flimkien mal-interpretazzjoni tiegħu u għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-Poloż Elettronici u li jintemm erba' sigħat wara l-ħin li l-Kummissjoni tibgħat kopja tal-Abbozz tar-Riżultat lid-delegati tal-partit skont ir-regolament 13."

Emenda tal-artikolu 26 tal-Att prinċipali.

4. L-artikolu 26 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minnufih wara l-kliem "skont l-artikolu 24, hija għandha b'avviż bil-miktub" għandhom jiżdiedu l-kliem "permezz ta' ittra rreġistrata u, fl-istess waqt, b'ittra identika mibgħuta bil-posta ordinarja,";

(b) fil-proviso tas-subartikolu (1) tiegħu il-kliem "Kopji ta' avvizi magħmulin konformi ma' dan l-artikolu għandhom ukoll jiġu kunsinnati lid-delegati tal-partiti." għandhom jiġu sostitwiti bil-kliem "Kopji ta' avvizi magħmulin konformi ma' dan l-artikolu għandhom ukoll jiġu kunsinnati lid-delegati tal-partiti:" u minnufih wara għandu jiżdied il-proviso ġdid li ġej:

"Iżda fil-każ tar-Registru Elettorali għall-Kunsilli Lokali u tar-Registru Elettorali tal-Unjoni Ewropea, meta persuna (a) ma kenitx effettivament la tqassmilha d-dokument tal-vot tagħha u lanqas ma gábritu fl-elezzjonijiet miżmuma fl-aħħar tnax-il sena; u (b) ma għandhiex karta tal-identità valida jew *Residence Card* valida; u (c) tkun naqset totalment li twieġeb l-avviżi msemmija fiż-żmien stipulat hawn fuq, il-Kummissjoni tipproċedi, meta jiskadi l-perjodu stabbilit fis-subartikolu (1), biex tikkancella r-reġistrazzjoni tal-votant jew taqta' 'l barra isimha mir-Registru Elettorali tal-Kunsilli Lokali u, jew mir-Registru Elettorali tal-Unjoni Ewropea, iżda fl-istess waqt terġa' tipprowa tinnotifika bil-miktub lill-persuna konċernata li sar tali kancellament jew qtugħ u għandha tippubblika avviż tal-kancellament jew qtugħ fil-Gazzetta u f'tal-anqas, f'gazzetta waħda lokali. L-imsemmi kancellament jew qtugħ jiġi fis-seħħ egħluq xahar mid-data meta l-imsemmi avviż ikun deher fil-Gazzetta.";

(c) fis-subartikolu (3) tiegħu, il-kliem "L-avviż l-ieħor imsemmi fil-proviso" għandhom jiġu sostitwiti bil-kliem "L-avviż l-ieħor imsemmi fl-ewwel proviso" u minnufih wara l-kliem "fl-indirizz tal-elettur kif muri fir-Registru Elettorali." għandhom jiżdiedu l-kliem "Dan is-subartikolu ma japplikax fil-każ tar-Registru Elettorali għall-Kunsilli Lokali u tar-Registru Elettorali tal-Unjoni Ewropea."; u

(d) fis-subartikolu (4) tiegħu minnufih wara l-kliem "bil-mezz ta' ittra li tiġi lill-indirizzata" għandhom jiżdiedu l-kliem ", liema ittra għandha wkoll tinforma lill-persuna konċernata illi jekk għandha l-kwalifiki biex tkun irreġistrata bħala elettur, din għandha immedjatement tapplika mill-ġdid biex terġa' tkun hekk irreġistrata,".

5. L-artikolu 33 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 33 tal-Att prinċipali.

(a) is-subartikolu (1) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(1) Il-Kummissjoni għandha tiegħu hsieb li jinhareg b'mod elettroniku fuq il-websajt tagħha f'format mingħajr faċilità ta' tfittxija Registru Elettorali rivedut darbtejn fis-sena, jiġifieri fix-xahar ta' April u fix-xahar ta' Ottubru. Dan ir-registru għandu jkun fih il-korrezzjonijiet, iż-żidiet, it-trasferimenti u t-taħsiriet kollha li jkun hemm fil-wieħed u tletin ta' Marzu u fit-tletin ta' Settembru li jaħbat sew sew qabel il-ħruġ ta' dak ir-Registru. Il-Kummissjoni għandha tippubblika avviż fil-Gazzetta li gie ppubblikat tali Registru.";

(b) fis-subartikolu (2) tiegħu, il-proviso "Izda r-Registru Elettorali pubblikat fl-għamla li jinqasam f'taqsimiet daqskemm ikun hemm lokalitajiet għandu jkollu Anness li juri r-registrazzjoni ta' eletturi li jkunu għalqu s-sittax il-sena iżda ma jkunux għalqu t-tmintax il-sena fl-elezzjoni tal-2015 'il quddiem ta' Kunsilli Lokali jew ta' Kumitati Amministrattivi." għandu jiġi mħassar;

(c) fis-subartikolu (5) tiegħu minnufih wara l-kliem "Il-Kummissjoni għandha tara li jiġi pubblikat fil-Gazzetta," għandhom jidhlu l-kliem "u b'mod elettroniku fuq il-websajt tagħha f'format mingħajr faċilità ta' tfittxija,";

(d) is-subartikolu (6) tiegħu għandu jiġi mħassar.

6. L-artikolu 45 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (a) tiegħu, minnufih qabel il-kliem "il-lok," għandhom jiżdiedu l-kliem "is-sit elettroniku u/jew il-mod kif il-kandidati jistgħu jissottomettu n-nomini b'mod elettroniku;"; il-kliem "ikun anqas minn tlett ijiem" għandhom jiġu sostitwiti bil-kliem "ikun aktar minn ħamest ijiem" u l-kliem "minn jumejn mit-temm" għandhom jiġu sostitwiti bil-kliem "minn gurnata mit-temm"; u

(b) minnufih wara l-paragrafu (d) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(e) jekk il-Kummissjoni ddeċidiet li tuża Sistema ta' Għadd Elettroniku:

Izda deċiżjoni ppubblikata biex tintuża Sistema ta' Għadd Elettroniku ma għandhiex topera biex ma tħallix lill-Kummissjoni, fl-opinjoni meqjusa tagħha,

tirrevoka jew tregġa' lura fi kwalunkwe hin, id-deċiżjoni tagħha li tuża Sistema ta' Ghadd Elettroniku biex terġa' lura għas-Sistema manwali kif spjegat fit-Tleltax-il Skeda."

7. 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 "qabel tleltax-il ġurnata iżda mhux aktar tard minn għaxart ijiem qabel il-votazzjoni, tistampa dak in-numru ta' karti tal-vot skont kemm ikun mehtieg għall-votazzjoni f'dik l-għamla u fuq dak il-materjal skont ma jista' jiġi preskritt taht dan l-Att." għandhom jiġu sostitwiti bil-kliem "qabel wiehed u għoxrin ġurnata iżda mhux aktar tard minn għaxart ijiem qabel il-votazzjoni, tistampa skont it-Tmien Skeda, dak in-numru ta' karti tal-vot skont kemm ikun mehtieg għall-votazzjoni f'dik l-għamla u fuq dak il-materjal skont ma jista' jiġi preskritt taht dan l-Att. Dan ma jgħoddx għall-istampar fuq wara tal-poloż tal-vot skont l-Iskeda 8A.";

(b) fis-subartikolu (3) tiegħu, il-kliem "tan-nomina ta' kull wiehed minnhom u kif approvat mill-Kummissjonarji Elettorali." għandhom jiġu sostitwiti bil-kliem "tan-nomina, u r-ritratt tal-wiċċ mehud bl-iswed fuq sfond abjad ta' kull wiehed minnhom u kif approvat mill-Kummissjoni Elettorali. Ir-ritratt għandu jingħadda lill-Kummissjoni b'mod elettroniku sa hamest ijiem wara ż-żmien stabbilit għall-oppożizzjonijiet dwar in-nomina. F'każ li kandidat ma jottemporax ruħu, il-Kummissjoni tkun awtorizzata tuża r-ritratt tal-kandidat li jkollu fuq il-karta tal-identità."; u

(ċ) fis-subartikolu (6) tiegħu, il-kliem "minnufih wara l-isem" għandhom jiġu sostitwiti bil-kliem "minnufih qabel l-isem".

8. L-artikolu 51 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 51 tal-Att prinċipali.

(a) is-subartikolu (1) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(1) Il-kandidat għal elezzjoni għandu jiġi nominat bil-miktub jew b'mezzi elettronici:

(a) fejn kandidat huwa nominat bil-miktub, il-formula tan-nomina, li għandha tkun skont kif hemm fid-Disa' Skeda li tinsab ma' dan l-Att, għandha tkun iffirmata mill-kandidat innifsu (jew, jekk ikun nieqes minn dawn il-Gżejjer, minn rappreżentant tiegħu mahtur għal daqshekk), u mill-anqas minn erba'

eletturi rreġistrati fid-distrett elettorali li għalih il-kandidat ikun nominat. Il-formula tan-nomina għandha tiġi kkunsinnata lil wiehed mill-Kummissjonarji fl-Uffiċċju Elettorali mill-kandidat innifsu, jew, jekk ma jkunx jista' minhabba mard jew għax ikun nieqes minn dawn il-Gżejjer, mir-rappreżentant leġittimu tiegħu, awtorizzat bil-miktub, fiż-żmien migjub fl-avviż imsemmi fl-artikolu 45;

(b) fejn kandidat huwa nominat b'mezzi elettronici, il-formula ta' nominazzjoni, li għandha tkun fil-forma kif deskritta fid-Disa' Skeda ta' dan l-Att, għandha timtela permezz ta' sit elettroniku mhejji għal dan il-għan mill-Kummissjoni u liema nominazzjoni għandha tiġi ffirmata mill-kandidat elettronikament. In-nomina għandha wkoll tinkludi attestazzjoni għan-nomina minn tal-anqas erba' votanti rreġistrati fid-distrett elettorali għal liema l-kandidat huwa nominat, liema attestazzjoni għanda ssir permezz tal-imsemmi sit elettroniku bil-mod u manjiera kif stabbilit mill-Kummissjoni. In-nomina għandha tiġi sottomessa fil-perjodu stabbilit fl-avviż imsemmi f'artikolu 45.";

(b) fis-subartikolu (2) tiegħu l-kliem "wara li l-formula tan-nomina" għandhom jiġu sostitwiti bil-kliem "wara li n-nomina"; u

(c) fis-subartikolu (3) tiegħu l-kliem "jiġi identifikat, minhabba li l-formula tan-nomina" għandhom jiġu sostitwiti bil-kliem "jiġi identifikat, minhabba li n-nomina".

Emenda tal-artikolu 55 tal-Att prinċipali.

9. L-artikolu 55 tal-Att prinċipali għandu jiġi enumerat fl-intier tiegħu bħala l-artikolu 55(1) u minnufih wara għandu jiżdied is-subartikolu ġdid li ġej:

"(2) F'każ illi kandidat imut wara li l-poloż tal-votazzjoni jkunu ġew stampati, il-kandidatura tiegħu tibqa' meqjusa bħala waħda valida għall-finijiet kollha tal-liġi. Fil-każ ta' kandidat imsemmi f'dan is-subartikolu, huwa jista' jkun iddikjarat elett iżda l-Kummissjoni għandha malajr kemm jista' jkun tiddikjara l-post battal u tagħti avviż li se ssir elezzjoni biex jimtela t-tali post vakant."

Żieda ta' artikolu ġdid 55A mal-Att prinċipali.

10. Minnufih wara l-artikolu 55 tal-Att prinċipali għandu

jizzied l-artikolu ġdid li ġej:

"Theddid għas-segretezza tal-vot.

55A. Kull persuna li, wara li tkun ingħatat aċċess għall-immagni tal-Poloz Elettroniċi flimkien mal-interpretazzjoni tagħhom u/jew is-sett tad-*data* li jkun fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi, tuża d-*data* msemmija għal kwalunkwe skop ieħor għajr dak provdut fir-regolament 14(1) tal-Iskeda Tlettax-A jew inkella żżomm jew tonqos milli tneħhi d-*data* msemmija wara l-konklużjoni tal-proċess ta' verifika tkun hatja tar-reat li jhedded is-segretezza tal-vot."

11. Fl-artikolu 99 tal-Att prinċipali l-kliem "mar-rendikont ta' poloz tal-votazzjoni." għandhom jiġu sostitwiti bil-kliem "mar-rendikont ta' poloz tal-votazzjoni:" u minnufih wara għandu jzied il-proviso ġdid li ġej:

Emenda tal-artikolu 99 tal-Att prinċipali.

"Iżda meta l-Kummissjoni tiddeċiedi li tuża Sistema ta' Għadd Elettroniku, il-kaxxa tal-votazzjoni għandha tinfetaħ u l-poloz tal-votazzjoni għandhom jitqiegħdu wiċċhom 'l isfel fuq il-mejda fejn ikun qed isir il-ftuħ tal-kaxxa. Meta l-poloz tal-votazzjoni kollha f'kaxxa tal-votazzjoni waħda jkunu ġew mpoġġija wiċċhom 'l isfel fuq il-mejda fejn ikun qed isir il-ftuħ tal-kaxxa, il-persuna li tkun qed tissorvelja għandha tqiegħed dawn il-poloz tal-votazzjoni f'mazz wiehed, wiċċhom 'l isfel u f'kontenitur separat għal kull kaxxa tal-votazzjoni u li jkun immarkat bin-numru tal-kamra tal-votazzjoni u fejn applikabbli, id-distrett. Il-persuna li tkun qed tissorvelja għandha minnufih tpoġġi l-kontenitur fuq xkaffa f'post li l-aġenti għall-għadd ikunu jistgħu jaraw sew. Dan il-proċess għandu jittenna sakemm il-kaxxi tal-votazzjoni kollha jkunu ġew miftuħa. L-għadd u l-qbil tal-poloz tal-votazzjoni għandhom isiru skont ir-regoli ddikjarati fl-Iskeda Tlettax-A."

12. Fis-subartikolu (4) tal-artikolu 105 tal-Att prinċipali, minnufih wara l-kliem "jinsabu fit-Tlettax-il Skeda" għandhom jzied l-kliem "jew, fejn Sistema ta' Għadd Elettroniku qed tintuża, fl-Iskeda Tlettax-A".

Emenda tal-artikolu 105 tal-Att prinċipali.

13. L-artikolu 107 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 107 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu, minnufih wara l-kliem "skont kif ġej" għandhom jzied l-kliem li ġejjin:

"Fejn tintuża Sistema ta' Għadd Elettroniku:

Il-poloż tal-votazzjoni kollha li jinsabu f'kull kaxxa tal-votazzjoni magħżula f'ordni ta' identifikazzjoni unika f'kull każ iehor"; u

(b) fis-subartikolu (3) tiegħu, il-kliem "fit-trasferiment tal-voti kollha żejda." għandhom jiġu sostitwiti bil-kliem "fit-trasferiment tal-voti kollha żejda:" u minnufih wara għandu jiżdied il-proviso ġdid li ġej:



"Iżda meta l-Kummissjoni tiddeċiedi li tuża Sistema ta' Għadd Elettroniku, il-Kummissjoni għandha tippreserva d-*data* kollha introdotta jew użata mis-Sistema ta' Għadd Elettroniku inkluża, iżda mhux limitata, għad-*data* pproċessata jew prodotta mis-Sistema ta' Għadd Elettroniku għall-passi intermedji kollha qabel ir-riżultati finali. Id-*data* għandha tiġi ppreservata f'format diġitali fuq midja xierqa u f'mill-inqas żewġ kopji separati identiċi għall-oriġinal, kif deċiż mill-Kummissjoni. Għall-ħażna fit-tul tal-istess *data* l-midja għandha tinżamm f'pakketti ssiġillati separati u f'postijiet separati stabbiliti mill-Kummissjoni. Dawn il-kopji għandhom jiġu ppreservati sal-pubblikazzjoni tar-riżultat tal-elezzjoni li ġejja wara u għandhom jiġu mħassra wara dan."

Sostituzzjoni
tat-Tmien Skeda
tal-Att
prinċipali.

14. It-Tmien Skeda tal-Att prinċipali għandha tiġi sostitwita b'dan li ġej:

"IT-TMIEN SKEDA
(Artikolu 49)




POLZA TAL-VOT – BALLOT PAPER

Għadd ta' Membri tal-Kamra tad-Deputati li għandhom jigu eletti		Distrett	
Number of Members of the House of Representatives to be elected		Division	
 Badge of Candidate Badge of Candidate	Ismijiet tal-Kandidati Names of Candidates	 Photo of Candidate Photo of Candidate	Ordni ta' Kandidati Order of Preference Order of Preference

PARTIT A

AZZOPARDI ALBERT , Ta' Gawdenz, ta' 140, Triq il-Kapuccini, San G'wann, Perit	
LIA PATRICK , ta' 44, 'Daffodil', Triq il-Kavallieri ta' Malta, I-Isla, Avukat	

PARTIT B

ABDILLA FRANCIS SAVIOUR [Frankie], ta' 21, 'La Paloma Bianca', Triq San Pju XIV, San Pawl il-Bahar, Impjegat il-Bank	
BALDACCHINO MARK ANTHONY , ta' 'April Love', Triq il-Konvoj ta' Santa Marija, Marsaskala, Avukat	
VELLA DEGIORGIO JAMES , ta' 240, 'Old Trafford', Triq l-Izbark ta' Franciżi, San Pawl il-Bahar, Nutar	
ZAMMIT HENRY ALFRED , ta' 18, Fl 3, Triq il-Vittmi tal-Gwerra, Bormla, Pensjonant	

PARTIT Ċ

ABELA CHRISTOPHER [Chris], ta' 107, 'San Siro', Triq Santa Marija, L-Imġar, Tabib/Konsulent fis-Sahha Pubblika	
BORG MALLIA NOREEN , ta' 6, Misrah Diċembru Tlettax, San Pawl il-Bahar, Procurement Officer	
GALEA GWENITH [Gwen], ta' 35, 'Shalom', Triq Nikola Briffa, Is-Sigġiewi, Konsulent Finanzjarju	
SANT BRIAN [Abraham], Ta' Bramu, ta' 21, 'Bianco Nero', Triq il-Gran Mastru Wignacourt, Fleur-De-Lys, Birkirkara, Negozjant	
UNGARO TRACY , Dr, ta' 'Villa Genesis', Triq il-Bajja s-Sabiha, Il-Mellieha, Tabiba	

KANDIDATI INDIPENDENTI

BUSUTTIL MATTHEW , il-Kitarriż, ta' 21, 'Villa Madama', Triq Valletta, Mosta, Direttur Artistiku	
TANTI PHILIP , ta' 89, Flat 6, Marigold Flats, Triq il-Vopa, Marsaskala, Pensjonant	

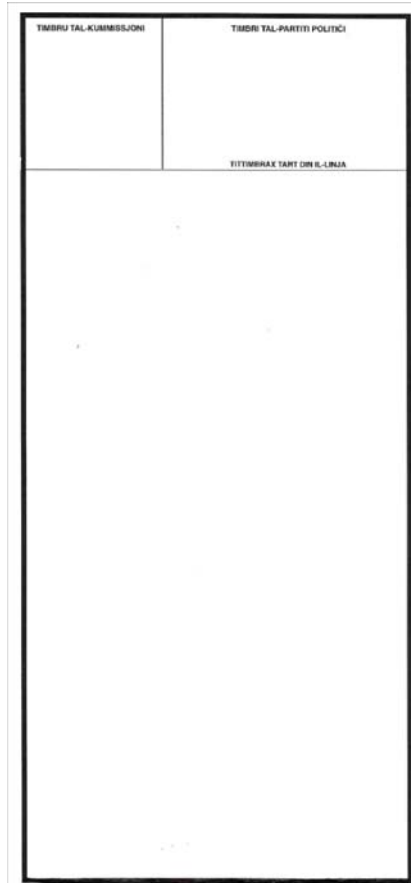
".

15. Minnufih wara t-Tmien Skeda tal-Att prinċipali għandha tizzied l-Iskeda ġdida li ġejja: Żieda ta' Skeda ġdida mal-Att prinċipali.

"L-ISKEDA 8A

(Artikolu 49)

In-naħa ta' wara tal-Polza tal-Vot



".

Żieda ta' Skeda ġdida mal-Att prinċipali.

16. Minnufih wara t-TleTTax-il Skeda tal-Att prinċipali għandha tiżdied l-Iskeda ġdida li ġejja:

"SKEDA TLETTAX-A

**Regolamenti tal-2019 dwar l-Elezzjonijiet Ġenerali
(Klassifika u Ghadd Elettroniku
tal-Poloz tal-Votazzjoni)**

TAQSIMA I

Preliminari

Titolu.

1. Dawn ir-regolamenti jistgħu jissejġu Regolamenti tal-2019 dwar l-Elezzjonijiet Ġenerali (Klassifika u Ghadd Elettroniku tal-Poloz tal-Votazzjoni).

Tifsir.

2. F'dawn ir-regolamenti sakemm ir-rabta tal-kliem ma teħtiegħ xort'oħra, il-kliem jingħataw l-istess tifsir tat-Tleġtax-il Skeda, barra minn hekk:

"Identifikatur uniku" tfisser sekwenza ta' numri użati biex tidentifika kull polza tal-votazzjoni partikolari u tikkonsisti minn:

Numru tad-distrett - 2 numri

Numru tal-kaxxa tal-voti - 4 numri

Numru tal-polza tal-vot - 4 numri

"Polza Elettronika" tfisser ir-rappreżentazzjoni elettronika ta' polza tal-votazzjoni fiżika f'format li jinqara minn magna miksuba mill-interpretazzjoni programmatika tal-preferenzi indikati fuq il-poloż tal-votazzjoni flimkien ma' identifikatur uniku li jqabbel il-Polza Elettronika mal-polza tal-votazzjoni u dik id-*data* l-oħra li l-Kummissjoni Elettorali tista' tqis li hija tajba biex taħżen;

"Polza mhux trasferibbli" tfisser Polza Elettronika li fiha ma tiġi rreġistrata l-ebda preferenza oħra jew sussegwenti għal kandidat kontinwu:

Iżda Polza Elettronika għandha titqies bħala valida imma li ma tibqax iżjed trasferibbli, kemm-il darba:

(a) l-ismijiet ta' żewġ kandidati jew iżjed (sew jekk ikunu jew ma jkunux minn ta' wara) huma immarkati bl-istess numru u jaħbtu wara, skont l-ordni tal-preferenza; jew

(b) l-isem tal-kandidat ta' wara, skont l-ordni tal-preferenza (sew jekk ikun jew ma jkunx minn ta' wara) hu mmarkat:

(i) b' numru li ma jiġix wara dak ta' xi numru ieħor miktub fuq il-polza; jew

(ii) b' żewġ numri jew iżjed; jew

(ċ) għal xi raġuni oħra li għaliha ma tistax taqta' sewwa għal liema wieħed mill-kandidati l-oħra ngħatat il-preferenza li baqgħet wara.

Applikabilità tat-Tleltax-il Skeda.

3. Salv kif provdut xort'oħra minn dawn ir-Regolamenti fl-għażla u l-għadd tal-voti, is-Sistema ta' Għadd Elettroniku għandha tirrispetta u tinkorpora, *mutatis mutandis*, ir-regolamenti, il-ħtigiet "tal-Eżempju ta' Kif Għandhom Jingħaddu l-Poloz tal-Votazzjoni f'Elezzjoni Magħmula skond is-Sistema ta' Rappresentanza Proporzjonali b'Vot Wieħed li jgħaddi minn Kandidat għal Iehor" imsemmija fit-Tleltax-il Skeda bl-esklużjoni tar-regolamenti 4, 5, 6, 7(2), 7(3), 11(2) u 14.

TAQSIMA II

Klassifika tal-voti

Assistenti.

4. Il-Kummissjoni għandha tiżgura li l-persuni kollha li tista' taħtar biex jassistu, jissorveljaw u jhaddmu s-Sistema ta' Għadd Elettroniku u t-tagħmir elettroniku kollu neċessarju għall-proċess għandhom ikunu mharrġa teknikament biex iwettqu l-funzjonijiet assenjati b'mod effiċjenti.

Proċessar tar-Rendikont tal-Poloz tal-Votazzjoni.

5. Malli tirċievi l-Kaxex tal-Votazzjoni, il-Kummissjoni għandha ddaħħal fis-Sistema ta' Għadd Elettroniku n-numru ta' voti mitfugħa kif iddikjarat fir-Rendikont ta' Poloz tal-Votazzjoni. In-numru ta' poloz tal-votazzjoni f'kull kaxxa skont ir-Rendikont ta' Poloz tal-Votazzjoni għandu jintwera fuq monitor għall-informazzjoni tal-kandidati u l-aġenti tagħhom.

Klassifika ta' poloz tal-votazzjoni.

6. Ladarba jinfethu l-kaxex tal-votazzjoni, kull polza tal-votazzjoni għandha tinħareġ u l-ewwel titqiegħed wiċċha 'l isfel biex jiġi aċċertat li fiha t-timbru uffiċjali tal-Kummissjoni, u li ma hemmx marki oħra fuq in-naħa ta' wara ħlief it-timbru uffiċjali tal-Kummissjoni u tal-partiti politiċi li jagħżlu li jagħmlu l-marka uffiċjali imbagħad tiġi mdawra, murija u mqiegħda wiċċha 'l fuq biex jiġi aċċertat li ma hemmx marki oħra fuq in-naħa ta' quddiem ħlief għan-numri li jindikaw il-preferenzi tal-votant. Wara li dak l-imsemmi proċess ikun intemm, il-poloz tal-votazzjoni għandhom imbagħad jitqiegħdu wiċċhom 'il fuq f'kontenitur xieraq immarkat bin-numru tal-kamra tal-votazzjoni, u fejn applikabbli, id-distrett jew in-numru tal-mejda u l-isem tal-lokalità. Kopja tar-Rendikont ta' Poloz tal-Votazzjoni flimkien mal-poloz tal-votazzjoni u l-kontenituri tagħhom għandhom jinżammu f'żona li għandha tkun viżibbli f'kull hin għall-kandidati u l-aġenti tagħhom:

Iżda jekk il-persuna li tgħodd tiddeċiedi li hemm possibbiltà illi, għal xi raġuni li toħroġ mill-Att dwar l-Elezzjonijiet Ġenerali, polza tal-votazzjoni tista' tkun invalida, jew jekk ikun hemm xi kandidat jew aġent li għall-istess raġuni jgħid l-istess haġa, il-persuna li tgħodd għandha tinforma lill-persuna li tissorvelja dwar dik il-polza tal-votazzjoni u l-persuna li tissorvelja għandha tittimbra dik il-polza tal-votazzjoni bħala "Dubjuż" fil-parti ta' fuq tan-naħa ta' quddiem tal-polza tal-votazzjoni u tqiegħed dawk il-poloż tal-votazzjoni fil-wiċċ tal-mazz:

Iżda ma għandha ssir l-ebda rikonċiljazzjoni tal-poloż tal-votazzjoni f'kull kontenitur ma' dawk imsemmija fir-Rendikont ta' poloż tal-votazzjoni f'dan l-istadju iżda għandha ssir wara l-fażi ta' skennjar skont ir-regolament 8(2).

Proċessar ta' poloż tal-votazzjoni.

7. (1) Il-poloż tal-votazzjoni għandhom jiġu pproċessati, b'mod ordnat, permezz tas-Sistema ta' Għadd Elettroniku li għandha toħloq u taħżen immaġni diġitali ta' kull polza tal-votazzjoni u għandha tipproċedi biex tikkonverti l-polza tal-votazzjoni f'Polza Elettronika. Bħala parti minn dan il-proċess, il-polza tal-votazzjoni għandha tkun immarkata b'identifikatur uniku li jkun jaqbel ma' dak mogħti lill-Polza Elettronika sabiex il-Kummissjoni tkun tista', jekk ikun meħtieġ, tidentifika u tqabbel il-poloż ipproċessati mal-poloż tal-votazzjoni u sabiex taċċerta li polza tal-votazzjoni tiġi pproċessata u magħduda darba biss.

(2) Il-persuni li jissorveljaw dan il-proċess għandhom jikkonfermaw li n-numru ta' poloż tal-votazzjoni misjuba f'kull kaxxa jaqbel ma' dak dikjarat fir-Rendikont ta' Poloż tal-Votazzjoni kif indikat mill-Assistenti Kummissjonarji Elettorali. Meta n-numru ta' voti misjuba ma jaqbilx, il-Kummissjoni għandha tiġi mgħarrfa minnufih sabiex twettaq dik l-investigazzjoni u tagħti l-istruzzjonijiet kollha meħtieġa.

(3) Meta tikkonverti l-poloż tal-votazzjoni f'format li jinqara minn magna, is-Sistema ta' Għadd Elettroniku għandha tidentifika u tavża lill-Kummissjoni bil-poloż tal-votazzjoni dubjużi kollha, jiġifieri dawk il-poloż kollha li jgħolqu diffikultà fl-interpretazzjoni tal-preferenzi jew li hemm possibbiltà illi, għal xi raġuni li toħroġ mill-Att dik il-polza tista' tkun invalida jew mhux trasferibbli.

Voti dubjużi.

8. (1) Il-Kummissjoni għandha tinvestiga kull Polza Elettronika dubjuża. B'dan li l-Kummissjoni tista' tqabbel il-polza tal-votazzjoni mmarkata mal-identifikatur uniku tal-Polza Elettronika:

Iżda l-poloż tal-votazzjoni għandhom jitneħħew temporanjament biss mill-kontenitur fuq ordni ta' jew minn Kummissjonarju Elettorali jew persuni oħra speċifikament delegati mill-Kummissjoni.

(2) Is-Sistema ta' Għadd Elettroniku għandha tavża lill-Kummissjoni bil-poloż dubjużi hekk kif il-poloż tal-votazzjoni f'kontenitur partikolari jiġu skennjati u vverifikati kollha.

(3) Wara investigazzjoni, polza dubjuża tista' titqies bħala:

(i) invalida u konsegwentement il-Polza Elettronika għandha titwarrab u tiġi injorata fl-għadd kollu;

(ii) polza mhux trasferibbli u konsegwentement il-parti mhux trasferibbli tal-Polza Elettronika għandha titwarrab u tiġi injorata, filwaqt li l-preferenzi validi għandhom jiġu rreġistrati u inklużi fl-ewwel u fl-għadd sussegwenti skont il-każ; jew

(iii) valida u konsegwentement is-sekwenza numerika fil-Polza Elettronika għandha tiddaħħal b'mod korrett sabiex jirrifletti fedelment il-polza tal-votazzjoni valida:

Iżda fil-każijiet kollha bħal dawn kull emenda jew operazzjoni manwali li tista' titwettaq fuq Polza Elettronika għandha tiġi rreġistrata fis-Sistema ta' Għadd Elettroniku, kif ukoll ir-raġuni għala l-polza hija invalida:

Iżda wkoll xejn f'dawn ir-regolamenti ma għandu jwaqqaf lill-Kummissjoni milli teżamina kull Polza Elettronika oħra.

Eżami tal-poloż –
l-ewwel livell.

(4) Il-Kummissjoni tista' taħtar dawk il-persuni li jidhrilha xierqa biex jirrevedu u jeżaminaw il-poloż dubjużi u biex twettaq l-azzjoni rilevanti meħtieġa skont is-subregolament preċedenti. Delegat ta' partit minn kull partit, jew sostitut, ikun jista' jagħmel osservazzjonijiet u jqajjem oġġezzjonijiet, f'liema każ il-polza dubjuża għandha tiġi riferuta lill-Kummissjoni għad-deċiżjoni finali tagħha skont is-subregolamenti li ġejjin.

Eżami tal-poloż –
it-tieni livell.

(5) Il-Kummissjoni, jew xi numru ta' membri tagħha li ma jkunux inqas minn tnejn, għandhom jinvestigaw kwalunkwe Polza Elettronika biex jiddeterminaw jekk hix valida, trasferibbli jew mhux trasferibbli jew invalida u għandhom, wara li jisimgħu r-rappreżentazzjonijiet tad-delegati tal-partiti, jew is-sostituti tagħhom, jiddeċiedu fir-rigward ta' kull Polza Elettronika, kemm jekk tkun valida, trasferibbli jew mhux trasferibbli jew invalida, jew għandhom jagħmlu kwalunkwe emenda għall-interpretazzjoni tal-vot biex tirrifletti b'mod korrett il-preferenzi dikjarati fil-polza.

(6) Id-deċiżjoni tal-Kummissjoni, jew xi numru ta' membri tagħha li ma jkunux inqas minn tnejn, f'dan ir-rigward għandha tkun finali u mhux appellabbli.

(7) Ladarba l-Poloż Elettroniċi dubjużi kollha f'kontenitur ikunu ġew investigati u ddikjarati validi, trasferibbli jew mhux trasferibbli jew invalidi, in-numru ta' Poloż Elettroniċi validi u invalidi f'dik il-kaxxa għandu jintwera fuq monitor jew metodu ieħor bħal dan għall-informazzjoni tal-kandidati u l-aġenti tagħhom. Kwalunkwe poloż tal-votazzjoni li setgħu ġew imneħħija kif ordnat minn Kummissjonarju għal aktar investigazzjoni għandhom jitqiegħdu lura fis-sekwenza korretta tagħhom fil-kontenitur tal-voti.

(8) Ladarba l-kaxex kollha ta' distrett elettorali jkun ġew ipproċessati n-numru totali ta' voti validi u invalidi għal dik it-taqsima għandu jintwera fuq monitor jew imħabbar b'metodu ieħor kif il-Kummissjoni jidhrilha xieraq.

Xoghol
preparatorju iehor.

9. (1) Qabel ma tibda l-ghadd elettroniku, il-Kummissjoni tista' twettaq tali awditjar, verifiki jew testijiet oħra li jidhrilha xierqa sabiex tiżgura l-korrettezza u l-kompletezza tas-Sistema ta' Ghadd Elettroniku. Il-Kummissjoni għandha tipproduċi rapporti li juru n-numru ta' voti validi fir-rigward ta' kull kaxxa flimkien ma' rapport separat li jindika li l-kandidati kollha qed jibdew b'xejn (0) voti.

(2) Għall-finijiet li tippermetti li l-ghadd isir bl-użu tas-Sistema ta' Ghadd Elettroniku, il-Kummissjoni tista' twettaq kwalunkwe funzjoni jew twettaq kwalunkwe proċedura li għandha tittiehed b'konnessjoni mal-ghadd b'mezzi elettronici kif jitqies meħtieġ jew konsegwenzjali għal dan.

(3) Il-Kummissjoni għandha toħroġ ordni biex l-ghadd tal-voti jibda biss wara li tkun sodisfatta li l-proċeduri u r-rekwiżiti stabbiliti mil-Liġi u l-Kummissjoni ġew sodisfatti.

TAQSIMA III

Għadd tal-poloż

Għadd tal-poloż.

10. Ladarba tiġi vverifikata d-*data* tal-*input*, is-Sistema ta' Ghadd Elettroniku għandha tistabbilixxi l-kwota kif stabbilit fir-regolament 8 tat-Tleltax-il Skeda.

Bidu tal-Għadd
Elettroniku.

11. (1) Is-Sistema ta' Ghadd Elettroniku għandha tibda l-ewwel ghadd b'sett ta' Poloz Elettronici ordnati b'ordni axxendenti bin-numru tal-polza u l-kaxxa tal-votazzjoni f'lokalità billi tassenja l-Poloz Elettronici validi kollha għall-pakketti skont il-kandidat preferut indikat f'kull Polza Elettronika u kull kandidat għandu jiġi kkreditat b'numru ta' voti ugwali għan-numru ta' Poloz Elettronici li jirrekordjaw l-ewwel preferenza għal dak il-kandidat.

(2) F'ghadd sussegwenti, il-Poloz Elettronici trasferibbli għandhom jiġu trasferiti u assenjati lill-pakkett ta' dak il-kandidat skont l-istess regoli tat-Tleltax-il Skeda.

(3) Is-Sistema għandha tipproċedi biex tikkalkula l-ewwel għadd u l-għadd sussegwenti kollha mingħajr waqfien, hlief fejn istruzzjonijiet huma meħtieġa mill-Kummissjoni skont dawn ir-regolamenti, inkluż meta kandidat irid jintgħażel għall-esklużjoni bix-xorti f'termini tas-subregolament 11(3) tat-TleTTax-il Skeda.

Abbozz ta' rapport tan-numri ta' voti.

12. Is-Sistema ta' Għadd Elettroniku għandha tipproduċi abbozz ta' rapport li juri n-numru ta' voti miksuba minn kull kandidat f'kull għadd. L-abbozz tar-rapport, f'dan l-istadju, ma jitqiesx bħala riżultat uffiċjali.

L-Abbozz tar-Riżultat.

13. Il-Kummissjoni għandha tibgħat kopja tal-abbozz tar-riżultat lid-delegati tal-partit sabiex ikunu jistgħu jaraw ir-riżultat skont ir-regolament 12:

Iżda l-Kummissjoni għandha tagħti lid-delegati tal-partit jew is-sostituti tagħhom, bil-miktub, perjodu ta' żmien adegwat, ugwali u raġunevoli mill-produzzjoni tal-abbozz tar-riżultat sabiex jaraw ir-riżultat, liema perjodu ta' żmien jista' jiġi estiż mill-Kummissjoni meta tircievi talba minn delegat tal-partit bir-raġunijiet li jiġġustifikaw it-talba. Id-deċiżjoni tal-Kummissjoni għandha tkun finali.

Aċċess għall-immagni ta' kull polza elettronika.

14. (1) Waqt il-perjodu ta' żmien riservat għall-wiri, id-delegati tal-partit għandhom id-dritt li jkollhom aċċess għall-immagni ta' kull Polza Elettronika flimkien mal-interpretazzjoni tiegħu, u li jkollhom aċċess għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi u dan unikament u esklussivament għall-iskopijiet ta' verifika li l-poloz tal-votazzjoni ġew interpretati b'mod korrett mis-Sistema u li l-preferenzi ddikjarati fil-poloz ġew korrettement allokati lill-kandidati:

Iżda d-delegati tal-partit m'għandhomx iżommu l-informazzjoni msemmija u għandhom jiżguraw it-tħassir sħiħ u l-qerda tal-informazzjoni mogħtija lilhom u kull kopja li setgħet saret wara l-verifika tal-poloz tal-votazzjoni u l-allokkazzjoni tagħhom, u dan minnufih malli jiskadi ż-żmien riservat għall-wiri:

Iżda wkoll kull persuna li tingħata aċċess għall-immagna ta' Polza Elettronika flimkien mal-interpretazzjoni tagħha, u/jew is-sett tad-*data* komplut jew parzjali li fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi tuża d-*data* għal skopijiet oħra barra dawk permessi skont dan is-subregolament jew iżzomm dik l-informazzjoni lil hinn mill-perjodu ta' żmien meħtieġ biex twettaq dawn l-għanijiet jew tonqos milli tħassar jew teqred l-informazzjoni wara l-konklużjoni tal-verifika tkun haġja ta' reat, u għandha, meta tinstab haġja, tehel multa ta' mhux aktar minn għaxart elf euro (€10,000) jew prigunerija għal żmien ta' mhux iżjed minn tnaħ-il xahar jew dik il-multa u prigunerija flimkien.

(2) Il-Kummissjoni għandha tiżgura li meta tipprovdi lill-partiti u lid-delegati tal-partit bl-informazzjoni msemmija fis-subregolament preċedenti dawn ikunu avżati bl-obbligi tagħhom skont dawn ir-regolamenti u l-Kummissjoni għandha s-setgħa timponi kull obbligu kontra l-iżvelar u obbligi oħra inkluż multi sabiex il-partiti, id-delegati tal-partit u s-sostituti tagħhom jikkonfermaw u jorbtu lilhom infushom biex ma jikkopjawx, iżommu, jippubblikaw jew inkella jużaw is-sett tad-*data* hlief għal skopijiet ta' verifika fil-qafas ta' żmien allokat lilhom u biex jiżguraw li meta jiskadi dak iż-żmien għandhom iħassru u/jew jirritornaw id-*data* lill-Kummissjoni.

(3) Il-Kummissjoni għandha tinvestiga kif tqis xieraq kull oġġezzjoni motivata jew ilment li delegat tal-partit, jew partit kontestanti jista' jressaq fir-rigward tal-korrettezza tar-riżultat.

(4) Wara l-pubblikazzjoni tar-riżultat finali, il-Kummissjoni m'għandhiex tipprovdi aċċess għall-immagna ta' kull Polza Elettronika flimkien mal-interpretazzjoni tagħhom jew għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi u għandha tiżgura li ma tagħti l-ebda informazzjoni li b'xi mod tista' tfixkel is-segretezza tal-vot.

Thabbir tar-riżultat.

15. (1) Wara d-dikjarazzjoni mill-partiti li huma sodisfatti bir-riżultat jew wara l-iskadenza taż-żmien permess għall-verifika kif indikat fir-regolament 13 ta' din l-Iskeda, il-Kummissjoni għandha tiddikjara u tippubblika r-riżultati finali u definittivi tal-ewwel għadd.

(2) Il-Kummissjoni għandha turi fuq monitor jew aktar għall-informazzjoni tal-kandidati u l-aġenti tagħhom ir-riżultati għall-ewwel għadd. Il-Kummissjoni għandha tippermetti perjodu qasir ta' żmien u mbagħad tippubblika r-riżultat finali u definittiv tat-tieni u kull għadd sussegwenti. It-tul tal-perjodu ta' żmien bejn kull għadd ikun stabbilit mill-Kummissjoni fid-diskrezzjoni unika tagħha.

Għadd mill-ġdid ta' xi poloz.

(3) Kwalunkwe kandidat jew aġent jista', qabel ma jintwera l-għadd li jmiss, jitlob lill-Kummissjoni biex terġa' teżamina d-dokumenti kollha jew uħud trattati matul dak l-għadd, f'liema każ il-Kummissjoni għandha tissospendi l-wiri tal-għadd individwali u minflok għandu juri fuq monitor jew aktar il-poloż elettronici kollha li ġew ipproċessati f'dak l-għadd b'mod sekwenzjali.

(4) Meta l-voti jiġu eżaminati b'dan il-mod kull żball suspettat għandu jingieb immedjatament għall-attenzjoni tal-Kummissjoni li għandha tinvestiga l-kwistjoni u tiddeċiedi kif tipproċedi, id-deċiżjoni tal-Kummissjoni hija finali u mhux appellabbli.

(5) Wara l-wiri tal-għadd kollu fuq il-monitor, ir-riżultat ikun finali u definittiv:

Iżda l-partiti kollha għandhom l-istess drittijiet skont il-liġi biex jikkontestaw ir-riżultat kif johrog mil-Liġi u mill-Att dwar l-Elezzjonijiet Ġenerali u l-Iskedi tiegħu.

Mezzi u *software* li jintużaw.

16. (1) Is-Sistema ta' Għadd Elettroniku u kull mezz jew *software* maħsub biex jaħdem flimkien mas-Sistema għandu jiġi ttestjat b'mod adegwat qabel ma jiġu approvati mill-Kummissjoni Elettorali biex iwettqu l-proċess ta' għadd u għażla elettronika. Il-Kummissjoni għandha tiżgura li l-magni tal-għadd u kull reviżjoni sussegwenti għandhom ikunu akkreditati u kkonfermati biex jaħdmu b'mod korrett f'konformità mat-TleTTax-il Skeda u din l-Iskeda minn awtorità tal-akkreditazzjoni li tista' titqies xierqa mill-Kummissjoni.

Sigurtà u integrità.

(2) Mill-inqas tliet (3) settijiet identiċi tal-verżjoni finali u approvata tas-*software* għall-Magna tal-Għadd u l-Interpretazzjoni u t-Traskrizzjoni f'lingwa li tista' tinqara minn magna għall-preferenzi tal-votazzjoni għandhom jinħażnu f'format diġitali fuq midja xierqa għall-ħażna fit-tul tal-istess *data* f'pakketi; liema pakketi għandhom ikunu ssiġillati mill-Kummissjoni u mid-delegati tal-partit u maħżuna mill-Kummissjoni f'post sigur. Id-delegati tal-partit għandhom id-dritt għal sett tas-*software* installat fuq *server* sigur ipprovdut mill-Kummissjoni fil-Kumpless tal-Għadd, fil-jum tal-votazzjoni, u qabel il-bidu tal-għażla u l-għadd elettroniki jew fi kwalunkwe hin ieħor kif jista' jiġi deċiż mill-Kummissjoni.

(3) Il-Kummissjoni għandha tivverifika u tassigura fil-preżenza tad-delegati tal-partit li s-*software* disponibbli għad-delegati tal-partit kif provdut fis-subregolament (2) preċedenti huwa identiku għas-*software* li se jintuża fis-Sistema ta' Għadd Elettroniku.

Verifika tas-Sistema ta' Għadd Elettroniku.

17. Il-Kummissjoni għandha tiżgura li s-Sistema ta' Għadd Elettroniku tkun operata indipendentement minn sistemi oħra u hielsa minn kwalunkwe forma ta' interferenza elettronika.

Proċeduri oħra stabbiliti mill-Kummissjoni.

18. Il-Kummissjoni tista' tiddefinixxi u tistabbilixxi tali proċeduri ulterjuri li jistgħu jkunu meħtieġa biex topera aħjar is-Sistema.

Użu ta' għadd manwali.

19. Il-Kummissjoni tista', jekk jidhrilha hekk meħtieġ fiċ-ċirkostanzi, tordna s-sospensjoni tal-użu tas-Sistema ta' Għadd Elettroniku għall-għadd u l-għażla tal-voti u minflok tmur lura għar-regoli tat-Tlettax-il Skeda jew regolamenti oħra bħal dawn mahruġa skont l-artikolu 105 li jista' jkun fis-seħħ minn żmien għal żmien:

Iżda f'ċirkostanzi bħal dawn il-Kummissjoni għandha, għall-finijiet u effetti kollha tal-liġi, titqies li ddeċidiet li ma tużax Sistema ta' Għadd Elettroniku għall-għadd u l-għażla tal-voti.

Postijiet ta' Membri li jitbattlu.

20. Meta post ta' Membru jitbattal, ir-regolamenti 18 sa 22 tat-Tlettax-il Skeda għandhom jiġu applikati b'tali mod li l-eżami tal-poloż tal-votazzjoni għandu jsir mis-Sistema ta' Għadd Elettroniku bl-użu tal-pakkett finali riżultanti tal-Kandidat kif prodott mis-Sistema.

L-artikolu 52 tal-Kostituzzjoni.

21. Għall-finijiet sabiex jiġu eletti l-membri addizzjonali, jekk ikun hemm, meħtieġa skont is-subparagrafi (i) u (ii) tal-ewwel proviso għas-subartikolu (1) tal-artikolu 52 tal-Kostituzzjoni u s-subparagrafi (i) u (ii) tat-tieni proviso tal-istess subartikolu, għandhom jiġu applikati r-regoli u r-regolamenti misjuba fit-Taqsima IV tat-Tleltax-il Skeda.

**EŻEMPJU TA' KIF GĦANDHOM JINGĦADDU L-
POLOZ TAL-VOTAZZJONI F'ELEZZJONI
MAGĦMULA SKONT IS-SISTEMA TA'
RAPPREŻENTANZA PROPORZJONALI B'VOT
WIEĦED LI JGĦADDI MINN KANDIDAT GĦAL
IEHOR B' SISTEMA TA' GĦADD ELETTRONIKU**

Nagħmlu li għandhom jingħażlu sitt membri u li hemm ħdax-il kandidat A, B, C, D, E, F, G, H, I, K, L.

IL-KWOTA

Wara li l-poloż tal-votazzjoni jkunu kollha skennjati, verifikati u aġġudikati, jiġi maħluq sett ta' poloż elettronici f'ordni skont in-numru tal-vot u n-numru tal-kaxxa tal-polza. It-total tal-Poloż Elettronici validi huwa 348. Wara li niddividu t-total bin-numru sebgha (jiġifieri bin-numru ta' postijiet battala, u miegħu nżidu wieħed) insibu li għandna 50 (jiġifieri n-numru 49 li ħareġ mid-distrett elettorali u 1 iżjed, bla ma nagħtu każ tal-frazzjoni). Dan in-numru ta' 50 huwa l-"kwota", jew in-numru ta' voti meħtieġa għall-għażla ta' membru.

L-EWWEL GĦADD

Il-kollezzjoni ta' poloż elettronici fl-ordni skont dawn ir-regolamenti jitqies bħala l-mazz inizjali għas-Sistema ta' Għadd Elettroniku. Dan il-mazz inizjali jiġi eżaminat u l-Poloż Elettronici jitqassmu f'mazzi ġodda f'isem il-kandidat li jkun ingħata l-ewwel preferenza f'dik il-polza partikolari.

Nagħmlu li r-riżultat tal-għadd huwa dan ta' hawn taħt:

Kandidat	Voti
A	7
B	140
C	25
D	10
E	4
F	62
G	14
H	50
I	12
K	0
L	24
Mhux Trasferibbli	0
B'kollox	348

Il-voti li ħadu B, F u H huma 'l fuq mill-kwota jew daqsha, u għalhekk dawn il-kandidati għandhom jitqiesu li ġew eletti.

IT-TIENI GHADD

B għandu 90 vot iżjed (jiġifieri total ta' 140, nieqes il-50 tal-kwota) u billi dan huwa l-akbar fost in-numri ta' voti li ħadu l-oħrajn, l-ewwel ma għandu jitqassam u jingħadd fuq il-kandidati l-oħra huwa ż-żejjed ta' B.

Il-140 polza ta' B jiġu eżaminati kollha u mqassmin f'mazzi godda għalihom skont il-preferenzi li baqgħu għall-kandidati ta' wara kif ġew immarkati fuq l-istess poloz.

Aktarx dejjem il-preferenzi li jkun hemm wara tkun dik tat-tieni numru. Imma dawk il-poloz elettronici li fihom giet mogħtija t-tieni preferenza lil F jew lil H, billi dawn huma diġà eletti, iġġaddu għal fuq il-preferenzi l-oħra ta' wara dawn il-kandidati. Il-polza elettronika li fiha jkun hemm immarkata in-numru 1 quddiem B, 2 quddiem H, 3 quddiem F, 4 quddiem I tiġi mqieghda fil-mazz ġdid ta' I.

Isir mazz ġdid għalih ukoll ta' dawk il-poloż li fihom ma jkunx hemm immarkata l-preferenza li tibqa' wara, jiġifieri ta' dawk il-poloż li fihom ma jkunx hemm immarkata il-preferenza li tibqa' favur kandidat ta' wara u li għalhekk ma humiex trasferibbli.

Insibu li r-riżultat hu dan:

Hemm immarkata preferenza ta' wara għal D fuq	80 polza
Hemm immarkata preferenza ta' wara għal E fuq	2 poloz
Hemm immarkata preferenza ta' wara għal I	25 polza
Hemm immarkata preferenza ta' wara għal K	29 polza
Total ta' poloż trasferibbli	136 polza
Total ta' poloż li m'humiex trasferibbli ..	4 poloz
Total ta' poloż ta' B.....	140 polza

Billi n-numru kollu ta' poloż trasferibbli (li hu ta' 136) hu 'l fuq mill-voti żejda (ta' 90), minn kull mazz ġdid tista' tittiehed u tghaddi għal fuq haddiehor porzjon biss, u n-numru ta' poloż li għandhom jittieħdu minn kull mazz ġdid biex jingħataw lil haddiehor, għandu jkollu, man-numru kollu tal-poloż fil-mazzi godda, dik il-proporzjon li hemm bejn iż-żejjed u n-numru kollu ta' poloż trasferibbli.

Fi kliem ieħor, in-numru ta' poloż li għandhom jittieħdu u jgħaddu għal fuq haddiehor minn kull mazz ġdid insibuh billi nimmultiplikaw in-numru tal-poloż li hemm f'kull wieħed minn dawn il-mazzi bin-numru 90 (li hu n-numru ta' poloż żejda) u niddividu dak li jiġina bil-136 (li hu n-numru totali ta' poloż trasferibbli) li jiġi 0.6617647.

Il-kalkolu għandu jsir hekk:

Kandidat	Mazz		poloz	Frazzjoni		Effettiva- ment Trasferiti
D	80	x 0.6617647	52	.9412	+1	53
E	2	x 0.6617647	1	.3235		1
I	25	x 0.6617647	16	.5441	+1	17
K	29	x 0.6617647	19	.1912		19
Total			88	2		90

In-numri tal-Poloz Elettroniċi li għandhom jittieħdu u jgħaddu fuq il-kandidati ta' wara skont il-kalkolu ta' hawn fuq, fihom partijiet deċimali u billi ma jistgħux jittieħdu hlief poloz sħaħ, għalhekk għandhom jitqiesu bħala waħdiet sħaħ dawk il-partijiet deċimali li huma l-akbar, meħudin wieħed wara l-ieħor skont il-kobor tagħhom, u li jkunu biżżejjed biex iġibu total ta' Poloz Elettroniċi trasferibbli li jkun jaqbel maż-żejjed ta' voti.

Għalhekk billi n-numri sħaħ li ħarġu minn dan il-kalkolu jgħibu s-somma ta' 88 biss, jiġifieri (52+1+16+19), jew tnejn inqas miż-żejjed ta' 90, iż-żewġ partijiet deċimali .9412 u .5441, li huma l-akbar fost l-oħrajn, inqisuhom bħala numri sħaħ ta' wieħed u għalhekk in-numri ta' Poloz Elettroniċi li għandhom jgħaddu fuq l-oħrajn huma bħalma ser nuru hawn taħt:

Lil D	53 polza
Lil E	1 polza
Lil I	17-il polza
Lil K	19-il polza
Total ta' poloz li huma ż-żejjed ta' Poloz ta' B	90 polza

Il-Poloz Elettroniċi partikolari li għandhom jgħaddu fuq D, E, I u K huma dawk miżjudin fl-aħħar fuq il-mazzi ġodda ta' kull wieħed minn dawn il-kandidati, u għalhekk huma dawk li fil-mazzi jinsabu isfel nett.

Dawn il-Poloz Elettroniċi jiżdiedu f'mazzi għalihom mal-mazzi ta' D, E, I u K. (Niftakru li K ma kellu ebda mazz b'voti ewlenin).

Għalhekk it-total ta' dawn il-voti mogħtijin lil dawn il-kandidati jsiru:

Lil D	$10 + 53 = 63$	2 mazzi
Lil E	$4 + 1 = 5$	2 mazzi
Lil I	$12 + 17 = 29$	2 mazzi
Lil K	$0 + 19 = 19$	1 mazz

Il-bqija tal-Poloz Elettroniċi fil-mazzi ġodda tal-kandidat elett B, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn flimkien mal-poloz, li fuqhom ma kien hemm immarkata ebda preferenza ta' wara, issa jiffurmaw il-mazz, li jġibu l-kwota ta' B (50). Dan il-mazz izomm l-ordni tal-mazz originali ta' B.

Dan il-mazz fih:

Il-bqija tal-mazz ġdid ta' D	80 – 53 = 27
Il-bqija tal-mazz ġdid ta' E	2 – 1 = 1
Il-bqija tal-mazz ġdid ta' I	25 – 17 = 8
Il-bqija tal-mazz ġdid ta' K	29 – 19 = 10
Total ta' poloz li mhumiex trasferibbli	4
Total li hu l-kwota ta' B	50

Ir-riżultat ta' votazzjoni fil-konkluzjoni tat-Tieni Għadd huwa dan:

Kandidat	Voti
A	7
B	50 (elett)
C	25
D	63 (elett)
E	5
F	62 (elett)
G	14
H	50 (elett)
I	29
K	19
L	24
Mhux Trasferibbli	0
Total	348

B'dan il-mod D għandu 63 vot, jiġifieri numru ta' voti 'l fuq mill-kwota. Għalhekk jitqies li ġie magħżul.

IT-TIELET GHADD

Issa baqgħu żewġ riżultati b'żejjed ta' voti jew b'numri 'l fuq mill-kwota, li huma dak ta' F (12) u dak ta' D (13). L-ewwel li jingħadd għal fuq il-kandidati li jibqgħu huwa ż-żejjed ta' F, għax għalkemm hu l-iċken, ġej minn għadd ta' qabel. Iż-żejjed ta' F jiġi mqassam bil-proporzjon fost il-preferenzi li baqgħu wara, skont ma huma mmarkati fuq it-62 polza ewlenija ta' F, u bl-istess mod bħalma ġew imqassmin fil-każ ta' B. B'hekk insibu li 9 poloz jgħaddu fuq L, 2 poloz fuq C u 1 fuq A.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil L	24 + 9 = 33	2 mazzi
Lil C	25 + 2 = 27	2 mazzi
Lil A	7 + 1 = 8	2 mazzi

Il-bqija tal-Poloz Elettroniċi fil-mazz tal-kandidat Elett F, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn flimkien mal-poloz li mhumiex trasferibbli issa jagħmlu l-mazz u jagħmlu l-kwota ta' F (50). Dan il-mazz iżomm l-ordni tal-mazz originali ta' F.

Il-Poloz Elettroniċi fil-mazz tal-kandidat Elett H (li fl-ewwel għadd ġieb il-kwota eżatta) jibqgħu fl-ordni tal-mazz originali u jagħmlu l-kwota ta' H (50).

IR-RABA' GHADD

Issa għandu jitqassam iż-żejjed ta' D (13). Għal daqshekk għandu jittiehed biss il-mazz ġdid li ġie mgħoddi fl-aħħar u li fih 53 polza. Dawn jiġu eżaminati u jitqassmu f'mazzi ġodda, skont il-preferenzi li hemm għall-kandidati l-oħra u b'hekk insibu dan ir-riżultat:

Lil I ġiet mogħtija preferenza li baqgħet wara	42 polza
Lil K ġiet mogħtija preferenza li baqgħet wara	10 poloz
Total ta' poloz trasferibbli	52 polza
Total ta' poloz mhux trasferibbli	1 polza
Total	53 polza

In-numru ta' poloz li għandhom jittiehdu u jgħaddu minn kull mazz insibuh billi nimmultiplikaw in-numru ta' poloz fil-mazzi ġodda bi 13 (li hu ż-żejjed ta' voti) u niddividu dak li jiġina bi 52 (in-numru kollu ta' poloz trasferibbli); għalhekk

Is-sehem miż-żejjed ta' voti li jmiss lil I hu. $42 \times 0.25 = 10.5$

Is-sehem miż-żejjed ta' voti li jmiss lil K hu $10 \times 0.25 = 2.5$

Billi l-partijiet decimali huma ndaqs, għandha titqies li hi l-akbar parti decimali dik li hi ġejja mill-akbar mazz. Għalhekk is-sehem miż-żejjed ta' voti ta' D li jmiss lil I hu ta' 11-il vot, u dak li jmiss lil K hu ta' 2 voti.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil I $12 + 17 + 11 = 40$ 3 mazzi

Lil K $19 + 2 = 21$ 2 mazzi

Il-bqija tal-Poloz Elettroniċi fil-mazz tal-kandidat elett D, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn (39) flimkien mal-poloz li mhumiex trasferibbli (1) u l-għaxar (10) poloz mogħtija fl-ewwel għadd, li flimkien jagħtu total ta' hamsin polza issa jagħmlu l-mazz bil-kwota ta' D.

Ir-riżultat ta' votazzjoni fil-konklużjoni tar-Raba' Għadd huwa dan:

Kandidat	Voti
A	8
B	50 (elett)
C	27
D	50 (elett)
E	5
F	50 (elett)
G	14
H	50 (elett)
I	40
K	21
L	33
Mhux Trasferibbli	0
Total	348

IL-HAMES GHADD

Billi m'hemmx iżjed voti żejda x'jitqassmu, il-Kummissjonarju Elettorali jibda biex jgħaddi u jqassam il-voti tal-kandidati li ġiebu l-inqas numri ta' voti. Il-kandidat li għandu l-inqas voti hu E, li ġieb 5 voti. Il-Poloz Elettroniċi fil-mazz tal-kandidat E jiġu eżaminati u jitqassmu f'mazzi ġodda, skont il-preferenzi li hemm għall-kandidati l-oħra bir-riżultat li 4 poloz huma mqassma lil I filwaqt li polza (1) mhix trasferibbli titwarrab għaliha bla ma titqassam, dejjem skont l-ordni tal-mazz oriġinali tal-kandidat E.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil I	12+17 + 11 + 4 =44	4 mazzi
Mhux trasferibbli	1	1 mazz

Ir-riżultat ta' votazzjoni fil-konklużjoni tal-Hames Ghadd huwa dan:

Kandidat	Voti
A	8
B	50 (elett)
C	27
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	14
H	50 (elett)
I	44
K	21
L	33
Mhux trasferibbli	1
B'kollox	348

IS-SITT GHADD

Il-Kummissjonarju Elettorali jgħaddi biex iqassam il-voti tal-kandidat A, li hu l-kandidat bl-inqas numri ta' voti fir-rizultat bi 8. Il-Poloz Elettroniċi fil-mazz tal-kandidat A jiġu eżaminati u jitqassmu f' mazzi godda, skont il-preferenzi li hemm għall-kandidati l-oħra bir-rizultat li polza (1) tingħata lil C filwaqt li 7 poloz jingħataw lil G.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C $25 + 2 + 1 = 28$ 3 mazzi

Lil G $14 + 7 = 21$ 2 mazzi

Ir-rizultat tal-votazzjoni fil-konkluzjoni tas-Sitt Għadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	28
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	44
K	21
L	33
Mhux trasferibbli	1
B'kollox	348

IS-SEBA' GHADD

Bis-sitt għadd ma jiġi magħżul ebda kandidat u għalhekk jeħtieġ li jitkompli x-xogħol bil-għadd ta' wara. Il-kandidati G u K għandhom kull wieħed l-istess numru ta' voti (21) u l-inqas li għandhom voti. L-ewwel ma jitqassmu l-poloż ta' K billi dan, fl-ewwel għadd, kien ġieb voti inqas minn G. Meta jitqassmu l-poloż ta' K (21), 3 poloż jingħataw lil C, 15 lil I, u 1 lil L, u 2 jibqgħu bla ma jitqassmu billi huma poloż li mhumiex trasferibbli. B'dan il-mod I iwassal it-total ta' 59 vot u għalhekk jitqies bħala elett.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C	$25 + 2 + 1 + 3 = 31$	4 mazzi
Lil I	$12 + 17 + 11 + 4 + 15 = 59$	5 mazzi
Lil L	$24 + 9 + 1 = 34$	3 mazzi
Mhux trasferibbli	$1 + 2 = 3$	2 mazzi

Ir-riżultat tal-votazzjoni fil-konkluzjoni tas-Seba' Għadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	31
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	59 (elett)
K	0 (eliminat)
L	34
Mhux trasferibbli	3
B'kollox	348

IT-TMIEN GHADD

Issa wasalna biex inqassmu ż-żejjed ta' voti (9) li għandu I. Għaldaqshekk għandu jittiehed biss il-mazz ġdid ta' poloz li kienu dan l-aħħar mgħoddija lil I (15-il polza). Dawn jingabru f' mazzi ġodda favur il-kandidati li jibqgħu u b'hekk insibu li għandna dan ir-riżultat:

Lil C giet mogħtija preferenza li baqgħet wara	4 poloz
Lil L giet mogħtija preferenza li baqgħet wara	3 poloz
Total ta' poloz trasferibbli	7 poloz
Total ta' poloz li mhumiex trasferibbli	8 poloz
B'kollox	15 polza

F'dan il-każ it-total ta' poloz trasferibbli (7) hu inqas miż-żejjed ta' voti (9) u għalhekk il-Kummissjonarju Elettorali jgħaddi l-mazzi ġodda kollha ta' poloz trasferibbli lill-kandidati l-oħra li huma mmarkati bil-preferenza li tibqa'. B'dan il-mezz jingħataw 7 voti miż-żejjed ta' 9 voti żejda. Hemm differenza ta' 2 poloz. Il-mazz ġdid ta' poloz li mhumiex trasferibbli jiġi għalhekk maqsum fi tnejn, wieħed fih 2 poloz (li jagħmlu miż-żejjed ta' voti) u l-ieħor fih 6 poloz (li huma meħtieġa għall-kwota ta' I). Il-porzjon li fih 2 poloz titqiegħed għaliha flimkien mal-mazzi l-oħra ta' poloz li mhumiex trasferibbli, u l-porzjon li fih 6 poloz jinżamm biex bih ikun hemm il-kwota ta' I (6 + 44 = 50).

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C	$25 + 2 + 1 + 3 + 4 = 35$	5 mazzi
Lil L	$24 + 9 + 1 + 3 = 37$	4 mazzi
Mhux trasferibbli	$1 + 2 + 2 = 5$	3 mazzi

Ir-riżultat ta' votazzjoni fil-konkluzjoni tat-Tmien Għadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	35
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	50 (elett)
K	0 (eliminat)
L	37
Mhux trasferibbli	5
B'kollox	348

ID-DISA' GHADD

Billi m'hemmx iżjed voti żejda, il-voti ta' G, li għandu l-inqas voti, jiġu mqassmin. Fil-mazz ta' G, ta' 21 polza, hemm 7 poloz li fihom hemm il-preferenza ta' wara mogħtija lil C, u 12-il polza li fihom hemm il-preferenza ta' wara mogħtija lil L u 2 poloz li mhumiex trasferibbli. Għalhekk 7 poloz imorru fuq C u 12 fuq L, u 2 jitqiegħdu mazz għalihom mal-mazzi l-oħra ta' poloz li mhumiex trasferibbli.

Għalhekk it-total ta' dawn il-voti mogħtijin lil dawn il-kandidati jsiru:

Lil C	$25 + 2 + 1 + 3 + 4 + 7 = 42$	6 mazzi
Lil L	$24 + 9 + 1 + 3 + 12 = 49$	5 mazzi
Mhux trasferibbli	$1 + 2 + 2 + 2 = 7$	4 mazzi

Ir-Riżultat finali tal-Votazzjoni huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	42
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	0 (eliminat)
H	50 (elett)
I	50 (elett)
K	0 (eliminat)
L	49
Mhux trasferibbli	7
B'kollox	348

Billi issa m'hemmx iżjed voti żejda, C, il-kandidat li għandu l-inqas numru ta' voti jiġi maħruġ mill-elezzjoni. Imma billi baqa' post battal u ma baqax iżjed kandidati, hlief L, L jiġi magħżul mingħajr ebda trasferiment ta' voti.

Ir-riżultat tal-aħħar hu illi B, F, H, D, I u L jiġu eletti."

TAQSIMA II

EMENDI GĦALL-ATT DWAR KUNSILLI LOKALI

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".

Emendi għall-Att dwar Kunsilli Lokali Kap. 363.

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

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) minnufih wara t-tifsira "Sindku" għandha tiżdied t-tifsira ġdida li ġejja:

" "Sistema ta' Għadd Elettroniku" tfisser il-proċess, il-programm tal-kompjuter u/jew *hardware* tal-kompjuter, tagħmir ieħor, *data* u servizzi kif jista' jkun meħtieġ sabiex:

(a) iżzomm id-*data* rilevanti fir-rigward tal-elezzjoni li qed issir;

(b) tieġu immaġni ta' kull polza tal-vot u tinterpreta l-preferenzi;

(ċ) tistabilixxi rabta bejn kull vot maħżun elettronikament u l-poloż tal-votazzjoni ekwivalenti permezz ta' identifikatur uniku;

(d) tipproċessa d-*data* miġbura u l-poloż b'tali mod li tikkalkula n-numru ta' voti mitfugħa għal kull kandidat fl-elezzjoni u tiddetermina r-riżultat finali skont dan l-Att u r-Regolamenti tal-1993 dwar l-Elezzjonijiet ta' Kunsilli Lokali; u

(e) tiżgura ż-żamma ta' rekords xierqa."; u

(b) minnufih wara t-tifsira "uffiċjal pubbliku" għandha tiżdied it-tifsira ġdida li ġejja:

" "żmien riservat għall-wiri" tfisser il-ħin li jibda minn dak il-ħin li fih il-Kummissjoni tagħti aċċess lid-delegati tal-partit għall-immaġni ta' kull polza elettronika flimkien mal-interpretazzjoni tiegħu u għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-poloż elettronici u li jintemm erba' sigħat wara l-ħin li l-Kummissjoni tibgħat kopja tal-Abbozz tar-Riżultat lid-delegati tal-partit skont ir-regolament 13.".

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 16 għandu jiġi emendat kif ġej:

(i) fil-paragrafu (a) minnufih qabel il-kliem "il-lok," għandhom jidhlu l-kliem "is-sit elettroniku u/jew il-mod kif il-kandidati jistgħu jissottomettu n-nomini b'mod elettroniku," il-kliem "ta' tliet ijiem" għandhom jiġu sostitwiti bil-kliem "ta' ħamest ijiem" u l-kliem "ta' jumejn mit-temm" għandhom jiġu sostitwiti bil-kliem "ta' ġurnata mit-temm"; u

(ii) minnufih wara l-paragrafu (d) għandu jiżdied il-paragrafu ġdid li ġej:

"(e) jekk il-Kummissjoni ddeċidiet li tuża Sistema ta' Ghadd Elettroniku:

Iżda deċiżjoni ppubblikata biex tintuża Sistema ta' Ghadd Elettroniku ma għandhiex topera biex ma

tħallix lill-Kummissjoni, fl-opinjoni meqjusa tagħha, tirrevoka jew tregġa' lura fi kwalunkwe hin, id-deċiżjoni tagħha li tuża Sistema ta' Għadd Elettroniku biex terġa' lura għas-Sistema manwali kif spjegat fit-Tielet Skeda.";

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

(i) fis-subregolament (1A), il-kliem "qabel tlettax-il ġurnata iżda mhux aktar tard minn għaxart ijiem qabel il-votazzjoni tistampa dak in-numru ta' karti tal-vot skont kemm ikun meħtieġ għall-votazzjoni f'dik l-għamla u fuq dak il-materjal skont ma jista' jiġi provdut dwaru fl-Att." għandhom jiġu sostitwiti bil-kliem "qabel wiehed u għoxrin ġurnata iżda mhux aktar tard minn għaxart ijiem qabel il-votazzjoni tistampa dak in-numru ta' karti tal-vot skont it-Tmien Skeda u kemm ikun meħtieġ għall-votazzjoni f'dik l-għamla u fuq dak il-materjal skont ma jista' jiġi provdut dwaru fl-Att. Dan ma jgħoddx għall-istampar fuq wara tal-poloż tal-vot skont l-Iskeda 8A.";

(ii) fis-subregolament (3), il-kliem "tan-nomina ta' kull wiehed minnhom u kif approvat mill-Kummissjonarji Elettorali." għandhom jiġu sostitwiti bil-kliem "tan-nomina, u r-ritratt tal-wieċ meħud bl-iswed fuq sfond abjad ta' kull wiehed minnhom u kif approvat mill-Kummissjoni Elettorali. Ir-ritratt għandu jingħadda lill-Kummissjoni b'mod elettroniku sa hamest ijiem miż-żmien stabbilit għall-oppożizzjonijiet dwar in-nomini. F'każ li kandidat ma jottemporax ruħu, il-Kummissjoni tkun awtorizzata tuża r-ritratt tal-kandidat li jkollu fuq il-karta tal-identità.";

(iii) fis-subregolament (6), il-kliem "quddiem l-isem ta' kull" għandhom jiġu sostitwiti bil-kliem "minnufih qabel l-isem ta' kull";

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

(i) is-subregolament (1) għandu jiġi sostitwit b'dan li ġej:

"(1) Il-kandidat għal elezzjoni għandu jiġi nominat bil-miktub jew b'mezzi elettronici:

(a) fejn kandidat huwa nominat bil-miktub, il-formula tan-nomina, li għandha tkun skont kif hemm fid-Disa' Skeda, għandha tkun

iffirmata mill-kandidat innifsu (jew, jekk ikun nieqes minn Malta, minn rappreżentant tiegħu maħtur għal daqshekk), u mill-anqas minn erba' eletturi rreġistrati fil-lokalità li għaliha l-kandidat ikun nominat. Il-formula tan-nomina għandha tiġi kunsinnata lil wieħed mill-kummissjonarji fl-Uffiċċju Elettorali mill-kandidat innifsu, jew, jekk ma jkunx jista' minhabba mard jew għax ikun nieqes minn Malta, mir-rappreżentant legittimu tiegħu, fiż-żmien miġjub fl-avviż imsemmi fir-regolament 16;

(b) fejn kandidat huwa nominat b'mezzi elettronici, il-formula ta' nominazzjoni, li għandha tkun fil-forma kif deskritta fid-Disa' Skeda ta' dan l-Att, għandha timtela permezz ta' sit elettroniku mhejji għal dan il-għan mill-Kummissjoni u liema nominazzjoni għandha tiġi ffirmata mill-kandidat elettronikament. In-nomina għandha wkoll tinkludi attestazzjoni għan-nomina minn tal-anqas erba' votanti rreġistrati fil-lokalità għal liema l-kandidat huwa nominat, liema attestazzjoni għandha ssir permezz tal-imsemmi sit elettroniku bil-mod u manjiera kif stabbilit mill-Kummissjoni. In-nomina għandha tiġi sottomessa fil-perjodu stabbilit fl-avviż imsemmi fir-regolament 16.";

(ii) fis-subregolament (2) il-kliem "Minnufih wara li l-formula tan-nomina" għandhom jiġu sostitwiti bil-kliem "Minnufih wara li n-nomina"; u

(iii) fis-subregolament (3) il-kliem "minhabba li l-formula tan-nomina" għandhom jiġu sostitwiti bil-kliem "minhabba li n-nomina";

(d) ir-regolament 25 għandu jiġi enumerat fl-intier tiegħu bħala r-regolament 25(1) u minnufih wara għandu jiżdied is-subregolament ġdid li ġej:

"(2) F'każ illi kandidat imut wara li l-poloż tal-votazzjoni jkunu ġew stampati, il-kandidatura tiegħu tibqa' meqjusa bħala waħda valida għall-finijiet kollha tal-liġi. Fil-każ ta' kandidat imsemmi f'dan is-subartikolu, huwa jista' jkun iddikjarat elett iżda l-Kummissjoni għandha malajr kemm jista' jkun tiddikjara l-post battal u tagħti avviż li se

ssir elezzjoni biex jimtela t-tali post vakant.";

(e) minnufih wara r-regolament 25 għandu jizdied ir-regolament ġdid 25A li ġej:

"Theddid għas-segretezza tal-vot. 25A. Kull persuna li, wara li tkun ingħatat aċċess għall-immagni tal-poloż elettronici flimkien mal-interpretazzjoni tagħhom u/jew is-sett tad-*data* li jkun fih il-preferenzi tal-votanti kif muri fil-poloż elettronici, tuża d-*data* msemmija għal kwalunkwe skop ieħor għajr dak provdut fir-regolament 14(1) tal-Iskeda Tlieta-A jew inkella żżomm jew tonqos milli tneħhi d-*data* msemmija wara l-konkluzjoni tal-proċess ta' verifika tkun hatja tar-reat li jhedded is-segretezza tal-vot.".

(f) minnufih wara r-regolament 67 għandu jizdied il-proviso ġdid li ġej:

"Iżda meta l-Kummissjoni tiddeciedi li tuża Sistema ta' Għadd Elettroniku, il-kaxxa tal-votazzjoni għandha tinfetaħ u l-poloż tal-votazzjoni għandhom jitqiegħdu wiċċhom 'l isfel fuq il-mejda fejn ikun qed isir il-ftuħ tal-kaxxa. Meta l-poloż tal-votazzjoni kollha f'kaxxa tal-votazzjoni waħda jkunu ġew impoġġija wiċċhom 'l isfel fuq il-mejda fejn ikun qed isir il-ftuħ tal-kaxxa, il-persuna li tkun qed tissorvelja għandha tqiegħed dawn il-poloż tal-votazzjoni f'mazz wiehed, wiċċhom 'l isfel u f'kontenitur separat għal kull kaxxa tal-votazzjoni u li jkun immarkat bin-numru tal-kamra tal-votazzjoni u l-isem tal-lokalità. Il-persuna li tkun qed tissorvelja għandha minnufih tpoġġi l-kontenitur fuq xkaffa f'post li l-aġenti għall-għadd ikunu jistgħu jaraw sew. Dan il-proċess għandu jittenna sakemm il-kaxxi tal-votazzjoni kollha jkunu ġew miftuħa. L-għadd u l-qbil tal-poloż tal-votazzjoni għandhom isiru skont ir-regoli ddikjarati fl-Iskeda Tlettax-A.";

(g) fis-subregolament (1) tar-regolament 72 minnufih wara l-kliem "skont din it-Taqsima ta' dawn ir-regolamenti" għandhom jizdiedu l-kliem "jew, fejn Sistema ta' Għadd Elettroniku qed tintuża, l-Iskeda Tlieta-A";

(h) fir-regolament 89 il-kliem "Fi żmien hamest ijiem" għandhom jiġu sostitwiti bil-kliem "Fi żmien tlett ijiem";

(i) fis-subregolament (1) tar-regolament 115 minnufih wara l-kliem "skont kif ġej:" għandhom jiżdiedu l-kliem:

"Fejn tintuża Sistema ta' Għadd Elettroniku:

Il-poloż tal-votazzjoni kollha li jinsabu f'kull kaxxa tal-votazzjoni magħżula f'ordni ta' identifikazzjoni unika f'kull każ ieħor:"; u minnufih wara s-subregolament (3) għandu jiżdied il-proviso ġdid li ġej:

"Iżda meta l-Kummissjoni tiddeċiedi li tuża Sistema ta' Għadd Elettroniku, il-Kummissjoni għandha tippreserva d-*data* kollha introdotta jew użata mis-Sistema ta' Għadd Elettroniku inkluża, iżda mhux limitata, għad-*data* pproċessata jew prodotta mis-Sistema ta' Għadd Elettroniku għall-passi intermedji kollha qabel ir-riżultati finali. Id-*data* għandha tiġi ppreservata f'format digitali fuq midja xierqa u f'mill-inqas żewġ kopji separati identiċi għall-orijinal, kif deċiż mill-Kummissjoni. Għall-ħażna fit-tul tal-istess *data* l-midja għandha tinzamm f'pakketti ssiġillati separati u f'postijiet separati stabbiliti mill-Kummissjoni. Dawn il-kopji għandhom jiġu ppreservati sal-pubblikazzjoni tar-riżultat tal-elezzjoni li ġejja wara u għandhom jiġu mħassra wara dan.";

(j) minnufih wara t-Tielet Skeda għandha tiżdied l-Iskeda ġdida li ġejja:

"SKEDA TLIETA-A

Regolamenti tal-2019 dwar l-Elezzjonijiet tal-Kunsilli Lokali (Klassifika u Għadd Elettroniku tal-Poloż tal-Votazzjoni)

Taqsimha I

Preliminari

Titolu. 1. Dawn ir-regolamenti jistgħu jissejġu Regolamenti tal-2019 dwar l-Elezzjonijiet tal-Kunsilli Lokali (Klassifika u Għadd Elettroniku tal-Poloż tal-Votazzjoni).

Tifsir. 2. F'dawn ir-regolamenti sakemm ir-rabta tal-kliem ma teħtieġx xort'oħra, il-kliem jingħataw l-istess tifsir tat-Tielet Skeda tal-Att dwar Kunsilli Lokali, barra minn hekk:

Kap. 363.

"Identifikatur uniku" tfisser sekwenza ta' numri użati biex tidentifika kull polza tal-votazzjoni partikolari u tikkonsisti minn:

Numru tal-lokalità - 2 numri

Numru tal-kaxxa tal-voti - 4 numri

Numru tal-polza tal-vot - 4 numri

"Polza Elettronika" tfisser ir-rappreżentazzjoni elettronika ta' polza tal-votazzjoni fiżika f'format li jinqara minn magna miksuba mill-interpretazzjoni programmatika tal-preferenzi indikati fuq il-poloż tal-votazzjoni flimkien ma' identifikatur uniku li jqabbel il-Polza Elettronika mal-polza tal-votazzjoni u dik id-*data* l-oħra li l-Kummissjoni Elettorali tista' tqis li hija tajba biex taħžen;

"Polza mhux trasferibbli" tfisser Polza Elettronika li fiha ma tiġi rreġistrata l-ebda preferenza oħra jew sussegwenti għal kandidat kontinwu:

Iżda Polza Elettronika għandha titqies bħala valida imma li ma tibqax iżjed trasferibbli, kemm-il darba:

(a) l-ismijiet ta' żewġ kandidati jew iżjed (sew jekk ikunu jew ma jkunux minn ta' wara) huma mmarkati bl-istess numru u jaħbtu wara, skont l-ordni tal-preferenza; jew

(b) l-isem tal-kandidat ta' wara, skont l-ordni tal-preferenza (sew jekk ikun jew ma jkunx minn ta' wara) hu mmarkat:

(i) b'numru li ma jiġix wara dak ta' xi numru ieħor miktub fuq il-polza; jew

(ii) b'żewġ numri jew iżjed; jew

(c) għal xi raġuni oħra li għaliha ma tistax taqta' sewwa għal liema wieħed mill-kandidati l-oħra nġhatat il-preferenza li baqgħet wara.

3. Salv kif provdut xort'oħra minn dawn ir-Regolamenti fl-għażla u l-għadd tal-voti, is-Sistema ta' Għadd Elettroniku għandha ttrispetta u tinkorpora, *mutatis mutandis*, ir-regolamenti, rekwiżiti u tar-Regolamenti tal-1993 dwar l-Elezzjonijiet għall-Kunsilli Lokali imsemmija fit-Tielet Skeda tal-Att dwar Kunsilli Lokali bl-esklużjoni tar-regolamenti 69, 70 u 71 tat-Taqsima IX u r-regolamenti 74, 75, 76, 77(2), 81(2) u 84 tat-Taqsima X tat-Tielet Skeda.

Applikabbiltà tat-Tielet Skeda.

Kap. 363.

TAQSIMA II

Klassifika tal-voti

Assistenti.

4. Il-Kummissjoni għandha tiżgura li l-persuni kollha li tista' tahtar biex jassistu, jissorveljaw u jhaddmu s-Sistema ta' Għadd Elettroniku u t-tagħmir elettroniku kollu neċessarju għall-proċess għandhom ikunu mharrġa teknikament biex iwettqu l-funzjonijiet assenjati b'mod effiċjenti.

Proċessar tar-Rendikont tal-poloż tal-votazzjoni.

5. Malli tirċievi l-Kaxex tal-Votazzjoni, il-Kummissjoni għandha ddaħħal fis-Sistema tal-Għadd Elettroniku n-numru ta' voti mitfugħa kif iddikjarat fir-Rendikont ta' poloż tal-votazzjoni. In-numru ta' poloż tal-votazzjoni f'kull kaxxa skont ir-Rendikont ta' poloż tal-votazzjoni għandu jintwera fuq monitor għall-informazzjoni tal-kandidati u l-aġenti tagħhom.

Klassifika ta' poloż tal-votazzjoni.

6. Ladarba jinfethu l-kaxex tal-votazzjoni, kull polza tal-votazzjoni għandha tinhareġ u l-ewwel titqiegħed wiċċha 'l isfel biex jiġi aċċertat li fiha t-timbru uffiċjali tal-Kummissjoni, u li ma hemmx marki oħra fuq in-naħa ta' wara hlief it-timbru uffiċjali tal-Kummissjoni u tal-partiti politiċi li jagħzlu li jagħmlu l-marka uffiċjali, imbagħad tiġi mdawra, murija u mqiegħda wiċċha 'l fuq biex jiġi aċċertat li ma hemmx marki oħra fuq in-naħa ta' quddiem hlief għan-numri li jindikaw il-preferenzi tal-votant. Wara li dak l-imsemmi proċess ikun intemm, il-poloż tal-votazzjoni għandhom imbagħad jitqiegħdu wiċċhom 'il fuq f'kontenitur xieraq immarkat bin-numru tal-kamra tal-votazzjoni u l-isem tal-lokalità. Kopja tar-Rendikont ta' Poloż tal-Votazzjoni flimkien mal-poloż tal-votazzjoni u l-kontenituri tagħhom għandhom jinżammu f'żona li għandha tkun viżibbli f'kull hin għall-kandidati u l-aġenti tagħhom:

Kap.354

Iżda jekk il-persuna li tghodd tiddeċiedi li hemm possibbiltà illi, għal xi raġuni li tohrog mill-Att dwar l-Elezzjonijiet Ġenerali, polza tal-votazzjoni tista' tkun invalida, jew jekk ikun hemm xi kandidat jew aġent li għall-istess raġuni jgħid l-istess haġa, il-persuna li tghodd għandha tinforma lill-persuna li tissorvelja dwar dik il-polza tal-votazzjoni u l-persuna li tissorvelja għandha tittimbra dik il-polza tal-votazzjoni bhala "Dubjuż" u tqiegħed dawk il-poloż tal-votazzjoni fil-wiċċ tal-mazz:

Iżda ma għandha ssir l-ebda rikonċiljazzjoni tal-poloż tal-votazzjoni f'kull kontenitur ma' dawk imsemmija fir-Rendikont ta' poloż tal-votazzjoni f'dan l-istadju iżda għandha ssir wara l-faži ta' skennjar skont ir-regolament 8(2).

Proċessar ta' poloż tal-votazzjoni.

7. (1) Il-poloż tal-votazzjoni għandhom jiġu pproċessati, b'mod ordnat, permezz tas-Sistema ta' Għadd Elettroniku li għandha tohloq u taħzen immagni diġitali ta' kull polza tal-votazzjoni u għandha tipproċedi biex tikkonverti l-polza tal-votazzjoni f'polza elettronika. Bħala parti minn dan il-proċess, il-polza tal-votazzjoni għandha tkun immarkata b'identifikatur uniku li jkun jaqbel ma' dak mogħti lill-polza elettronika sabiex il-Kummissjoni tkun tista', jekk ikun meħtieġ, tidentifika u tqabbel il-poloż ipproċessati mal-poloż tal-votazzjoni u sabiex taċċerta li polza tal-votazzjoni tiġi pproċessata u magħduda darba biss.

(2) Il-persuni li jissorveljaw dan il-proċess għandhom jikkonfermaw li n-numru ta' poloż tal-votazzjoni misjuba f'kull kaxxa jaqbel ma' dak dikjarat fir-Rendikont ta' poloż tal-votazzjoni kif indikat mill-Assistenti Kummissjonarji Elettorali. Meta n-numru ta' voti misjuba ma jaqbilx, il-Kummissjoni għandha tiġi mgħarrfa minnufih sabiex twettaq dik l-investigazzjoni u tagħti l-istruzzjonijiet kollha meħtieġa.

(3) Meta tikkonverti l-poloż tal-votazzjoni f'format li jinqara minn magna, is-Sistema ta' Għadd Elettronika għandha tidentifika u tavża lill-Kummissjoni bil-poloż tal-votazzjoni dubjużi kollha, jiġifieri dawk il-poloż kollha li johlqu diffikultà fl-interpretazzjoni tal-preferenzi jew li hemm possibbiltà illi, għal xi raġuni li tohroġ mill-Att dwar il-Kunsilli Lokali, dik il-polza tista' tkun invalida jew mhux trasferibbli.

Kap. 363.

Voti dubjużi.

8. (1) Il-Kummissjoni għandha tinvestiga kull Polza Elettronika dubjuża. B'dan li l-Kummissjoni tista' tqabbel il-polza tal-votazzjoni mmarkata mal-identifikatur uniku tal-Polza Elettronika:

Iżda l-poloż tal-votazzjoni għandhom jitneħhew temporanjament biss mill-kontenitur fuq ordni ta' jew minn Kummissjonarju Elettorali jew persuni oħra speċifikament delegati mill-Kummissjoni.

(2) Is-Sistema ta' Għadd Elettroniku għandha tavża lill-Kummissjoni bil-poloż dubjużi hekk kif il-poloż tal-votazzjoni f'kontenitur partikolari jiġu skennjati u vverifikati kollha.

(3) Wara investigazzjoni, polza dubjuża tista' titqies bħala:

(i) invalida u konsegwentement il-Polza Elettronika għandha titwarrab u tiġi injorata fl-għadd kollu;

(ii) polza mhux trasferibbli u konsegwentement il-parti mhux trasferibbli tal-Polza Elettronika għandha titwarrab u tiġi injorata, filwaqt li l-preferenzi validi għandhom jiġu rreġistrati u inklużi fl-ewwel u fl-għadd sussegwenti skont il-każ; jew

(iii) valida u konsegwentement is-sekwenza numerika fil-Polza Elettronika għandha tiddaħħal b'mod korrett sabiex jirrifletti fedelment il-polza tal-votazzjoni valida:

Iżda fil-każijiet kollha bħal dawn kull emenda jew operazzjoni manwali li tista' titwettaq fuq Polza Elettronika għandha tiġi rreġistrata fis-Sistema ta' Għadd Elettroniku, kif ukoll ir-raġuni għala l-polza hija invalida:

Iżda wkoll xejn f'dawn ir-regolamenti ma għandu jwaqqaf lill-Kummissjoni milli teżamina kull Polza Elettronika oħra.

Eżami tal-poloż –
l-ewwel livell.

(4) Il-Kummissjoni tista' taħtar dawk il-persuni li jidhrilha xierqa biex jirrevedu u jeżaminaw il-poloż dubjużi u biex twettaq l-azzjoni rilevanti meħtieġa skont is-subregolament preċedenti. Delegat ta' partit minn kull partit jew sostitut, ikun jista' jagħmel osservazzjonijiet u jqajjem oġġezzjonijiet, f'liema każ il-polza dubjuża għandha tiġi riferuta lill-Kummissjoni għad-deċiżjoni finali tagħha skont is-subregolamenti li ġejjin.

Eżami tal-poloż –
it-tieni livell.

(5) Il-Kummissjoni, jew xi numru ta' membri tagħha li ma jkunux inqas minn tnejn, għandhom jinvestigaw kwalunkwe Polza Elettronika biex jiddeterminaw jekk hix valida, trasferibbli jew mhux trasferibbli jew invalida u għandhom, wara li jisimgħu r-rappreżentazzjonijiet tad-delegati tal-partiti, jew is-sostituti tagħhom, jiddeċiedu fir-rigward ta' kull polza elettronika, kemm jekk tkun valida, trasferibbli jew mhux trasferibbli jew invalida, jew għandhom jagħmlu kwalunkwe emenda għall-interpretazzjoni tal-vot biex tirrifletti b'mod korrett il-preferenzi dikjarati fil-polza.

(6) Id-deċiżjoni tal-Kummissjoni, jew xi numru ta' membri tagħha li ma jkunux inqas minn tnejn, f'dan ir-rigward għandha tkun finali u mhux appellabbli.

(7) Ladarba l-Poloż Elettronici dubjużi kollha f'kontenitur ikunu ġew investigati u ddikjarati validi, trasferibbli jew mhux trasferibbli jew invalidi, in-numru ta' Poloż Elettronici validi u invalidi f'dik il-kaxxa għandu jintwera fuq monitor jew metodu ieħor bħal dan għall-informazzjoni tal-kandidati u l-aġenti tagħhom. Kwalunkwe poloż tal-votazzjoni li setgħu ġew imneħħija kif ordnat minn Kummissjonarju għal aktar investigazzjoni għandhom jitqiegħdu lura fis-sekwenza korretta tagħhom fil-kontenitur tal-voti.

(8) Ladarba l-kaxex kollha ta' lokalità jkunu ġew ipproċessati, in-numru totali ta' voti validi u invalidi għal dik it-taqsimha għandu jintwera fuq monitor jew imħabbar b'metodu ieħor kif il-Kummissjoni jidhrilha xieraq.

Xogħol
preparatorju ieħor.

9. (1) Qabel ma tibda l-għadd elettroniku, il-Kummissjoni tista' twettaq tali awditjar, verifiki jew testijiet oħra li jidhrilha xierqa sabiex tiżgura l-korrettezza u l-kompletezza tas-Sistema ta' Għadd Elettroniku. Il-Kummissjoni għandha tipproduċi rapporti li juru n-numru ta' voti validi fir-rigward ta' kull kaxxa flimkien ma' rapport separat li jindika li l-kandidati kollha qed jibdew b'xejn (0) voti.

(2) Għall-finijiet li tippermetti li l-għadd isir bl-użu tas-Sistema ta' Għadd Elettroniku, il-Kummissjoni tista' twettaq kwalunkwe funzjoni jew twettaq kwalunkwe proċedura li għandha tittiehed b'konnessjoni mal-għadd b'mezzi elettronici kif jitqies meħtieġ jew konsegwenzjali għal dan.

(3) Il-Kummissjoni għandha toħroġ ordni biex l-għadd tal-voti jibda biss wara li tkun sodisfatta li l-proċeduri u r-rekwiżiti stabbiliti mil-Liġi u l-Kummissjoni ġew sodisfatti.

Taqsimha III

Għadd tal-poloż

Għadd tal-poloż.

10. Ladarba tiġi vverifikata d-*data* tal-*input*, is-Sistema ta' Għadd Elettroniku għandha tistabbilixxi l-kwota kif stabbilit fir-regolament 78 tat-Tielet Skeda.

Bidu tas-Sistema ta Għadd Elettroniku.

11. (1) Is-Sistema ta' Għadd Elettroniku għandha tibda l-ewwel għadd b'sett ta' poloż elettronici ordnati b'ordni axxendenti bin-numru tal-polza u l-kaxxa tal-votazzjoni f'lokalità billi tassenja l-Poloż Elettronici validi kollha għall-pakketti skont il-kandidat preferut indikat f'kull Polza Elettronika u kull kandidat għandu jiġi kkreditat b'numru ta' voti ugwali għan-numru ta' Poloż Elettronici li jirrekordjaw l-ewwel preferenza għal dak il-kandidat.

(2) F'għadd sussegwenti, il-Poloż Elettronici trasferibbli għandhom jiġu trasferiti u assenjati lill-pakkett ta' dak il-kandidat skont l-istess regoli tat-Tielet Skeda.

(3) Is-Sistema għandha tipproċedi biex tikkalkula l-ewwel għadd u l-għadd sussegwenti kollha mingħajr waqfien, ħlief fejn istruzzjonijiet huma meħtieġa mill-Kummissjoni skont dawn ir-regolamenti, inkluż meta kandidat irid jintgħazel għall-eskluzjoni bix-xorti f'termini tas-subregolament 81(3) tat-Tielet Skeda.

Abbozz ta' rapport tan-numri ta' voti.

12. Is-Sistema ta' Għadd Elettroniku għandha tipproduċi abbozz ta' rapport li juri n-numru ta' voti miksuba minn kull kandidat f'kull għadd. L-abbozz tar-rapport, f'dan l-istadju, ma jitqiesx bħala riżultat uffiċjali.

L-abbozz tar-riżultat.

13. Il-Kummissjoni għandha tibgħat kopja tal-Abbozz tar-Riżultat lid-delegati tal-partit sabiex ikunu jistgħu jaraw ir-riżultat skont ir-regolament 12 hawn fuq:

Iżda l-Kummissjoni għandha tagħti lid-delegati tal-partit jew is-sostituti tagħhom, bil-miktub, perjodu ta' żmien adegwat, ugwali u raġonevoli mill-produzzjoni tal-abbozz tar-riżultat sabiex jaraw ir-riżultat, liema perjodu ta' żmien jista' jiġi estiż mill-Kummissjoni meta tircievi talba minn delegat tal-partit bir-raġunijiet li jiġġustifikaw it-talba. Id-deċiżjoni tal-Kummissjoni għandha tkun finali.

Aċċess għall-immagħni ta' kull Polza Elettronika.

14. (1) Waqt il-perjodu ta' żmien riservat għall-wiri, id-delegati tal-partit għandhom id-dritt li jkollhom aċċess għall-immagħni ta' kull Polza Elettronika flimkien mal-interpretazzjoni tiegħu, u li jkollhom aċċess għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi u dan unikament u esklussivament għall-iskopijiet ta' verifika li l-poloz tal-votazzjoni ġew interpretati b'mod korrett mis-Sistema u lill-preferenzi ddikjarati fil-poloz ġew korrettement allokati lill-kandidati:

Iżda d-delegati tal-partit m'għandhomx iżommu l-informazzjoni msemmija u għandhom jiżguraw it-tfassir sħiħ u l-qerda tal-informazzjoni mogħtija lilhom u kull kopja li setgħet saret wara l-verifika tal-poloz tal-votazzjoni u l-allokkazzjoni tagħhom, u dan minnufih malli jiskadi ż-żmien riservat għall-wiri:

Iżda wkoll kull persuna li tingħata aċċess għall-immagħni ta' Polza Elettronika flimkien mal-interpretazzjoni tagħha, u/jew is-sett tad-*data* komplut jew parzjali li fih il-preferenzi tal-votanti kif muri fil-Poloz Elettroniċi tuża d-*data* għal skopijiet oħra barra dawk permessi skont dan is-subregolament jew iżzomm dik l-informazzjoni lil hinn mill-perjodu ta' żmien meħtieġ biex twettaq dawn l-għanijiet jew tonqos milli tħassar jew teqred l-informazzjoni wara l-konklużjoni tal-verifika tkun hatja ta' reat, u għandha, meta tinstab hatja, tehel multa ta' mhux aktar minn għaxart elf euro (€10,000) jew prigunerija għal żmien ta' mhux iżjed minn tnax-il xahar jew dik il-multu u prigunerija flimkien.

(2) Il-Kummissjoni għandha tiżgura li meta tipprowdi lill-partiti u lid-delegati tal-partit bl-informazzjoni msemmija fis-subregolament preċedenti dawn ikunu avżati bl-obbligi tagħhom skont dawn ir-regolamenti u l-Kummissjoni għandha s-setgħa timponi kull obbligu kontra l-iżvelar u obbligi oħra inkluż multi sabiex il-partiti, id-delegati tal-partit u s-sostituti tagħhom jikkonfermaw u jorbtu lilhom infushom biex ma jikkopjawx, iżommu, jippubblikaw jew inkella jużaw is-sett tad-*data* ħlief għal skopijiet ta' verifika fil-qafas ta' żmien allokati lilhom u biex jiżguraw li meta jiskadi dak iż-żmien għandhom iħassru u/jew jirritornaw id-*data* lill-Kummissjoni.

(3) Il-Kummissjoni għandha tinvestiga kif tqis xieraq kull oġġezzjoni motivata jew ilment li delegat tal-partit, jew partit kontestanti jista' jressaq fir-rigward tal-korrettezza tar-riżultat.

(4) Wara l-pubblikazzjoni tar-riżultat finali, il-Kummissjoni m'għandhiex tipprowdi aċċess għall-immagni ta' kull Polza Elettronika flimkien mal-interpretazzjoni tagħhom jew għal sett tad-*data* komplut li jkun fih il-preferenzi tal-votanti kif muri fil-poloż elettronici u għandha tiżgura li ma tagħti l-ebda informazzjoni li b'xi mod tista' tfixxkel is-segretezza tal-vot.

Thabbir tar-riżultat.

15. (1) Wara d-dikjarazzjoni mill-partiti li huma sodisfatti bir-riżultat jew wara l-iskadenza taż-żmien permess għall-verifika kif indikat fir-regolament 13 ta' din l-Iskeda, il-Kummissjoni għandha tiddikjara u tippubblika r-riżultati finali u definittivi tal-ewwel għadd.

(2) Il-Kummissjoni għandha turi fuq monitor jew aktar għall-informazzjoni tal-kandidati u l-aġenti tagħhom ir-riżultati għall-ewwel għadd. Il-Kummissjoni għandha tippermetti perjodu qasir ta' żmien u mbagħad tippubblika r-riżultati finali u definittivi tat-tieni u kull għadd sussegwenti. It-tul tal-perjodu ta' żmien bejn kull għadd ikun stabbilit mill-Kummissjoni fid-diskrezzjoni unika tagħha.

Għadd mill-gdid ta' xi poloz.

(3) Kwalunkwe kandidat jew aġent jista', qabel ma jintwera l-għadd li jmiss, jitlob lill-Kummissjoni biex terġa' teżamina d-dokumenti kollha jew uħud trattati matul dak l-għadd, f'liema każ il-Kummissjoni għandha tissospendi l-wiri tal-għadd individwali u minflok għandha turi fuq monitor jew aktar il-poloż elettronici kollha li ġew ipproċessati f'dak l-għadd b'mod sekwenzjali.

(4) Meta l-voti jiġu eżaminati b'dan il-mod kull zball suspettat għandu jingieb immedjament għall-attenzjoni tal-Kummissjoni li għandha tinvestiga l-kwistjoni u tiddeċiedi kif tipproċedi. Id-deċiżjoni tal-Kummissjoni hija finali u mhux appellabbli.

(5) Wara l-wiri tal-għadd kollu fuq il-monitor, ir-riżultat ikun finali u definittiv:

Iżda l-partiti kollha għandhom l-istess drittijiet skont il-liġi biex jikkontestaw ir-riżultat kif johroġ mil-Liġi u mill-Att dwar Kunsilli Lokali u l-Iskedi tiegħu.

Kap. 363.

Mezzi u *software* li jintużaw.

16. (1) Is-Sistema ta' Għadd Elettroniku u kull mezz jew *software* maħsub biex jaħdem flimkien mas-Sistema għandu jiġi ttestjat b'mod adegwat qabel ma jiġu approvati mill-Kummissjoni Elettorali biex iwettqu l-proċess ta' għadd u għażla elettronika. Il-Kummissjoni għandha tiżgura li l-magni tal-għadd u kull reviżjoni sussegwenti għandhom ikunu akkreditati u kkonfermati biex jaħdmu b'mod korrett f'konformità mat-Tielet Skeda u din l-Iskeda minn awtorità tal-akkreditazzjoni li tista' titqies xierqa mill-Kummissjoni.

Sigurtà u integrità.

(2) Mill-inqas tliet (3) settijiet identiċi tal-verżjoni finali u approvata tas-*software* għall-Magna tal-Għadd u l-Interpretazzjoni u t-Traskrizzjoni f'lingwa li tista' tinqara minn magna għall-preferenzi tal-votazzjoni għandhom jinħażnu f'format diġitali fuq midja xierqa għall-ħażna fit-tul tal-istess *data* f'pakketti; liema pakketti għandhom ikunu ssiġillati mill-Kummissjoni u mid-delegati tal-partit u maħżuna mill-Kummissjoni f'post sigur. Id-delegati tal-partit għandhom id-dritt għal sett tas-*software* installat fuq *server* sigur ipprovdut mill-Kummissjoni fil-Kumplex tal-Għadd, fil-jum tal-votazzjoni, u qabel il-bidu tal-għażla u l-għadd elettronici jew fi kwalunkwe hin ieħor kif jista' jiġi deċiż mill-Kummissjoni.

(3) Il-Kummissjoni għandha tivverifika u tassigura fil-preżenza tad-delegati tal-partit li s-*software* disponibbli għad-delegati tal-partit kif provdut fis-subregolament (2) preċedenti huwa identiku għas-*software* li se jintuża fis-Sistema ta' Għadd Elettroniku.

Verifika tas-Sistema ta' Għadd Elettroniku.

17. Il-Kummissjoni għandha tiżgura li s-Sistema ta' Għadd Elettroniku tkun operata indipendentement minn sistemi oħra u hielsa minn kwalunkwe forma ta' interferenza elettronika.

Proċeduri oħra stabbiliti mill-Kummissjoni.

18. Il-Kummissjoni tista' tiddefinixxi u tistabbilixxi tali proċeduri ulterjuri li jistgħu jkunu meħtieġa biex topera aħjar is-Sistema.

Użu ta' għadd manwali.

19. Il-Kummissjoni tista', jekk jidhrilha hekk meħtieġ fiċ-ċirkostanzi, tordna s-sospensjoni tal-użu tas-Sistema ta' Għadd Elettroniku għall-għadd u l-għażla tal-voti u minflok tmur lura għar-regoli tat-Tielet Skeda tal-Att dwar Kunsilli Lokali jew regolamenti oħra bħal dawn maħruġa skont l-Att dwar Kunsilli Lokali li jista' jkun fis-seħħ minn żmien għal żmien:

Kap. 363.

Izda f'ċirkostanzi bħal dawn il-Kummissjoni għandha, għall-finijiet u effetti kollha tal-liġi, titqies li ddeċidiet li ma tużax Sistema ta' Għadd Elettroniku għall-għadd u l-għażla tal-voti.

Postijiet ta' Membri li jitbattlu.

20. Meta post ta' Membru jitbattal, ir-regolamenti tat-Taqsima XI tat-Tielet Skeda għandhom jiġu applikati b'tali mod li l-eżami tal-poloż tal-votazzjoni għandu jsir mis-Sistema ta' Għadd Elettroniku bl-użu tal-pakkett finali riżultanti tal-Kandidat kif prodott mis-Sistema.

EŻEMPJU TA' KIF GĦANDHOM JINGĦADDU L-
POLOZ TAL-VOTAZZJONI F'ELEZZJONI
MAGĦMULA SKONT IS-SISTEMA TA'
RAPPREŻENTANZA PROPORZJONALI B'VOT
WIEĦED LI JGĦADDI MINN KANDIDAT GĦAL
IEHOR B'SISTEMA TA' GĦADD ELETTRONIKU

Nagħmlu li għandhom jingħażlu sitt membri u li hemm hax-il kandidat A, B, C, D, E, F, G, H, I, K, L.

IL-KWOTA

Wara li l-poloz tal-votazzjoni jkunu kollha skennjati, verifikati u aġġudikati, jiġi maħluq sett ta' Poloz Elettroniċi f'ordni skont in-numru tal-vot u n-numru tal-kaxxa tal-polza. It-total tal-Poloz Elettroniċi validi huwa 348. Wara li niddividu t-total bin-numru sebgħa (jiġifieri bin-numru ta' postijiet battala, u miegħu nżidu wieħed) insibu li għandna 50 (jiġifieri n-numru 49 li ħareġ mil-lokalità u 1 iżjed, bla ma nagħtu każ tal-frazzjoni). Dan in-numru ta' 50 huwa l-"kwota", jew in-numru ta' voti meħtieġa għall-għażla ta' membru.

L-EWWEL GHADD

Il-kollezzjoni ta' Poloz Elettroniċi fl-ordni skont dawn ir-regolamenti jitqies bħala l-mazz inizjali għas-Sistema ta' Għadd Elettroniku. Dan il-mazz inizjali jiġi eżaminat u l-Poloz Elettroniċi jitqassmu f'mazzi godda f'isem il-kandidat li jkun ingħata l-ewwel preferenza f'dik il-polza partikolari.

Nagħmlu li r-riżultat tal-għadd huwa dan ta' hawn taħt:

Kandidat	Voti
A	7
B	140
C	25
D	10
E	4
F	62
G	14
H	50
I	12
K	0
L	24
Mhux Trasferibbli	0
B'kollox	348

Il-voti li ħadu B, F u H huma 'l fuq mill-kwota jew daqsha, u għalhekk dawn il-kandidati għandhom jitqiesu li ġew eletti.

IT-TIENI GHADD

B għandu 90 vot iżjed (jiġifieri total ta' 140, nieqes il-50 tal-kwota) u billi dan huwa l-akbar fost in-numri ta' voti li ħadu l-oħrajn, l-ewwel ma għandu jitqassam u jingħadd fuq il-kandidati l-oħra huwa ż-żejjed ta' B.

Il-140 polza ta' B jiġu eżaminati kollha u mqassmin f'mazzi godda għalihom skont il-preferenzi li baqgħu għall-kandidati ta' wara kif ġew immarkati fuq l-istess poloz.

Aktarx dejjem il-preferenzi li jkun hemm wara tkun dik tat-tieni numru. Imma dawk il-Poloz Elettronici li fihom giet mogħtija t-tieni preferenza lil F jew lil H, billi dawn huma digà eletti, jgħaddu għal fuq il-preferenzi l-oħra ta' wara dawn il-kandidati. Il-Polza Elettronika li fiha jkun hemm immarkat in-numru 1 quddiem B, 2 quddiem H, 3 quddiem F, 4 quddiem I tiġi mqieghda fil-mazz ġdid ta' I.

Isir mazz ġdid għalih ukoll ta' dawk il-poloz li fihom ma jkunx hemm immarkata l-preferenza li tibqa' wara, jiġifieri ta' dawk il-poloz li fihom ma jkunx hemm immarkata l-preferenza li tibqa' favur kandidat ta' wara u li għalhekk mhumiex trasferibbli.

Insibu li r-rizultat hu dan:

Hemm immarkata preferenza ta' wara għal D fuq	80 polza
Hemm immarkata preferenza ta' wara għal E fuq	2 poloz
Hemm immarkata preferenza ta' wara għal I	25 polza
Hemm immarkata preferenza ta' wara għal K	29 polza
Total ta' poloz trasferibbli	136 polza
Total ta' poloz li mhumiex trasferibbli ..	4 poloz
Total ta' poloz ta' B.....	140 polza

Billi n-numru kollu ta' poloz trasferibbli (li hu ta' 136) hu 'l fuq mill-voti żejda (ta' 90), minn kull mazz ġdid tista' tittiehed u tgħaddi għal fuq haddiehor porzjon biss, u n-numru ta' poloz li għandhom jittieħdu minn kull mazz ġdid biex jingħataw lil haddiehor, għandu jkollu, man-numru kollu tal-poloż fil-mazzi ġodda, dak il-proporzjon li hemm bejn iż-żejjed u n-numru kollu ta' poloz trasferibbli.

Fi kliem ieħor, in-numru ta' poloz li għandhom jittieħdu u jgħaddu għal fuq haddiehor minn kull mazz ġdid insibuh billi nimmultiplikaw in-numru tal-poloż li hemm f'kull wiehed minn dawn il-mazzi bin-numru 90 (li hu n-numru ta' poloz żejda) u niddividu dak li jiġina bil-136 (li hu n-numru totali ta' poloz trasferibbli) li jiġi 0.6617647.

Il-kalkolu għandu jsir hekk:

Kandidat	Mazz		Poloz	Frazzjoni		Effettiva- ment Trasferiti
D	80	x 0.6617647	52	.9412	+1	53
E	2	x 0.6617647	1	.3235		1
I	25	x 0.6617647	16	.5441	+1	17
K	29	x 0.6617647	19	.1912		19
Total			88	2		90

In-numri tal-Poloż Elettronici li għandhom jittieħdu u jgħaddu fuq il-kandidati ta' wara skont il-kalkolu ta' hawn fuq, fihom partijiet decimali u billi ma jistgħux jittieħdu hlief poloz shaħ, għalhekk għandhom jitqiesu bhala waħdiet shaħ daww il-partijiet decimali li huma l-akbar, meħudin wiehed wara l-iehor skont il-kobor tagħhom, u li jkunu biżżejjed biex igibu total ta' poloz elettronici trasferibbli li jkun jaqbel maż-żejjed ta' voti.

Għalhekk billi n-numri shaħ li haġu minn dan il-kalkolu jgibu s-somma ta' 88 biss, jigifieri (52+1+16+19), jew tnejn inqas miż-żejjed ta' 90, iż-żewġ partijiet decimali .9412 u .5441, li huma l-akbar fost l-oħrajn, inqisuhom bhala numri shaħ ta' wiehed u għalhekk in-numri ta' Poloż Elettronici li għandhom jgħaddu fuq l-oħrajn huma bħalma ser nuru hawn taħt:

Lil D	53 polza
Lil E	1 polza
Lil I	17-il polza
Lil K	19-il polza
Total ta' poloz li huma ż-żejjed ta' poloz ta' B	90 polza

Il-Poloz Elettroniċi partikolari li għandhom jgħaddu fuq D, E, I u K huma dawk miżjudin fl-aħħar fuq il-mazzi ġodda ta' kull wieħed minn dawn il-kandidati, u għalhekk huma dawk li fil-mazzi jinsabu isfel nett.

Dawn il-poloz jiżdedu f'mazzi għalihom mal-mazzi ta' D, E, I u K. (Niftakru li K ma kellu ebda mazz b'voti ewlenin).

Għalhekk it-total ta' dawn il-voti mogħtijin lil dawn il-kandidati jsiru:

Lil D	$10 + 53 = 63$	2 mazzi
Lil E	$4 + 1 = 5$	2 mazzi
Lil I	$12 + 17 = 29$	2 mazzi
Lil K	$0 + 19 = 19$	1 mazz

Il-bqija tal-poloz elettronici fil-mazzi ġodda tal-kandidat elett B, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn flimkien mal-poloz, li fuqhom ma kien hemm immarkata ebda preferenza ta' wara, issa jiffurmaw il-mazz, li jgħibu l-kwota ta' B (50). Dan il-mazz iżomm l-ordni tal-mazz originali ta' B.

Dan il-mazz fih:

Il-bqija tal-mazz ġdid ta' D	$80 - 53 = 27$
Il-bqija tal-mazz ġdid ta' E	$2 - 1 = 1$
Il-bqija tal-mazz ġdid ta' I	$25 - 17 = 8$
Il-bqija tal-mazz ġdid ta' K	$29 - 19 = 10$
poloz li mhumiex trasferibbli	4
Total li hu l-kwota ta' B	50

Ir-riżultat tal-votazzjoni fil-konkluzjoni tat-Tieni Għadd huwa dan:

Kandidat	Voti
A	7
B	50 (elett)
C	25
D	63 (elett)
E	5
F	62 (elett)
G	14
H	50 (elett)
I	29
K	19
L	24
Mhux Trasferibbli	0
Total	348

B'dan il-mod D għandu 63 vot, jiġifieri numru ta' voti 'l fuq mill-kwota. Għalhekk jitqies li ġie magħżul.

IT-TIELET GĦADD

Issa baqgħu żewġ riżultati b'żejjed ta' voti jew b'numri 'l fuq mill-kwota, li huma dak ta' F (12) u dak ta' D (13). L-ewwel li jingħadd għal fuq il-kandidati li jibqgħu huwa ż-żejjed ta' F, għax għalkemm hu l-iċken, ġej minn għadd ta' qabel. Iż-żejjed ta' F jiġi mqassam bil-proporzjon fost il-preferenzi li baqgħu wara, skont ma huma mmarkati fuq it-62 polza ewlenija ta' F, u bl-istess mod bħalma ġew imqassmin fil-każ ta' B. B'hekk insibu li 9 poloz jgħaddu fuq L, 2 poloz fuq C u 1 fuq A.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil L	$24 + 9 = 33$	2 mazzi
Lil C	$25 + 2 = 27$	2 mazzi
Lil A	$7 + 1 = 8$	2 mazzi

Il-bqija tal-Poloz Elettroniċi fil-mazz tal-kandidat elett F, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn flimkien mal-poloz li mhumiex trasferibbli issa jagħmlu l-mazz u jagħmlu l-kwota ta' F (50). Dan il-mazz iżomm l-ordni tal-mazz oriġinali ta' F.

Il-Poloz Elettroniċi fil-mazz tal-kandidat elett H (li fl-ewwel għadd ġieb il-kwota eżatta) jibqgħu fl-ordni tal-mazz oriġinali u jagħmlu l-kwota ta' H (50).

IR-RABA' GHADD

Issa għandu jitqassam iż-żejjed ta' D (13). Għal daqshekk għandu jittiehed biss il-mazz ġdid li ġie mgħoddi fl-aħħar u li fih 53 polza. Dawn jiġu eżaminati u jitqassmu f'mazzi ġodda, skont il-preferenzi li hemm għall-kandidati l-oħra u b'hekk insibu dan ir-riżultat:

Lil I giet mogħtija preferenza li baqgħet wara	42 polza
Lil K giet mogħtija preferenza li baqgħet wara	10 poloz
Total ta' poloz trasferibbli	52 polza
Total ta' poloz mhux trasferibbli	1 polza
Total	53 polza

In-numru ta' poloz li għandhom jittiehdu u jgħaddu minn kull mazz insibuh billi nimmultiplikaw in-numru ta' poloz fil-mazzi ġodda bi 13 (li hu iż-żejjed ta' voti) u niddividu dak li jiġina bi 52 (in-numru kollu ta' poloz trasferibbli); għalhekk:

$$\text{Is-sehem miż-żejjed ta' voti li jmiss lil I hu .. } 42 \times 0.25 = 10.5$$

$$\text{Is-sehem miż-żejjed ta' voti li jmiss lil K hu } 10 \times 0.25 = 2.5$$

Billi l-partijiet deċimali huma ndaq, għandha titqies li hi l-akbar parti deċimali dik li hi ġejja mill-akbar mazz. Għalhekk is-sehem miż-żejjed ta' voti ta' D li jmiss lil I hu ta' 11-il vot, u dak li jmiss lil K hu ta' 2 voti.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil I	12 + 17 + 11 = 40	3 mazzi
Lil K	19 + 2 = 21	2 mazzi

Il-bqija tal-Poloz Elettroniċi fil-mazz tal-kandidat elett D, jiġifieri dawk il-poloz li ma għaddewx fuq l-oħrajn (39) flimkien mal-poloz li mhumiex trasferibbli (1) u l-għaxar (10) poloz mogħtija fl-ewwel għadd, li flimkien jagħtu total ta' ħamsin polza issa jagħmlu l-mazz bil-kwota ta' D.

Ir-riżultat tal-votazzjoni fil-konklużjoni tar-Raba' Ghadd huwa dan:

Kandidat	Voti
A	8
B	50 (elett)
C	27
D	50 (elett)
E	5
F	50 (elett)
G	14
H	50 (elett)
I	40
K	21
L	33
Mhux Trasferibbli	0
Total	348

IL-HAMES GHADD

Billi m'hemmx iżjed voti żejda x'jitqassmu, il-Kummissjonarju Elettorali jibda biex jgħaddi u jqassam il-voti tal-kandidati li ġiebu l-inqas numri ta' voti. Il-kandidat li għandu l-inqas voti hu E, li ġieb 5 voti. Il-poloż elettronici fil-mazz tal-kandidat E jigu eżaminati u jitqassmu f'mazzi ġodda, skont il-preferenzi li hemm għall-kandidati l-oħra bir-riżultat li 4 poloż huma mqassma lil I filwaqt li polza (1) mhix trasferibbli titwarrab għaliha bla ma titqassam, dejjem skont l-ordni tal-mazz originali tal-kandidat E.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

A 312

Lil I 12+17 + 11 + 4 =44 4 mazzi
 Mhux trasferibbli 1 1 mazz

Ir-riżultat ta' votazzjoni fil-konklużjoni tal-Ħames
 Għadd huwa dan:

Kandidat	Voti
A	8
B	50 (elett)
C	27
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	14
H	50 (elett)
I	44
K	21
L	33
Mhux trasferibbli	1
B'kollox	348

IS-SITT GHADD

Il-Kummissjonarju Elettorali jgħaddi biex iqassam il-voti tal-kandidat A, li hu l-kandidat bl-inqas numri ta' voti fir-riżultat bi 8. Il-Poloz Elettroniċi fil-mazz tal-kandidat A jiġu eżaminati u jitqassmu f'mazzi godda, skont il-preferenzi li hemm għall-kandidati l-oħra bir-riżultat li polza (1) tingħata lil C filwaqt li 7 poloz jingħataw lil G.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C 25 + 2 + 1 = 28 3 mazzi
 Lil G 14 + 7 = 21 2 mazzi

Ir-riżultat tal-votazzjoni fil-konklużjoni tas-Sitt Għadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	28
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	44
K	21
L	33
Mhux trasferibbli	1
B'kollox	348

IS-SEBA' GHADD

Bis-sitt għadd ma jigi magħżul ebda kandidat u għalhekk jehtieg li jitkompla x-xogħol bil-għadd ta' wara, il-kandidati G u K għandhom kull wiehed l-istess numru ta' voti (21) u l-inqas li għandhom voti. L-ewwel ma jitqassmu l-poloż ta' K billi dan, fl-ewwel għadd, kien gieb voti inqas minn G. Meta jitqassmu l-poloż ta' K (21), 3 poloż jingħataw lil C, 15 lil I, u 1 lil L, u 2 jibqgħu bla ma jitqassmu billi huma poloż li mhumiex trasferibbli. B'dan il-mod I jwassal it-total ta' 59 vot u għalhekk jitqies bħala elett.

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C	$25 + 2 + 1 + 3 = 31$	4 mazzi
Lil I	$12 + 17 + 11 + 4 + 15 = 59$	5 mazzi
Lil L	$24 + 9 + 1 = 34$	3 mazzi
Mhux trasferibbli	$1 + 2 = 3$	2 mazzi

Ir-riżultat tal-votazzjoni fil-konkluzjoni tas-Seba' Ghadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	31
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	59 (elett)
K	0 (eliminat)
L	34
Mhux trasferibbli	3
B'kollox	348

IT-TMIEN GHADD

Issa wasalna biex inqassmu ż-żejjed ta' voti (9) li għandu I. Għal daqshekk għandu jittiehed biss il-mazz ġdid ta' poloz li kienu dan l-aħhar mgħoddija lil I (15-il polza). Dawn jingabru f'mazzi ġodda favur il-kandidati li jibqgħu u b'hekk insibu li għandna dan ir-riżultat:

Lil C giet mogħtija preferenza li baqgħet wara	4 poloz
Lil L giet mogħtija preferenza li baqgħet wara	3 poloz
Total ta' poloz trasferibbli	7 poloz
Total ta' poloz li mhumiex trasferibbli	8 poloz
B'kollox	15 polza

F'dan il-każ it-total ta' poloz trasferibbli (7) hu inqas miż-żejjed ta' voti (9) u għalhekk il-Kummissjonarju Elettorali jgħaddi l-mazzi godda kollha ta' poloz trasferibbli lill-kandidati l-oħra li huma mmarkati bil-preferenza li tibqa'. B'dan il-mezz jinghataw 7 voti miż-żejjed ta' 9 voti żejda. Hemm differenza ta' 2 poloz. Il-mazz ġdid ta' poloz li mhumiex trasferibbli jiġi għalhekk maqsum fi tnejn, wieħed fih 2 poloz (li jagħmlu miż-żejjed ta' voti) u l-ieħor fih 6 poloz (li huma meħtieġa għall-kwota ta' I). Il-porzjon li fih 2 poloz jitqiegħed għalih flimkien mal-mazzi l-oħra ta' poloz li mhumiex trasferibbli, u l-porzjon li fih 6 poloz jinżamm biex bih ikun hemm il-kwota ta' I ($6 + 44 = 50$).

It-total tal-voti mqassma lil dawn il-kandidati issa huma:

Lil C $25 + 2 + 1 + 3 + 4 = 35$ 5 mazzi
 Lil L $24 + 9 + 1 + 3 = 37$ 4 mazzi
 Mhux trasferibbli $1 + 2 + 2 = 5$ 3 mazzi

Ir-riżultat tal-votazzjoni fil-konkluzjoni tat-Tmien
 Għadd huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	35
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	21
H	50 (elett)
I	50 (elett)
K	0 (eliminat)
L	37
Mhux trasferibbli	5
B'kollox	348

ID-DISA' GHADD

Billi m'hemmx iżjed voti żejda, il-voti ta' G, li għandu l-inqas voti, jiġu mqassmin. Fil-mazz ta' G, ta' 21 polza, hemm 7 poloz li fihom hemm il-preferenza ta' wara mogħtija lil C, u 12-il polza li fihom hemm il-preferenza ta' wara mogħtija lil L u 2 poloz li mhumiex trasferibbli. Għalhekk 7 poloz imorru fuq C u 12 fuq L, u 2 jitqiegħdu mazz għalihom mal-mazzi l-oħra ta' poloz li mhumiex trasferibbli.

Għalhekk it-total ta' dawn il-voti mogħtijin lil dawn il-kandidati jsiru:

Lil C	$25 + 2 + 1 + 3 + 4 + 7 = 42$	6 mazzi
Lil L	$24 + 9 + 1 + 3 + 12 = 49$	5 mazzi
Mhux trasferibbli	$1 + 2 + 2 + 2 = 7$	4 mazzi

Ir-Riżultat finali tal-Votazzjoni huwa dan:

Kandidat	Voti
A	0 (eliminat)
B	50 (elett)
C	42
D	50 (elett)
E	0 (eliminat)
F	50 (elett)
G	0 (eliminat)
H	50 (elett)
I	50 (elett)
K	0 (eliminat)
L	49
Mhux trasferibbli	7
B'kollox	348

Billi issa m'hemmx iżjed voti żejda, C, il-kandidat li għandu l-inqas numru ta' voti jiġi maħruġ mill-elezzjoni. Imma billi baqa' post battal u ma baqax iżjed kandidati, hlief L, L jiġi magħżul mingħajr ebda trasferiment ta' voti.

Ir-riżultat tal-aħħar hu illi B, F, H, D, I u L jiġu eletti.";



(k) it-Tmien Skeda għandha tiġi sostitwita b'dan li ġej:

"IT-TMIEN SKEDA
(Regolament 20)





POLZA TAL-VOT — BALLOT PAPER

Għadd ta' Kunsilliera li għandhom jiġu eletti		Kunsill	
Number of Councillors to be elected		Council	
Isimijiet tal-Kandidati Names of Candidates			
Sedge ta' Kandidat Sedge of Candidate		Ritratt tal-Kandidat Photo of Candidate	Immarkazzjoni preferenzjali Marking of preference in space below






PARTIT A

AZZOPARDI ALBERT, Ta' Gawdenz, ta' 140, Triq il-Kapuċċini, San Gġiljan, Perit	
LIA PATRICK, ta' 44, 'Daffodil', Triq il-Kavallieri ta' Malta, I-Isla, Avukat	



PARTIT B

ABDILLA FRANCIS SAVIOUR [Frankie], ta' 21, 'La Paloma Bianca', Triq San Pju XIV, San Pawl il-Baħar, Impjegat il-Bank	
BALDACCHINO MARK ANTHONY, ta' 'April Love', Triq il-Konvoj ta' Santa Marija, Marsaskala, Avukat	
VELLA DEGIORGIO JAMES, ta' 240, 'Old Trafford', Triq il-Izbark ta' Franciżi, San Pawl il-Baħar, Nutar	
ZAMMIT HENRY ALFRED, ta' 18, Fl 3, Triq il-Vittrni ta' Gwerra, Bormla, Pensjonant	

PARTIT Ċ

ABELA CHRISTOPHER [Chris], ta' 107, 'San Siro', Triq Santa Marija, L-Imġarr, Tabib/Konsulent fis-Saħha Pubblika	
BORG MALLIA NOREEN, ta' 6, Mirrah Diċembru Tietta, San Pawl il-Baħar, Procurement Officer	
GALEA GWENITH [Gwen], ta' 35, 'Shalom', Triq Nikola Briffa, Is-Siġġiewi, Konsulent Finanzjarju	
SANTY BRIAN [Abraham], ta' Bramu, ta' 21, 'Bianco Nero', Triq il-Gran Mastru Wignacourt, Fleur-De-Lys, Birkirkara, Negożjant	
UNGARO TRACY, Dr, ta' 'Villa Genesis', Triq il-Bajja s-Sabiha, Il-Mellieħa, Tabiba	

KANDIDATI INDIPENDENTI

BUSUTTIL MATTHEW, il-Kitarriet, ta' 21, 'Villa Madama', Triq Valletta, Mosta, Direttur Artistiku	
TANTI PHILIP, ta' 89, Flat 6, Marigold Flats, Triq il-Vopa, Marsaskala, Pensjonant	

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(l) minnufih wara t-Tmien Skeda għandha tiżdied l-Iskeda ġdida li ġejja:

A 318

"L-ISKEDA 8A
(Regolament 20)

In-naħa ta' wara tal-Formula tal-Polza

TIMRIJ TAL-KUMMISSJONI	TIMRIJ TAL-PARTIJI POLITICI
FITTIBHAX TAHT DIN IL-LINJA	

".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 215 tat-3 ta' April, 2019.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

5th April, 2019

ACT No. XI of 2019

AN ACT to amend the General Elections Act, Cap. 354, and consequentially the Local Councils Act, Cap. 363.

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 Electoral Laws Short title.
(Amendment) Act, 2019.

PART I
AMENDMENTS TO THE GENERAL ELECTIONS ACT

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

A 320

Amendment of
article 2 of the
principal Act.

3. Sub-article (1) of article 2 of the principal Act shall be amended as follows:

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

"Electronic Counting System" means the process, computer program and/or computer hardware, other equipment, data and services as may be necessary in order to:

(a) maintain relevant data in relation to the election being held;

(b) take an image of each ballot paper and interpret the preferences;

(c) establish a link between each vote stored electronically and the equivalent ballot papers by means of a unique identifier;

(d) process the collected data and ballots in such manner as to calculate the number of votes cast for each candidate at the election and determine the final result in terms of this Act; and

(e) ensure the retention of proper records;";

(b) immediately after the definition "an identification document" there shall be added the following new definition:

" "non-searchable" means not capable of being searched on the basis of name, surname or Identity Card number;"; and

(c) immediately after the definition "official mark" there shall be added the following new definition:

" "the period of time reserved for viewing" means the period of time which starts from such time when the Commission grants access to the party delegates to the images of each Electronic Ballot together with their interpretation and to the complete data set containing the preferences of voters as shown in the Electronic Ballots, and which expires four hours after the time the Commission forwards a copy of the Draft Result to party delegates in terms of regulation 13;".

4. Article 26 of the principal Act shall be amended as follows: Amendment of article 26 of the principal Act.

(a) in sub-article (1) thereof immediately after the words "in terms of article 24 the Commission shall by notice in writing" there shall be added the words "by means of a registered letter and, separately and at the same time, an identical letter sent by ordinary post,";

(b) in the proviso to sub-article (1) thereof the words "Copies of notices made pursuant to this article shall also be delivered to the party delegates." shall be substituted by the words "Copies of notices made pursuant to this article shall also be delivered to the party delegates:" and immediately thereafter there shall be added the following new proviso:

"Provided further that in the case of the Local Councils' Electoral Register and the European Union Electoral Register, in the event of a person (a) having not been effectively served with his voting document and not having collected his voting document pertaining to elections in the past 12 years; and (b) not having a valid identity card or residence card; and (c) having totally failed to answer the aforesaid notices within the aforesaid period, the Commission shall, on the lapse of the period established in sub-article (1), proceed to cancel the registration of the voter or expunge the voter's name from the Local Councils' Electoral Register and, or the European Union Electoral Register but on doing so it shall attempt to serve upon such person a further notice in writing stating that such cancellation or expunging have been made and it shall publish a notice of the said cancellation or expunging in the Gazette and in at least one local newspaper. The cancellation or expunging aforesaid shall come into effect on the lapse of one month from the date when notice of the same is published in the Gazette.";

(c) in sub-article (3) thereof the words "further notice referred to in the proviso" shall be substituted by the words "further notice referred to in the first proviso" and immediately after the words "at the address of the voter as shown in the Electoral Register." there shall be added the words "This sub-article does not apply in the case of the Local Councils' Electoral Register and the European Union Electoral Register."; and

(d) in sub-article (4) thereof immediately after the words "by means of a letter addressed to him" there shall be added the words ", which letter shall also advise the person that if he

possesses all the qualifications to be registered as a voter, he should immediately reapply to be so re-registered,".

Amendment of article 33 of the principal Act.

5. Article 33 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be substituted by the following:

"(1) The Commission shall cause a revised Electoral Register to be published in a non-searchable electronic format on its website twice a year, that is to say, in the month of April and in the month of October. Such Register shall contain all corrections, additions, transfers and cancellations as on the thirty-first day of March and the thirtieth day of September immediately preceding the publication thereof. The Commission shall publish in the Gazette a notice that the relevant Register has been published.";

(b) in sub-article (2) thereof, the following proviso "Provided that the Electoral Register published in the format that is divided into as many parts as there are localities shall have an Annex indicating the registration of voters that have attained the age of sixteen years but have not attained the age of eighteen years on the election of 2015 onwards of the Local Councils or the Administrative Committees." shall be deleted;

(c) in sub-article (5) thereof immediately after the words "The Commission shall cause to be published in the Gazette" there shall be added the words "and in a non-searchable electronic format on its website";

(d) sub-article (6) thereof shall be deleted.

Amendment of article 45 of the principal Act.

6. Article 45 of the principal Act shall be amended as follows:

(a) in paragraph (a) thereof, immediately before the words "the place where" there shall be added the words "the website and/or manner in which candidates may submit their nominations electronically"; the words "shall not be less than three days" shall be substituted by the words "shall not be less than five days" and the words "two days from the expiration" shall be substituted by the words "one day from the expiration"; and

(b) immediately after paragraph (d) thereof there shall be added the following new paragraph:

"(e) whether the Commission has decided to use an

Electronic Counting System:

Provided that a published decision to use an Electronic Counting System shall not operate so as to prevent the Commission, in its considered opinion, from rescinding or retracting at any time, its decision to use an Electronic Counting System to revert to the manual system as outlined in the Thirteenth Schedule."

7. 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 "not earlier than thirteen days but not later than ten days before the poll, print such number of ballot papers as may be necessary for the poll in such form and on such material as may be prescribed under this Act." shall be substituted by the words "not earlier than twenty-one days but not later than ten days before the poll, print according to the Eighth Schedule such number of ballot papers as may be necessary for the poll in such form and on such material as may be prescribed under this Act. This does not apply to the printing on the rear of ballot papers according to Schedule 8A.";

(b) in sub-article (3) thereof the words "nomination paper and as approved by the Electoral Commissioners." shall be substituted by the words "nomination paper, and a photograph taken in black with a white background of each of them and as approved by the Electoral Commission. The photograph shall be submitted to the Commission by electronic means by the fifth day after the established time for objections to a nomination. In the case where the candidate does not conform himself, the Commission shall be authorised to use the photograph which the candidate has on his identity card."; and

(c) in sub-article (6) thereof the words "immediately after the name" shall be substituted by the words "immediately preceding the name".

8. Article 51 of the principal Act shall be amended as follows: Amendment of article 51 of the principal Act.

(a) sub-article (1) thereof shall be substituted by the following:

"(1) A candidate for election shall be nominated in writing or by electronic means:

(a) where a candidate is nominated in writing, the nomination paper, which shall be in the form set out in the Ninth Schedule to this Act, shall be signed

by the candidate himself, (or, in the event of his absence from these Islands, by a duly appointed representative), and by, at least, four voters registered in the electoral division for which the candidate is nominated. The nomination paper shall be delivered to one of the Commissioners at the Electoral Office by the candidate himself or if he is prevented by illness or absence from these Islands by his lawful representative, authorised in writing, within the period specified in the notice referred to in article 45;

(b) where a candidate is nominated by electronic means, the nomination form, which shall be in the form set out in the Ninth Schedule to this Act, shall be filled in through a website prepared for that purpose by the Commission which nomination shall be electronically signed by the candidate. The nomination will also include an attestation to the nomination by at least four voters registered in the electoral division for which the candidate is nominated, which attestation shall be provided through the said website in the manner and form established by the Commission. The nomination is to be submitted within the period specified in the notice referred to in article 45.";

(b) in sub-article (2) thereof the words "after a nomination paper" shall be substituted by the words "after a nomination"; and

(c) in sub-article (3) thereof the words "the nomination paper does not comply with" shall be substituted by the words "the nomination does not comply with".

Amendment of article 55 of the principal Act.

9. Article 55 of the principal Act shall be renumbered in its entirety as article 55(1) and immediately thereafter there shall be added the following new sub-article:

"(2) In the case when a candidate dies after the ballot papers have been printed, the candidacy shall be deemed to remain valid for all intents and purposes of the law. Provided that a candidate as referred to in this sub-article may still be declared to be elected but in such case the Commission shall, as soon as possible, give notice of an election to fill the said vacancy."

Addition of new article 55A to the principal Act.

10. Immediately after article 55 of the principal Act there shall be

added the following new article 55A:

"Threatening
the secrecy of
the vote.

55A. Any person who, having been given access to the images of the Electronic Ballots together with their interpretation and/or the data set containing the preferences of voters as shown in the Electronic Ballots, uses the said data for any purpose other than that provided in regulation 14(1) of the Thirteenth-A Schedule or otherwise retains or fails to remove the said data following the conclusion of the verification process shall be guilty of the offence of threatening the secrecy of the vote."

11. In article 99 of the principal Act, the words "to the ballot paper account." shall be substituted by the words "to the ballot paper account:" and immediately thereafter there shall be added the following new proviso:

Amendment of
article 99 of the
principal Act.

"Provided that where the Commission decides to use an Electronic Counting System the ballot box shall be opened and the ballot papers shall be placed faced downwards on the counting table. When all the ballot papers found in a ballot box have been placed faced downwards on the counting table, the supervisor shall place the ballot papers together in one parcel faced downwards and in a separate tray for each ballot box with the polling booth number and, where applicable, the division. The supervisor shall immediately place the tray on a rack in a place clearly visible to the counting agents. This process shall be repeated until all ballot boxes have been opened. The counting and tallying of the ballot papers shall be done in accordance to the rules stated in Thirteenth-A Schedule."

12. In sub-article (4) of article 105 of the principal Act, immediately after the words "contained in the Thirteenth Schedule" there shall be added the words "or, when an Electronic Counting System is being used, Thirteenth-A Schedule".

Amendment of
article 105 of
the principal
Act.

13. Article 107 of the principal Act shall be amended as follows:

Amendment of
article 107 of
the principal
Act.

(a) in sub-article (1) thereof, immediately after the words "as follows:" there shall be added the words "Where an Electronic Counting System is used:

All ballot papers contained in each ballot box sorted in unique identifier order in all other cases:"; and

(b) in sub-article (3) thereof, the words "the transfer of each surplus." shall be substituted by the words "the transfer of














each surplus:" and immediately thereafter there shall be added the following new proviso:

"Provided that where the Commission decides to use an Electronic Counting System, the Commission shall preserve all data introduced to or used by the Electronic Counting System including but not limited to data processed or produced by the Electronic Counting System for all intermediate steps prior to the final results. The data is to be preserved in digital format on suitable media and in at least two separate copies identical to the original, as decided by the Commission, for the long term storage of the same data which media shall be kept in separate sealed packets and in separate locations established by the Commission. The said copies shall be preserved until the publication of the result of the next following election and shall be erased thereafter."

Substitution of the Eighth Schedule of the principal Act.

14. The Eighth Schedule to the principal Act shall be substituted by the following:

"EIGHTH SCHEDULE
(Article 49)

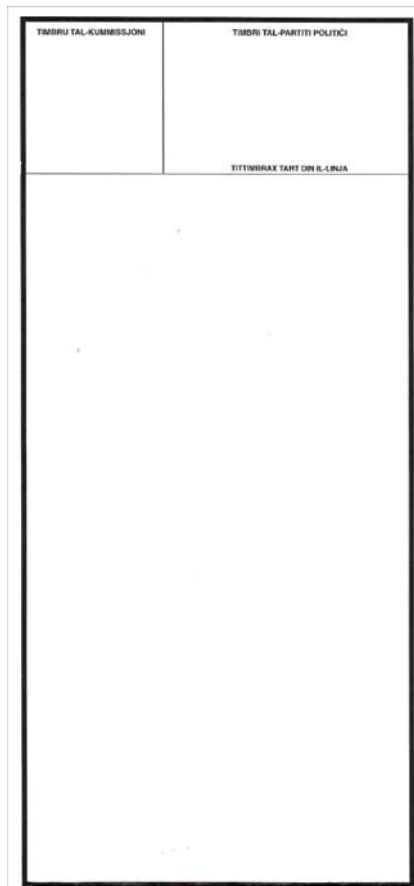
POLZA TAL-VOT – BALLOT PAPER			
Għadd ta' Membri tal-Kamra tad-Deputati li għandhom jigu eletti Number of Members of the House of Representatives to be elected		Distrett Division	
Isma ta' Kandidat Name of Candidate	Isimijiet tal-Kandidati Names of Candidates	Foto ta' Kandidat Photo of Candidate	Immaġni kompjuterizzata ta' Kandidat Computerized image of Candidate
PARTIT A			
	AZZOPARDI ALBERT, Ta' Gawdenz, ta' 140, Triq il-Kapuccini, San Giljan, Perit		
	LIA PATRICK, ta' 44, 'Daffodil', Triq il-Kavallieri ta' Malta, I-Isla, Avukat		
PARTIT B			
	ABDILLA FRANCIS SAVIOUR [Frankie], ta' 21, 'La Paloma Bianca', Triq San Piju XIV, San Pawl il-Bahar, Impjegat il-Bank		
	BALDACCHINO MARK ANTHONY, ta' 'April Love', Triq il-Konvoj ta' Santa Marija, Marsaskala, Avukat		
	VELLA DEGIORGIO JAMES, ta' 240, 'Old Trafford', Triq l-Izbark tal-Franċiżi, San Pawl il-Bahar, Nutar		
	ZAMMIT HENRY ALFRED, ta' 18, Fl 3, Triq il-Vittmi tal-Gwerra, Bormla, Penjonant		
PARTIT Ċ			
	ABELA CHRISTOPHER [Chris], ta' 107, 'San Siro', Triq Santa Marija, L-Imġarr, Tabib/Konsulent fis-Sahha Pubblika		
	BORG MALLIA NOREEN, ta' 6, Misrah Diċembru Tlettax, San Pawl il-Bahar, Procurement Officer		
	GALEA GWENITH [Gwen], ta' 35, 'Shalom', Triq Nikola Briffa, Is-Sigġiewi, Konsulent Finanzjarju		
	SANT BRIAN [Abraham], Ta' Bramu, ta' 21, 'Bianco Nero', Triq il-Gran Mastru Wignacourt, Fleur-De-Lys, Birkirkara, Negoċjant		
	UNGARO TRACY, Dr, ta' 'Villa Genesis', Triq il-Bajja s-Sabiha, Il-Mellieha, Tabiba		
KANDIDATI INDEPENDENTI			
	BUSUTTIL MATTHEW, il-Kitarrist, ta' 21, 'Villa Madama', Triq Valletta, Mosta, Direttur Artistiku		
	TANTI PHILIP, ta' 89, Flat 6, Marigold Flats, Triq il-Vopa, Marsaskala, Penjonant		

15. Immediately after the Eighth Schedule to the principal Act there shall be added the following new Schedule:

Addition of a new Schedule to the principal Act.

"SCHEDULE 8A
(Article 49)

Rear of Ballot Paper



".

16. Immediately after the Thirteenth Schedule of the principal Act there shall be added the following new Schedule:

Addition of a new Schedule to the principal Act.

"SCHEDULE THIRTEENTH-A
**The General Elections
(Electronic Counting and Sorting) Regulations, 2019**

**PART I
*Preliminary***

Citation.

1. These regulations may be cited as The General Elections (Electronic Counting and Sorting) Regulations, 2019.

Interpretation.

2. In these regulations unless the context otherwise requires the expressions used will be given the same interpretation as those used in the Thirteenth Schedule, furthermore:

"Electronic Ballot" means the electronic representation of a physical ballot paper in a machine-readable format obtained from the programmatic interpretation of the preferences indicated on the ballot paper together with a unique identifier matching the Electronic Ballot to the ballot paper and such other data the Electoral Commission may deem fit to store;

"Non-transferable Ballot" means an Electronic Ballot on which no second or subsequent preference is recorded for a continuing candidate:

Provided that an Electronic Ballot shall be deemed valid but has become a Non-transferable Electronic Ballot whenever:

(a) the names of two or more candidates, (whether continuing or not) are marked with the same number, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked:

(i) by a number not following consecutively after some other number on the ballot paper; or

(ii) by two or more numbers; or

(c) for any other reason it cannot be determined with certainty for which of the continuing candidates the next available preference of the voter is recorded;

"Unique identifier" means a sequence of numbers used to identify each particular ballot paper and consisting of:

District number – 2 digits

Ballot box number – 4 digits

Ballot paper number – 4 digits.

Applicability of the Thirteenth Schedule.

3. Save as otherwise provided by these regulations when sorting and counting votes the Electronic Counting System is to respect and incorporate, *mutatis mutandis*, the regulations, requirements and the "Example Of The Method Of Counting The Ballot Papers At An Election Conducted On The Proportional Representation System Of The Single Transferable Vote" stated in the Thirteenth Schedule, to the exclusion of regulations 4, 5, 6, 7(2), 7(3), 11(2) and 14.

PART II

Sorting of Ballot Papers

Assistants.

4. The Commission shall ensure that all the staff that it may appoint to assist, supervise and operate the Electronic Counting System and all other necessary electronic equipment for the process shall be technically trained to efficiently carry out their assigned functions.

Processing of Ballot Paper Account.

5. Upon receipt of the ballot boxes by the Commission the declared number of votes cast as stated on the Ballot Paper Account shall be registered on the Electronic Counting System. The number of ballot papers in each box according to the Ballot Paper Account shall be displayed on a monitor for the information of the candidates and their agents.

Sorting of ballot papers.

6. Once the ballot boxes are opened each ballot paper shall be taken out and first placed faced downwards to ascertain that each ballot paper contains the official stamp of the Commission, and that there are no other marks on the reverse side except the official stamp of the Commission and of the political parties that opt to put the official mark and then it shall be turned, shown and placed with its face upwards to ascertain that there are no other marks on the front of it except the numbers indicating the preferences of the voter. After the completion of the said process, the ballot papers shall then be placed with their face upwards in an appropriate tray marked with the polling booth number and, where applicable, the division or table number and locality name. A copy of the Ballot Paper Account together with the ballot papers and their trays shall be stored in such area that shall at all times be visible to candidates and their agents:

Provided that if a counter decides that there is a possibility that, for any reason according to the General Elections Act, a ballot paper may be invalid or if any candidate or agent for the same reason so claims, the counter shall inform the supervisor of such ballot paper and the supervisor shall stamp such ballot paper as "Dubious" on the top part of the front of the ballot paper and place such ballot papers on the top of the parcel:

Provided that no reconciliation of the ballots in each tray and those stated in the ballot paper Account shall be done at this stage but shall be done following the scanning phase according to regulation 8(2).

Processing of
ballot papers.

7. (1) The ballot papers are to be processed, in an orderly manner, through the Electronic Counting System which shall create and store a digital image of each ballot paper and shall proceed to convert the ballot paper into an Electronic Ballot. As part of this process the ballot paper shall be marked with a unique identifier matching that given to the Electronic Ballot in order to allow the Commission, should the need arise, to identify and match the processed ballots with the ballot papers and in order to ascertain that a ballot paper is only processed and counted once.

(2) Persons supervising this process shall confirm that the number of ballots found in each box reconciles with that stated in the Ballot Paper Account as indicated by the Assistant Electoral Commissioners. When the number of votes found does not tally the Commission must be notified immediately in order to carry out the necessary investigation and give all necessary instructions.

(3) When converting the ballot papers into a machine readable format the Electronic Counting System is to identify and bring to the notice of the Commission all dubious ballot papers, that is all such ballot papers which give rise to any difficulty in interpreting the preferences or which may, for any reason according to the Act, be found to be invalid or non-transferable.

Dubious Votes.

8. (1) The Commission shall investigate all the dubious Electronic Ballots. In doing so the Commission may consult the ballot paper marked with the matching unique identifier as the Electronic Ballot:

Provided that ballot papers shall only be temporarily removed from the original tray on the order of and by an Electoral Commissioner or other persons specifically delegated by the Commission.

(2) The Electronic Counting System will bring the dubious ballots to the notice of the Commission once all the ballot papers in a particular tray are scanned and verified.

(3) Upon investigation, a dubious ballot may be determined to be:

(i) invalid and consequently the Electronic Ballot shall be put aside and ignored in all counts;

(ii) non-transferable and consequently the non-transferable portion of the Electronic Ballot shall be set aside and ignored, whilst the valid preferences shall be recorded and included in the first and subsequent counts as the case may be; or

(iii) valid and consequently the numerical sequence on the Electronic Ballot shall be set to correctly and faithfully reflect the valid ballot paper:

Provided that in all such cases any amendment or manual operation that may have been performed on an Electronic Ballot shall be logged in the Electronic Counting System, as well as the reason where a vote is found to be invalid:

Provided further that nothing in these regulations shall prevent the Commission from examining all other Electronic Ballots.

Adjudicating
Process – first tier.

(4) The Commission may appoint such persons as it deems fit to review and examine dubious ballots and to perform the relevant action required in terms of the preceding sub-regulation. A party delegate from each Party or a substitute, shall be entitled to make observations and may raise objections, in which case the dubious ballot shall be referred to the Commission for its final decision in terms of the following sub-regulations.

Adjudicating
Process –
Second tier.

(5) The Commission, or any number of members thereof not being less than two, shall investigate any Electronic Ballot to determine whether it is valid, transferable or non-transferable or invalid and shall, after hearing the representations of the party delegates, or their substitutes, decide in respect of each Electronic Ballot, whether it is valid, transferable or non-transferable or invalid, or shall make any amendment to the interpretation of the vote to correctly reflect the preferences stated in the ballot paper.

(6) The decision of the Commission, or any number of members thereof not being less than two, in this regard shall be final and not subject to appeal.

(7) Once all the dubious Electronic Ballots in a tray have been investigated and declared valid, transferable or non-transferable or invalid, the number of valid and invalid Electronic Ballots in that box is to be displayed on a monitor or such other method for the information of the candidates and their agents. Any ballot papers that may have been removed as directed by a Commissioner for further investigation shall be returned to its correct sequence in the ballot tray.

(8) Once all the boxes of an electoral division have been processed the total number of valid and invalid votes for that division is to be displayed on a monitor or announced in such other method as the Commission may deem fit.

Other preparatory work.

9. (1) Prior to initiating the electronic counting, the Commission may carry out such audit, verifications or other tests it may deem fit in order to ensure the correctness and completeness of the Electronic Counting System. The Commission shall produce reports showing the number of valid votes in respect of each box together with a separate report indicating that all candidates are starting with nought (0) votes.

(2) For the purposes of enabling the counting to be conducted using the Electronic Counting System the Commission may carry out any functions or perform any procedures to be undertaken in connection with the counting by electronic means as is deemed necessary or consequential to the same.

(3) The Commission shall issue an order to commence the counting of votes only after it is satisfied that all procedures and requisites established by the Law and the Commission have been satisfied.

PART III

Counting

Counting of votes.

10. Once the input data is verified the Electronic Counting System shall determine the quota as established in regulation 8 of the Thirteenth Schedule.

Commencement of the Electronic Counting System.

11. (1) The Electronic Counting System shall commence the first count with a set of Electronic Ballots ordered in ascending order by ballot paper number and ballot box number in a division by assigning all valid Electronic Ballots to parcels according to the preferred candidate indicated in each electronic ballot and each candidate shall be credited with a number of votes equal to the number of Electronic Ballots recording a first preference for such candidate.

(2) In subsequent counts, the transferable Electronic Ballots shall be transferred and assigned to the parcel of that candidate in accordance with the same rules of the Thirteenth Schedule.

(3) The System will proceed to calculate the first count and all subsequent counts without pause, save where instructions are required from the Commission in terms of these regulations, including where a candidate has to be selected for exclusion by lot in terms of sub-regulation 11(3) of the Thirteenth Schedule.

Draft report showing the number of votes.

12. The Electronic Counting System will produce a draft report showing the number of votes obtained by each candidate at each count. The draft report, will not, at this stage be considered an official result.

Reporting of the vote.

13. The Commission shall forward a copy of the draft result to party delegates in order for them to view the result in terms of regulation 12:

Provided that the Commission shall accord the party delegates or their substitutes, in writing, an adequate, equal and reasonable period of time from the production of the draft result to view the result, which period of time may be extended by the Commission on receiving a request by a party delegate stating the reasons to justify the request. The decision of the Commission shall be final.

Access to images of each Electronic Ballot.

14. (1) During the period of time reserved for viewing, the Party Delegates shall have the right to access the images of each Electronic Ballot together with its interpretation, and to access a complete data set containing the preferences of voters as shown in the Electronic Ballots and this solely and exclusively for the purposes of verifying that the ballot papers were correctly interpreted by the System and that the preferences stated in the ballots were correctly allocated to candidates:

Provided that the party delegates shall not retain the said information and shall ensure the complete deletion and destruction of the information received and any copies that may have been made following the verification of the ballot papers and their allocation, and this immediately upon the expiry of the period of time reserved for viewing:

Provided further that any person who having been granted access to the image of each Electronic Ballot together with its interpretation, and/or the complete or partial data set containing the preferences of voters as shown in the Electronic Ballots uses the data for purposes other than those allowed in terms of this sub-regulation or retains the said information beyond the period of time required to conduct these purposes or fails to delete or destroy the information following the conclusion of the verification shall be guilty of an offence, and shall, on conviction, be liable to a fine (*multa*) not exceeding ten thousand euro (€10,000) or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

(2) When providing the parties and party delegates with the information specified in the preceding sub-regulation, the Commission shall ensure that the recipients are aware of their obligations in terms of these regulations and shall be empowered to impose such non-disclosure and other obligations, including penalty clauses by which the Parties, party delegates and their substitutes shall confirm and bind themselves not to copy, retain, publish or otherwise use the data set other than for verification purposes within the time-frame allocated to them and to ensure that upon the expiry of the said time-frame they shall delete and/or return the data to the Commission.

(3) The Commission shall investigate as it deems fit any reasoned objection or complaint that a party delegate, or a contesting Party may bring forward with regards to the correctness of the result.

(4) Following the publication of the result, the Commission shall not provide access to the images of each Electronic Ballot or to their interpretation or to the complete data set containing the preferences of voters as shown in the Electronic Ballots and shall ensure that it does not provide any information that may remove the secrecy of the vote.

Announcement of results.

15. (1) Following the declaration by the parties that they are satisfied with the result or the expiry of the time allowed for verification as indicated in regulation 13 of this Schedule, the Commission shall declare and publish the final and definite results of the first count.

(2) The Commission shall display on one or more monitors for the information of the candidates and their agents the results for the first count, the Commission shall allow a short period of time and then publish the final and definite result of the second and subsequent counts. The length of period of time between each count shall be determined by the Commission at its sole discretion.

Recount.

(3) Any candidate or agent may, before the next count is shown, request the Commission to re-examine all or any of the Papers dealt with during that count, in which case the Commission shall suspend the display of the individual counts and instead shall display on a monitor or monitors all the Electronic Ballots that were processed in that count sequentially.

(4) When examining the votes in this manner any suspected error is to be brought immediately to the attention of the Commission which shall investigate the matter and decide on how to proceed. The decision of the Commission is final and not subject to appeal.

(5) Following the display of all the counts on the monitor the result will be final and definite:

Provided that all Parties shall have the same rights at law to contest the result as emanating from the Law and from the General Elections Act and its Schedules.

Devices and software to be used.

16. (1) The Electronic Counting System and all devices or software intended to work together with the System shall be tested adequately before being approved by the Electoral Commission to carry out the process of Electronic Counting and Sorting. The Commission shall ensure that the Counting Engine and any subsequent revision shall be accredited and confirmed to operate in a correct manner in conformity with the Thirteenth Schedule and this Schedule by an accreditation authority as may be deemed appropriate by the Commission.

Security and Integrity.

(2) At least three (3) identical sets of the final and approved version of the software for the Counting Engine and the Interpretation and Transcription into machine readable language for voting preferences shall be stored in digital format on a suitable medium for the long term storage of the same data in packets; which packets shall be sealed by the Commission and the party delegates and stored by the Commission in a secure location. Party delegates shall have the right to a set of the software installed on a secure server provided by the Commission at the Counting Complex, on polling day, and prior to the commencement of the electronic sorting and counting or at any other time as may be decided by the Commission.

(3) The Commission shall verify and ensure in the presence of the party delegates that the software made available to the party delegates as provided in sub-regulation (2) above is identical to the software that will be used in the Electronic Counting System.

Auditing of the Electronic Counting System.

17. The Commission is to ensure that the Electronic Counting System is operated independently from other systems and free from any form of electronic interference.

Further procedures established by the Commission.

18. The Commission may define and establish such further procedures that may be required to better operate the System.

Fall Back clause.

19. The Commission may, should it deem it so necessary in the circumstances, order the suspension of the use of the Electronic Counting System for counting and sorting votes and instead revert to the rules of the Thirteenth Schedule or such other regulations issued under article 105 as may be in force from time to time:

Provided that in such circumstances the Commission shall, for all intents and purposes of law, be deemed to have decided to not use an Electronic Counting System for the counting and sorting of votes.

Casual Vacancies.

20. In the event of a seat becoming vacant regulations 18 to 22 of the Thirteenth Schedule shall be applied so however that the examination of the ballot papers shall be done by the Electronic Counting System using the final resulting parcel of the Candidate as produced by the System.

Article 52 of the
Constitution.

21. For the purpose of electing the additional members, if any, required in terms of sub-paragraphs (i) and (ii) of the first proviso to sub-article (1) of article 52 of the Constitution and of sub-paragraphs (i) and (ii) of the second proviso to the same sub-article, the rules and regulations found in Part IV to the Thirteenth Schedule shall be applied.

**EXAMPLE OF THE METHOD OF COUNTING
THE BALLOT PAPERS AT AN ELECTION
CONDUCTED ON THE PROPORTIONAL
REPRESENTATION SYSTEM OF THE SINGLE
TRANSFERABLE VOTE USING AN ELECTRONIC
VOTE COUNTING SOLUTION**

Let it be assumed that there are six members to be elected and that there are eleven candidates A, B, C, D, E, F, G, H, I, K, L.

THE QUOTA

Once all ballot papers are scanned, verified and adjudicated, an ordered (by vote number, ballot box number) set of valid Electronic Ballots is formed. The total number of valid Electronic Ballots submitted to the count engine is 348. This total is divided by seven (i.e. the number which exceeds by one the number of vacancies to be filled), and 50 (i.e. the quotient 49 increased by 1, neglecting the fraction) is the "quota", or the number of votes sufficient to elect a member.

FIRST COUNT

The ordered set of Electronic Ballots is treated as the initial parcel within the count engine. This initial parcel is analysed, and all Electronic Ballots are assigned into separate sub-parcels under the name of the candidate for which a first preference has been recorded.

The results of the count may be supposed to be as follows:

Candidate	Votes
A	7
B	140
C	25
D	10
E	4
F	62
G	14
H	50
I	12
K	0
L	24
Non-Transferable	0
Total	348

The votes obtained by B, F and H exceed or equal the quota, and they are thereupon elected.

SECOND COUNT

B has 90 surplus votes (i.e. B's total 140, less the quota 50), and it is necessary to transfer this surplus first as being the largest.

All B's 140 Electronic Ballots are analysed and assigned into separate sub-parcels according to the next available preferences indicated therein.

In general, the next available preference will be the second preference. But any Electronic Ballot on which the second preference is given to either F or H, both already elected, passes to the next available preference after such candidates. An Electronic Ballot marked with 1 for B, 2 for H, 3 for F, 4 for I, is placed in the sub-parcel for I.

A separate sub-parcel is also formed of those Electronic Ballots on which no further available preference, i.e. no further preference for any continuing candidate is shown, and which are therefore not transferable.

The result is found to be as follows:

A next available preference is shown for D on	80 ballots
A next available preference is shown for E on	2 ballots
A next available preference is shown for I on	25 ballots
A next available preference is shown for K on	29 ballots
Total of <i>transferable</i> ballots	136 ballots
Total of <i>non-transferable</i> ballots	4 ballots
Total of B's ballots	140 ballots

Since the total number of transferable ballots (136) exceeds the surplus (90), only a portion of each sub-parcel can be transferred, and the number of ballots to be transferred from each sub-parcel must bear the same proportion to the total number of ballots in the sub-parcels as that which the surplus bears to the total number of transferable ballots.

In other words, the number of Electronic Ballots to be transferred from each sub-parcel is ascertained by multiplying the number of ballots in the sub-parcel by 90 (the surplus) and dividing the result by 136 (the total number of transferable ballots) giving 0.6617647.

The calculation is as follows:

Candidate	Sub-Parcel		Whole	Fraction		Actually Transferred
D	80	x 0.6617647	52	.9412	+1	53
E	2	x 0.6617647	1	.3235		1
I	25	x 0.6617647	16	.5441	+1	17
K	29	x 0.6617647	19	.1912		19
Total			88	2		90

The numbers of Electronic Ballots to be transferred as determined by the preceding process contain decimal parts, and since only whole ballots can be transferred, so many of the largest of these decimal parts, taken in order of their magnitude as will make the total number of Electronic Ballots to be transferred equal to the surplus, are reckoned as of the value of unity.

Thus as the whole numbers determined above amount to only 88 viz. (52+1+16+19), or two short of the surplus, 90, the two largest decimal parts .9412 and .5441 are reckoned as unity, and the number of Electronic Ballots actually transferred are as follows:

To D	53 ballots
To E	1 ballot
To I	17 ballots
To K	19 ballots
Total, being B's surplus	90 ballots

The particular Electronic Ballots to be transferred to D, E, I and K are those last filed in their respective sub-parcels, and, therefore at the bottom of the sub-parcels.

These Electronic Ballots are added in separate sub-parcels to the parcels of D, E, I and K. (Note: K had no parcel of original ballots).

The totals of the votes credited to these candidates then become:

To D.....	$10 + 53 = 63$	2 parcels
To E	$4 + 1 = 5$	2 parcels
To I	$12 + 17 = 29$	2 parcels
To K	$0 + 19 = 19$	1 parcel

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate B, i.e. those ballots not transferred together with the ballots on which no further available preferences were marked, now form the parcel, representing B's quota of votes (50). This parcel retains the order of B's original parcel.

The parcel is made up as follows:

The remainder of D's sub-parcel	$80 - 53 = 27$
The remainder of E's sub-parcel	$2 - 1 = 1$
The remainder of I's sub-parcel	$25 - 17 = 8$
The remainder of K's sub-parcel	$29 - 19 = 10$
Total of <i>non-transferable</i> ballots	4
Total, being B's quota	50

The state of the poll on the conclusion of the second count is as follows:

Candidate	Votes
A	7
B	50 (elected)
C	25
D	63 (elected)
E	5
F	62 (elected)
G	14
H	50 (elected)
I	29
K	19
L	24
Non-Transferable	0
Total	348

D now has 63 votes, a number which is more than the quota. He is accordingly elected.

THIRD COUNT

There are now two surpluses, that of F (12) and that of D (13). F's surplus, though the smaller, is first dealt with as it arose on a prior count. F's surplus is distributed proportionately among the next available preferences on F's original 62 ballots in exactly the same manner as in the case of B, with the result that 9 ballots are transferred to L, 2 to C and 1 to A.

The totals of the votes credited to these candidates then become:

To L	$24 + 9 = 33$	2 parcels
To C	$25 + 2 = 27$	2 parcels
To A	$7 + 1 = 8$	2 parcels

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate F, i.e. those ballots not transferred together with the ballots on which no further available preferences were marked, now form the parcel representing F's quota of votes (50). This parcel retains the order of F's original parcel.

The Electronic Ballots in the sub-parcel of the elected candidate H (who obtained an exact quota at the first count) retain the order of the original parcel and form the parcel representing H's quota of votes (50).

FOURTH COUNT

D's surplus (13) must now be distributed. For this purpose only the sub-parcel last transferred, containing 53 ballots, is considered. These are analysed and assigned into sub-parcels, according to the next available preferences, with the following result:

A next available preference is shown for I on	42 ballots
A next available preference is shown for K on	10 ballots
Total of <i>transferable</i> ballots	52 ballots
Total of <i>non-transferable</i> ballots	1 ballot
Total	53 ballots

The number of ballots to be transferred from each sub-parcel is ascertained by multiplying the number of ballots in the sub-parcel by 13 (the surplus) and dividing the result by 52 (the total number of transferable ballots); therefore

I's share of the surplus	$42 \times 0.25 = 10.5$
K's share of the surplus	$10 \times 0.25 = 2.5$

As the decimal parts above are equal, that which arises from the larger sub-parcel is deemed to be the larger. I's share of D's surplus is, accordingly, 11 votes, and K's share is 2 votes.

The totals of the votes credited to these candidates then become:

To I.....	$12 + 17 + 11 = 40$	3 parcels
To K	$19 + 2 = 21$	2 parcels

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate D, i.e. those ballots not transferred (39) together with the ballots on which no further available preferences were marked (1) and the 10 ballots received on the first count, making 50 ballots altogether, now form the parcel representing D's quota of votes.

The state of the poll on the conclusion of the fourth count is as follows:

Candidate	Votes
A	8
B	50 (elected)
C	27
D	50 (elected)
E	5
F	50 (elected)
G	14
H	50 (elected)
I	40
K	21
L	33
Non-Transferable	0
Total	348

FIFTH COUNT

There being now no surplus required to be dealt with, the Electoral Commissioner proceeds to transfer the votes of the candidate with the smallest total of votes. The candidate lowest on the poll is E, with 5 votes. The ballots in the sub-parcel of candidate E are analysed and assigned into sub-parcels, according to the next available preferences, with the result that 4 ballots are transferred to I, and 1 non-transferable ballot is set aside as a separate parcel, whilst respecting the original order of ballots for candidate E.

The totals of the votes credited to these candidates then become:

To I 12 + 17 + 11 + 4 = 44 4 parcels
 Non-Transferable 1 1 parcel

The state of the poll on the conclusion of the fifth count is as follows:

Candidate	Votes
A	8
B	50 (elected)
C	27
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	14
H	50 (elected)
I	44
K	21
L	33
Non-Transferable	1
Total	348

SIXTH COUNT

The Electoral Commissioner proceeds to transfer the votes of candidate A, who is the candidate with the smallest total of votes on the poll with 8. The ballots in the sub-parcel of candidate A are analysed and assigned into sub-parcels, according to the next available preferences, with the result that 1 ballot is transferred to C and 7 ballots are transferred to G.

The totals of the votes credited to these candidates then become:

To C..... 25 + 2 + 1 = 28 3 parcels
 To G 14 + 7 = 21 2 parcels

The state of the poll on the conclusion of the sixth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	28
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	44
K	21
L	33
Non-Transferable	1
Total	348

SEVENTH COUNT

No candidate is elected as the result of the sixth count and the next operation has to be determined upon. Candidates G and K have each the same number of votes (21) and are lowest on the poll. K’s ballots are analysed and assigned, as he obtained fewer votes than G in the first count. From the distribution of K’s ballots (21), 3 ballots are transferred to C, 15 to I, 1 to L, and 2 are non-transferable. I thereby reaches a total of 59 votes and is elected.

The totals of the votes credited to these candidates then become:

To C.....	$25 + 2 + 1 + 3 = 31$	4 parcels
To I	$12 + 17 + 11 + 4 + 15 = 59$	5 parcels
To L	$24 + 9 + 1 = 34$	3 parcels
Non-Transferable	$1 + 2 = 3$	2 parcels

The final state of the poll on the conclusion of the seventh count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	31
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	59 (elected)
K	0 (eliminated)
L	34
Non-Transferable	3
Total	348

EIGHTH COUNT

I's surplus (9) must now be distributed. For this purpose only the sub-parcel of ballots last transferred to I (15 ballots) is taken into account. These are analysed and assigned into sub-parcels for the continuing candidates, with the following result:

A next available preference is shown for C on	4 ballots
A next available preference is shown for L on	3 ballots
Total of <i>transferable</i> ballots	7 ballots
Total of <i>non-transferable</i> ballots	8 ballots
Total	15 ballots

In this case the total number of transferable ballots (7) is less than the surplus (9), therefore the Electoral Commissioner transfers the whole sub-parcels of transferable ballots to the continuing candidates indicated thereon as next available preference. This accounts for 7 votes out of the surplus 9. There is a difference of 2 ballots. The sub-parcel of non-transferable ballots is therefore divided into two portions, one containing 2 ballots (which form part of the surplus) the other containing 6 ballots (which are required for I's quota). The portion of 2 ballots is set aside as a separate parcel with the other parcels of non-transferable ballots, and the portion of 6 ballots is retained to make up I's quota (6+44=50).

The totals of the votes credited to these candidates then become:

To C.....	$25 + 2 + 1 + 3 + 4 = 35$	5 parcels
To L	$24 + 9 + 1 + 3 = 37$	4 parcels
Non-Transferable	$1 + 2 + 2 = 5$	3 parcels

The state of the poll on the conclusion of the eighth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	35
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	50 (elected)
K	0 (eliminated)
L	37
Non-Transferable	5
Total	348

NINTH COUNT

There being now no surplus, the votes of G, the candidate lowest on the poll, are analysed and assigned. G's parcel of 21 ballots is found to contain 7 ballots on which C is the next preference, and 12 on which L is the next preference, and 2 ballots which are non-transferable. Therefore 7 ballots are transferred to C, and 12 to L, and 2 are filed as a separate parcel with the other parcels of non-transferable ballots.

The totals of the votes credited to these candidates then become:

To C	$25 + 2 + 1 + 3 + 4 + 7 = 42$	6 parcels
To L	$24 + 9 + 1 + 3 + 12 = 49$	5 parcels
Non-Transferable	$1 + 2 + 2 + 2 = 7$	4 parcels

The state of the poll on the conclusion of the ninth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	42
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	0 (eliminated)
H	50 (elected)
I	50 (elected)
K	0 (eliminated)
L	49
Non-Transferable	7
Total	348

There being now no surplus, C, the candidate lowest on the poll, is excluded from the poll. But, as there remains only one vacancy to be filled, and only one continuing candidate, namely L, L is elected without any further transfer of votes.

The final result is that B, F, H, D, I and L are elected."

PART II
AMENDMENTS TO THE LOCAL COUNCILS ACT

Amendments to the Local Councils Act. Cap. 363.

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

Amendment of article 2 of the principal Act.

18. Article 2 of the principal Act shall be amended as follows:

(a) immediately after the definition "Electoral Commission" there shall be added the following new definition:

" "Electronic Counting System" means the process, computer program and/or computer hardware, other equipment, data and services as may be necessary in order to:

(a) maintain relevant data in relation to the election being held;

(b) take an image of each ballot paper and interpret the preferences;

(c) establish a link between each vote stored electronically and the equivalent ballot papers by means of a unique identifier;

(d) process the collected data and ballots in such manner as to calculate the number of votes cast for each candidate at the election and determine the final result in terms of this Act and Local Councils (Elections) Regulations, 1993; and

(e) ensure the retention of proper records.";
and

(b) immediately after the definition "motion" there shall be added the following new definition:

" "the period of time reserved for viewing" means the period of time which starts from such time when the Commission grants access to the party delegates to the images of each Electronic Ballot together with their interpretation and to the complete data set containing the preferences of voters as shown in the Electronic Ballots, and which expires four hours after the time the Commission forwards a copy of the Draft Result to party delegates in terms of regulation 13;"

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

Amendment of
the Third
Schedule to the
principal Act.

(a) regulation 16 shall be amended as follows:

(i) in paragraph (a) immediately before the words "the place where" there shall be added the words "the website and/or manner in which candidates may submit their nominations electronically"; the words "shall be three days" shall be substituted by the words "shall be five days" and the words "shall be two days from the expiration" shall be substituted by the words "shall be one day from the expiration"; and

(ii) and immediately after paragraph (d) there shall be added the following new paragraph:

"(e) whether the Commission has decided to use an Electronic Counting System:

Provided that a published decision to use an Electronic Counting System shall not operate so as to prevent the Commission, in its considered opinion, from rescinding or retracting at any time, its decision to use an Electronic Counting System to revert to the manual system as outlined in Schedule Three.";

(b) regulation 20 shall be amended as follows:

(i) in sub-regulation (1A), the words "shall not earlier than thirteen days but not later than ten days before the poll print such number of ballot papers as may be necessary for the poll in such form and on such material as may be provided for in this Act." shall be substituted by the words "shall not earlier than twenty-one days but not later than ten days before the poll print according to the Eighth Schedule such number of ballot papers as may be necessary for the poll in such form and on such material as may be provided for in this Act. This does not apply to the printing on the rear of ballot papers according to Schedule 8A.";

(ii) in sub-regulation (3), the words "in their respective nomination paper and as approved by the electoral commissioners." shall be substituted by the words "in their respective nomination paper and with the facial image of each candidate taken in black on a white background and as approved by the Electoral Commission. The photograph shall be submitted to the Commission by electronic means by the fifth day after the established time for objections to a nomination. In the case where the candidate does not conform himself, the Commission shall be authorised to use the photograph which the candidate has on his identity card.";

(iii) in sub-regulation (6), the words "opposite the name of" shall be substituted by the words "immediately preceding the name of";

(c) regulation 22 shall be amended as follows:

(i) sub-regulation (1) shall be substituted by the following:

"(1) A candidate for election shall be

nominated in writing or by electronic means:

(a) where a candidate is nominated in writing, the nomination paper, which shall be in the form set out in the Ninth Schedule, shall be signed by the candidate himself, (or, in the event of his absence from Malta, by a duly appointed representative), and by, at least, four voters registered in the locality for which the candidate is nominated. The nomination paper shall be delivered to one of the Commissioners at the Electoral Office by the candidate himself or if he is prevented by illness or absence from Malta by his lawful representative within the period specified in the notice referred to in regulation 16;

(b) where a candidate is nominated by electronic means, the nomination form, which shall be in the form set out in the Ninth Schedule to this Act, shall be filled in through a website prepared for that purpose by the Commission which nomination shall be electronically signed by the candidate. The nomination will also include an attestation to the nomination by at least four voters registered in the electoral division for which the candidate is nominated, which attestation shall be provided through the said website in the manner and form established by the Commission. The nomination is to be submitted within the period specified in the notice referred to in regulation 16.";

(ii) in sub-regulation (2) the words "after a nomination paper" shall be substituted by the words "after a nomination"; and

(iii) in sub-regulation (3) the words "that the nomination paper" shall be substituted by the words "that the nomination";

(d) regulation 25 shall be renumbered in its entirety as regulation 25(1) and immediately thereafter there shall be added the following new sub-regulation:

"(2) In the case when a candidate dies after the ballot papers have been printed, the candidacy shall be deemed to

remain valid for all intents and purposes of the law. Provided that a candidate as referred to in this sub-article may still be declared to be elected but in such case the Commission shall, as soon as possible, give notice of an election to fill the said vacancy.";

(e) immediately after regulation 25 there shall be added the following new regulation 25A:

"Threatening the secrecy of the vote.

25A. Any person who, having been given access to the images of the Electronic Ballots together with their interpretation and/or the data set containing the preferences of voters as shown in the Electronic Ballots, uses the said data for any purpose other than that provided in regulation 14(1) of Schedule Three-A or otherwise retains or fails to remove the said data following the conclusion of the verification process shall be guilty of the offence of threatening the secrecy of the vote.";

(f) immediately after regulation 67 there shall be added the following new proviso:

"Provided that where the Commission decides to use an Electronic Counting System the ballot box shall be opened and the ballot papers shall be placed faced downwards on the counting table. When all the ballot papers found in a ballot box have been placed faced downwards on the counting table, the supervisor shall place the ballot papers together in one parcel faced downwards and in a separate tray for each ballot box with the polling booth number and locality name. The supervisor shall immediately place the tray on a rack in a place clearly visible to the counting agents. This process shall be repeated until all ballot boxes have been opened. The counting and tallying of the ballot papers shall be done in accordance to the rules stated in Thirteenth-A Schedule.";

(g) in sub-regulation (1) of regulation 72 immediately after the words "with this Part of these regulations" there shall be added the words "or, when an Electronic Counting System is being used, Schedule Three-A";

(h) in regulation 89 the words "Within five days" shall be

substituted by the words "Within three days";

(i) in sub-regulation (1) of regulation 115 immediately after the words "as follows:" there shall be added the following:

"Where an Electronic Counting System is used:

All ballot papers contained in each ballot box sorted in unique identifier order in all other cases:" and immediately after sub-regulation (3) there shall be added the following new proviso:

"Provided that where the Commission decides to use an Electronic Counting System, the Commission shall preserve all data introduced to or used by the Electronic Counting System including but not limited to data processed or produced by the Electronic Counting System for all intermediate steps prior to the final results. The data is to be preserved in digital format on suitable media and in at least two separate copies identical to the original, as decided by the Commission, for the long term storage of the same data which media shall be kept in separate sealed packets and in separate locations established by the Commission. The said copies shall be preserved until the publication of the result of the next following election and shall be erased thereafter.";

(j) immediately after the Third Schedule there shall be added the following new Schedule:

**"SCHEDULE THREE-A
The Local Council Elections
(Electronic Counting and Sorting) Regulations, 2019**

**Part I
Preliminary**

- | | |
|-----------------|--|
| Citation. | 1. These regulations may be cited as The Local Councils (Electronic Counting and Sorting) Regulations, 2019. |
| Interpretation. | 2. In these regulations unless the context otherwise requires the expressions used will be given the same interpretation as those used in Schedule Three of the Local Councils Act, furthermore: |
| Cap. 363. | |

"Electronic Ballot" means the electronic representation of a physical ballot paper in a machine-readable format obtained from the programmatic interpretation of the preferences indicated on the ballot paper together with a unique identifier matching the Electronic Ballot to the ballot paper and such other data the Electoral Commission may deem fit to store;

"Non-transferable Ballot" means an Electronic Ballot on which no second or subsequent preference is recorded for a continuing candidate:

Provided that an Electronic Ballot shall be deemed valid but has become a Non-transferable Electronic Ballot whenever:

(a) the names of two or more candidates, (whether continuing or not) are marked with the same number, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked:

(i) by a number not following consecutively after some other number on the ballot paper; or

(ii) by two or more numbers; or

(c) for any other reason it cannot be determined with certainty for which of the continuing candidates the next available preference of the voter is recorded;

"Unique identifier" means a sequence of numbers used to identify each particular ballot paper and consisting of:

Locality number – 2 digits

Ballot box number – 4 digits

Ballot paper number – 4 digits.

Applicability of
the Third
Schedule.

Cap. 363.

3. Save as otherwise provided by these regulations when sorting and counting votes the Electronic Counting System is to respect and incorporate, *mutatis mutandis*, the regulations, requirements and the Local Councils (Elections) Regulations, 1993 stated in the Third Schedule to the Local Councils Act, to the exclusion of Regulations 69, 70 and 71 of Part IX and regulations 74, 75, 76, 77(2), 81(2) and 84 of Part X of the Third Schedule.

Part II

Sorting of Ballot Papers

Assistants.

4. The Commission shall ensure that all the staff that it may appoint to assist, supervise and operate the Electronic Counting System and all other necessary electronic equipment for the process shall be technically trained to efficiently carry out their assigned functions.

Processing of
Ballot Paper
Account.

5. Upon receipt of the ballot boxes by the Commission the declared number of votes cast as stated on the Ballot Paper Account shall be registered on the Electronic Counting System. The number of ballot papers in each box according to the Ballot Paper Account shall be displayed on a monitor for the information of the candidates and their agents.

Sorting of ballot
papers.

6. Once the ballot boxes are opened each ballot paper shall be taken out and first placed faced downwards to ascertain that each ballot paper contains the official stamp of the Commission, and that there are no other marks on the reverse side except the official stamp of the Commission and of the political parties that opt to put the official mark and then it shall be turned, shown and placed with its face upwards to ascertain that there are no other marks on the front of it except the numbers indicating the preferences of the voter. After the completion of the said process, the ballot papers shall then be placed with their face upwards in an appropriate tray marked with the polling booth number and locality name. A copy of the Ballot Paper Account together with the ballot papers and their trays shall be stored in such area that shall at all times be visible to candidates and their agents:

Provided that if a counter decides that there is a possibility that, for any reason according to the General Elections Act, a ballot paper may be invalid or if any candidate or agent for the same reason so claims, the counter shall inform the supervisor of such ballot paper and the supervisor shall stamp such ballot paper as "Dubious" and place such ballot papers on the top of the parcel:

Provided that no reconciliation of the ballots in each tray and those stated in the Ballot Paper Account shall be done at this stage but shall be done following the scanning phase according to regulation 8(2).

Processing of
ballot papers.

7. (1) The ballot papers are to be processed, in an orderly manner, through the Electronic Counting System which shall create and store a digital image of each ballot paper and shall proceed to convert the ballot paper into an Electronic Ballot. As part of this process the ballot paper shall be marked with a unique identifier matching that given to the Electronic Ballot in order to allow the Commission, should the need arise, to identify and match the processed ballots with the ballot papers and in order to ascertain that a ballot paper is only processed and counted once.

(2) Persons supervising this process shall confirm that the number of ballots found in each box reconciles with that stated in the Ballot Paper Account as indicated by the Assistant Electoral Commissioners. When the number of votes found does not tally the Commission must be notified immediately in order to carry out the necessary investigation and give all necessary instructions.

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(3) When converting the ballot papers into a machine readable format the Electronic Counting System is to identify and bring to the notice of the Commission all dubious ballot papers, that is all such ballot papers which give rise to any difficulty in interpreting the preferences or which may, for any reason according to the Local Councils Act, be found to be invalid or non-transferable.

Dubious Votes.

8. (1) The Commission shall investigate all the dubious Electronic Ballots. In doing so the Commission may consult the ballot paper marked with the matching unique identifier as the Electronic Ballot:

Provided that ballot papers shall only be temporarily removed from the original tray on the order of and by an Electoral Commissioner or other persons specifically delegated by the Commission.

(2) The Electronic Counting System will bring the dubious ballots to the notice of the Commission once all the ballot papers in a particular tray are scanned and verified.

(3) Upon investigation, a dubious ballot may be determined to be:

(i) invalid and consequently the Electronic Ballot shall be put aside and ignored in all counts;

(ii) non-transferable and consequently the non-transferable portion of the Electronic Ballot shall be set aside and ignored, whilst the valid preferences shall be recorded and included in the first and subsequent counts as the case may be; or

(iii) valid and consequently the numerical sequence on the Electronic Ballot shall be set to correctly and faithfully reflect the valid ballot paper:

Provided that in all such cases any amendment or manual operation that may have been performed on an Electronic Ballot shall be logged in the Electronic Counting System, as well as the reason where a vote is found to be invalid:

Provided further that nothing in these regulations shall prevent the Commission from examining all other Electronic Ballots.

Adjudicating
Process – first tier.

(4) The Commission may appoint such persons as it deems fit to review and examine dubious ballots and to perform the relevant action required in terms of the preceding sub-regulation. A party delegate from each Party or a substitute shall be entitled to make observations and may raise objections, in which case the dubious ballot shall be referred to the Commission for its final decision in terms of the following sub-regulations.

Adjudicating
Process –
Second tier.

(5) The Commission, or any number of members thereof not being less than two, shall investigate any Electronic Ballot to determine whether it is valid, transferable or non-transferable or invalid and shall, after hearing the representations of the party delegates, or their substitutes, decide in respect of each Electronic Ballot, whether it is valid, transferable or non-transferable or invalid, or shall make any amendment to the interpretation of the vote to correctly reflect the preferences stated in the ballot paper.

(6) The decision of the Commission, or any number of members thereof not being less than two, in this regard shall be final and not subject to appeal.

(7) Once all the dubious Electronic Ballots in a tray have been investigated and declared valid, transferable or non-transferable or invalid, the number of valid and invalid Electronic Ballots in that box is to be displayed on a monitor or such other method for the information of the candidates and their agents. Any ballot papers that may have been removed as directed by a Commissioner for further investigation shall be returned to their correct sequence in the ballot tray.

(8) Once all the boxes of a locality have been processed the total number of valid and invalid votes for that division is to be displayed on a monitor or announced in such other method as the Commission may deem fit.

Other preparatory
work.

9. (1) Prior to initiating the electronic counting, the Commission may carry out such audit, verifications or other tests it may deem fit in order to ensure the correctness and completeness of the Electronic Counting System. The Commission shall produce reports showing the number of valid votes in respect of each box together with a separate report indicating that all candidates are starting with nought (0) votes.

(2) For the purposes of enabling the counting to be conducted using the Electronic Counting System the Commission may carry out any functions or perform any procedures to be undertaken in connection with the counting by electronic means as is deemed necessary or consequential to the same.

(3) The Commission shall issue an order to commence the counting of votes only after it is satisfied that all procedures and requisites established by the Law and the Commission have been satisfied.

Part III
Counting

Counting of votes. 10. Once the input data is verified the Electronic Counting System shall determine the quota as established in regulation 78 of the Third Schedule.

Commencement of the Electronic Counting System. 11. (1) The Electronic Counting System shall commence the first count with a set of Electronic Ballots ordered in ascending order by ballot paper number and ballot box number in a locality by assigning all valid Electronic Ballots to parcels according to the preferred candidate indicated in each Electronic Ballot and each candidate shall be credited with a number of votes equal to the number of Electronic Ballots recording a first preference for such candidate.

(2) In subsequent counts, the transferable Electronic Ballots shall be transferred and assigned to the parcel of that candidate in accordance with the same rules of the Third Schedule.

(3) The System will proceed to calculate the first count and all subsequent counts without pause, save where instructions are required from the Commission in terms of these regulations, including where a candidate has to be selected for exclusion by lot in terms of sub-regulation 81(3) of the Third Schedule.

Draft report showing the number of votes. 12. The Electronic Counting System will produce a draft report showing the number of votes obtained by each candidate at each count. The draft report will not, at this stage, be considered an official result.

Draft result. 13. The Commission shall forward a copy of the Draft Result to party delegates in order for them to view the result in terms of regulation 12 above:

Provided that the Commission shall accord the party delegates or their substitutes, in writing, an adequate, equal and reasonable period of time from the production of the draft result to view the result, which period of time may be extended by the Commission on receiving a request by a party delegate stating the reasons to justify the request. The decision of the Commission shall be final.

Access to images
of each Electronic
Ballot.

14. (1) During the period of time reserved for viewing, the party delegates shall have the right to access the images of each Electronic Ballot together with its interpretation, and to access a complete data set containing the preferences of voters as shown in the Electronic Ballots and this solely and exclusively for the purposes of verifying that the ballot papers were correctly interpreted by the System and that the preferences stated in the ballots were correctly allocated to candidates:

Provided that the party delegates shall not retain the said information and shall ensure the complete deletion and destruction of the information received and any copies that may have been made following the verification of the ballot papers and their allocation, and this immediately upon the expiry of the period of time reserved for viewing:

Provided further that any person who having been granted access to the image of each Electronic Ballot together with its interpretation, and/or the complete or partial data set containing the preferences of voters as shown in the Electronic Ballots uses the data for purposes other than those allowed in terms of this sub-regulation or retains the said information beyond the period of time required to conduct these purposes or fails to delete or destroy the information following the conclusion of the verification shall be guilty of an offence, and shall, on conviction, be liable to a fine (*multa*) not exceeding ten thousand euro (€10,000) or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

(2) When providing the Parties and party delegates with the information specified in the preceding sub-regulation, the Commission shall ensure that the recipients are aware of their obligations in terms of these regulations and shall be empowered to impose such non-disclosure and other obligations, including penalty clauses by which the Parties, party delegates and their substitutes shall confirm and bind themselves not to copy, retain, publish or otherwise use the data set other than for verification purposes within the time-frame allocated to them and to ensure that upon the expiry of the said time-frame they shall delete and/or return the data to the Commission.

(3) The Commission shall investigate as it deems fit any reasoned objection or complaint that a party delegate, or a contesting Party may bring forward with regards to the correctness of the result.

(4) Following the publication of the result, the Commission shall not provide access to the images of each Electronic Ballot or to their interpretation or to the complete data set containing the preferences of voters as shown in the Electronic Ballots and shall ensure that it does not provide any information that may remove the secrecy of the vote.

Announcement of results.

15. (1) Following the declaration by the Parties that they are satisfied with the result or the expiry of the time allowed for verification as indicated in Regulation 13 of this Schedule, the Commission shall declare and publish the final and definite results of the first count.

(2) The Commission shall display on one or more monitors for the information of the candidates and their agents the results for the first count, the Commission shall allow a short period of time and then publish the final and definite result of the second and subsequent counts. The length of period of time between each count shall be determined by the Commission at its sole discretion.

Recount.

(3) Any candidate or agent may, before the next count is shown, request the Commission to re-examine all or any of the Papers dealt with during that count, in which case the Commission shall suspend the display of the individual counts and instead shall display on a monitor or monitors all the Electronic Ballots that were processed in that count sequentially.

(4) When examining the votes in this manner any suspected error is to be brought immediately to the attention of the Commission which shall investigate the matter and decide on how to proceed. The decision of the Commission is final and not subject to appeal.

(5) Following the display of all the counts on the monitor the result will be final and definite:

Provided that all Parties shall have the same rights at law to contest the result as emanating from the Law and from the Local Councils Act and its Schedules.

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Devices and software to be used.

16. (1) The Electronic Counting System and all devices or software intended to work together with the System shall be tested adequately before being approved by the Electoral Commission to carry out the process of Electronic Counting and Sorting. The Commission shall ensure that the Counting Engine and any subsequent revision shall be accredited and confirmed to operate in a correct manner in conformity with the Third Schedule and this Schedule by an accreditation authority as may be deemed appropriate by the Commission.

Security and Integrity.

(2) At least three (3) identical sets of the final and approved version of the software for the Counting Engine and the Interpretation and Transcription into machine readable language for voting preferences shall be stored in digital format on a suitable medium for the long term storage of the same data in packets; which packets shall be sealed by the Commission and the party delegates and stored by the Commission in a secure location. Party delegates shall have the right to a set of the software installed on a secure server provided by the Commission at the Counting Complex, on polling day, and prior to the commencement of the electronic sorting and counting or at any other time as may be decided by the Commission.

(3) The Commission shall verify and ensure in the presence of the party delegates that the software made available to the party delegates as provided in sub-regulation (2) above is identical to the software that will be used in the Electronic Counting System.

Auditing of the Electronic Counting System.

17. The Commission is to ensure that the Electronic Counting System is operated independently from other systems and free from any form of electronic interference.

Further procedures established by the Commission.

18. The Commission may define and establish such further procedures that may be required to better operate the System.

Fall Back clause.

19. The Commission may, should it deem it so necessary in the circumstances, order the suspension of the use of the Electronic Counting System for counting and sorting votes and instead revert to the rules of the Third Schedule of the Local Councils Act or such other regulations issued in terms of the Local Councils Act as may be in force from time to time:

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Provided that in such circumstances the Commission shall, for all intents and purposes of law, be deemed to have decided to not use an Electronic Counting System for the counting and sorting of votes.

Casual Vacancies.

20. In the event of a seat becoming vacant Part XI of the Third Schedule shall be applied so however that the examination of the ballot papers shall be done by the Electronic Counting System using the final resulting parcel of the Candidate as produced by the System.

EXAMPLE OF THE METHOD OF COUNTING THE BALLOT PAPERS AT AN ELECTION CONDUCTED ON THE PROPORTIONAL REPRESENTATION SYSTEM OF THE SINGLE TRANSFERABLE VOTE USING AN ELECTRONIC VOTE COUNTING SOLUTION

Let it be assumed that there are six members to be elected and that there are eleven candidates A, B, C, D, E, F, G, H, I, K, L.

THE QUOTA

Once all ballot papers are scanned, verified and adjudicated, an ordered (by vote number, ballot box number) set of valid Electronic Ballots is formed. The total number of valid Electronic Ballots submitted to the count engine is 348. This total is divided by seven (i.e. the number which exceeds by one the number of vacancies to be filled), and 50 (i.e. the quotient 49 increased by 1, neglecting the fraction) is the "quota", or the number of votes sufficient to elect a member.

FIRST COUNT

The ordered set of Electronic Ballots is treated as the initial parcel within the count engine. This initial parcel is analysed and all Electronic Ballots are assigned into separate sub-parcels under the name of the candidate for which a first preference has been recorded.

The results of the count may be supposed to be as follows:

Candidate	Votes
A	7
B	140
C	25
D	10
E	4
F	62
G	14
H	50
I	12
K	0
L	24
Non-Transferable	0
Total	348

The votes obtained by B, F and H exceed or equal the quota, and they are thereupon elected.

SECOND COUNT

B has 90 surplus votes (i.e. B's total 140, less the quota 50), and it is necessary to transfer this surplus first as being the largest.

All B's 140 Electronic Ballots are analysed and assigned into separate sub-parcels according to the next available preferences indicated therein.

In general, the next available preference will be the second preference. But any Electronic Ballot on which the second preference is given to either F or H, both already elected, passes to the next available preference after such candidates. An Electronic Ballot marked with 1 for B, 2 for H, 3 for F, 4 for I, is placed in the sub-parcel for I.

A separate sub-parcel is also formed of those Electronic Ballots on which no further available preference, i.e. no further preference for any continuing candidate is shown, and which are therefore not transferable.

The result is found to be as follows:

A next available preference is shown for D on	80 ballots
A next available preference is shown for E on	2 ballots
A next available preference is shown for I on	25 ballots
A next available preference is shown for K on	29 ballots
Total of <i>transferable</i> ballots	136 ballots
Total of <i>non-transferable</i> ballots	4 ballots
Total of B's ballots	140 ballots

Since the total number of transferable ballots (136) exceeds the surplus (90), only a portion of each sub-parcel can be transferred, and the number of ballots to be transferred from each sub-parcel must bear the same proportion to the total number of ballots in the sub-parcels as that which the surplus bears to the total number of transferable ballots.

In other words, the number of Electronic Ballots to be transferred from each sub-parcel is ascertained by multiplying the number of ballots in the sub-parcel by 90 (the surplus) and dividing the result by 136 (the total number of transferable ballots) giving 0.6617647.

The calculation is as follows:

Candidate	Sub-Parcel		Whole	Fraction		Actually Transferred
D	80	x 0.6617647	52	.9412	+1	53
E	2	x 0.6617647	1	.3235		1
I	25	x 0.6617647	16	.5441	+1	17
K	29	x 0.6617647	19	.1912		19
Total			88	2		90

The numbers of Electronic Ballots to be transferred as determined by the preceding process contain decimal parts, and since only whole ballots can be transferred, so many of the largest of these decimal parts, taken in order of their magnitude as will make the total number of Electronic Ballots to be transferred equal to the surplus, are reckoned as of the value of unity.

Thus as the whole numbers determined above amount to only 88 viz. (52+1+16+19), or two short of the surplus, 90, the two largest decimal parts .9412 and .5441 are reckoned as unity, and the number of Electronic Ballots actually transferred are as follows:

To D	53 ballots
To E	1 ballot
To I	17 ballots
To K	19 ballots
Total, being B's surplus	90 ballots

The particular Electronic Ballots to be transferred to D, E, I and K are those last filed in their respective sub-parcels, and therefore at the bottom of the sub-parcels.

These Electronic Ballots are added in separate sub-parcels to the parcels of D, E, I and K. (Note: K had no parcel of original ballots).

The totals of the votes credited to these candidates then become:

To D.....	10 + 53 = 63	2 parcels
To E	4 + 1 = 5	2 parcels
To I	12 + 17 = 29	2 parcels
To K	0 + 19 = 19	1 parcel

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate B, i.e. those ballots not transferred together with the ballots on which no further available preferences were marked now form the parcel, representing B's quota of votes (50). This parcel retains the order of B's original parcel.

The parcel is made up as follows:

The remainder of D's sub-parcel	$80 - 53 = 27$
The remainder of E's sub-parcel	$2 - 1 = 1$
The remainder of I's sub-parcel	$25 - 17 = 8$
The remainder of K's sub-parcel	$29 - 19 = 10$
Total of <i>non-transferable</i> ballots	4
Total, being B's quota	50

The state of the poll on the conclusion of the second count is as follows:

Candidate	Votes
A	7
B	50 (elected)
C	25
D	63 (elected)
E	5
F	62 (elected)
G	14
H	50 (elected)
I	29
K	19
L	24
Non-Transferable	0
Total	348

D now has 63 votes, a number which is more than the quota. He is accordingly elected.

THIRD COUNT

There are now two surpluses, that of F (12) and that of D (13). F's surplus, though the smaller, is first dealt with as it arose on a prior count. F's surplus is distributed proportionately among the next available preferences on F's original 62 ballots in exactly the same manner as in the case of B, with the result that 9 ballots are transferred to L, 2 to C and 1 to A.

The totals of the votes credited to these candidates then become:

To L	$24 + 9 = 33$	2 parcels
To C	$25 + 2 = 27$	2 parcels
To A	$7 + 1 = 8$	2 parcels

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate F, i.e. those ballots not transferred together with the ballots on which no further available preferences were marked, now form the parcel representing F's quota of votes (50). This parcel retains the order of F's original parcel.

The Electronic Ballots in the sub-parcel of the elected candidate H (who obtained an exact quota at the first count) retain the order of the original parcel and form the parcel representing H's quota of votes (50).

FOURTH COUNT

D's surplus (13) must now be distributed. For this purpose only the sub-parcel last transferred, containing 53 ballots, is considered. These are analysed and assigned into sub-parcels, according to the next available preferences, with the following result:

A next available preference is shown for I on	42 ballots
A next available preference is shown for K on	10 ballots
Total of <i>transferable</i> ballots	52 ballots
Total of <i>non-transferable</i> ballots	1 ballot
Total	53 ballots

The number of ballots to be transferred from each sub-parcel is ascertained by multiplying the number of ballots in the sub-parcel by 13 (the surplus) and dividing the result by 52 (the total number of transferable ballots); therefore

I's share of the surplus $42 \times 0.25 = 10.5$

K's share of the surplus $10 \times 0.25 = 2.5$

As the decimal parts above are equal, that which arises from the larger sub-parcel is deemed to be the larger. I's share of D's surplus is, accordingly, 11 votes, and K's share is 2 votes.

The totals of the votes credited to these candidates then become:

To I..... $12 + 17 + 11 = 40$ 3 parcels

To K $19 + 2 = 21$ 2 parcels

The remainder of the Electronic Ballots in the sub-parcel of the elected candidate D, i.e. those ballots not transferred (39) together with the ballots on which no further available preferences were marked (1) and the 10 ballots received on the first count, making 50 ballots altogether, now form the parcel representing D's quota of votes.

The state of the poll on the conclusion of the fourth count is as follows:

Candidate	Votes
A	8
B	50 (elected)
C	27
D	50 (elected)
E	5
F	50 (elected)
G	14
H	50 (elected)
I	40
K	21
L	33
Non-Transferable	0
Total	348

SIXTH COUNT

The Electoral Commissioner proceeds to transfer the votes of candidate A, who is the candidate with the smallest total of votes on the poll with 8. The ballots in the sub-parcel of candidate A are analysed and assigned into sub-parcels, according to the next available preferences, with the result that 1 ballot is transferred to C, and 7 ballots are transferred to G.

The totals of the votes credited to these candidates then become:

To C..... 25 + 2 + 1 = 28 3 parcels
 To G 14 + 7 = 21 2 parcels

The state of the poll on the conclusion of the sixth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	28
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	44
K	21
L	33
Non-Transferable	1
Total	348

SEVENTH COUNT

No candidate is elected as the result of the sixth count and the next operation has to be determined upon. Candidates G and K have each the same number of votes (21) and are lowest on the poll. K's ballots are analysed and assigned, as he obtained fewer votes than G in the first count. From the distribution of K's ballots (21), 3 ballots are transferred to C, 15 to I, 1 to L and 2 are non-transferable. I thereby reaches a total of 59 votes, and is elected.

The totals of the votes credited to these candidates then become:

To C.....	$25 + 2 + 1 + 3 = 31$	4 parcels
To I	$12 + 17 + 11 + 4 + 15 = 59$	5 parcels
To L	$24 + 9 + 1 = 34$	3 parcels
Non-Transferable	$1 + 2 = 3$	2 parcels

The final state of the poll on the conclusion of the seventh count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	31
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	59 (elected)
K	0 (eliminated)
L	34
Non-Transferable	3
Total	348

EIGHTH COUNT

I's surplus (9) must now be distributed. For this purpose only the sub-parcel of ballots last transferred to I (15 ballots) is taken into account. These are analysed and assigned into sub-parcels for the continuing candidates, with the following result:

A next available preference is shown for C on	4 ballots
A next available preference is shown for L on	3 ballots
Total of <i>transferable</i> ballots	7 ballots
Total of <i>non-transferable</i> ballots	8 ballots
Total	15 ballots

In this case the total number of transferable ballots (7) is less than the surplus (9), therefore the Electoral Commissioner transfers the whole sub-parcels of transferable ballots to the continuing candidates indicated thereon as next available preference. This accounts for 7 votes out of the surplus 9. There is a difference of 2 ballots. The sub-parcel of non-transferable ballots is therefore divided into two portions, one containing 2 ballots (which form part of the surplus) the other containing 6 ballots (which are required for I's quota). The portion of 2 ballots is set aside as a separate parcel with the other parcels of non-transferable ballots, and the portion of 6 ballots is retained to make up I's quota (6+44=50).

The totals of the votes credited to these candidates then become:

To C.....	$25 + 2 + 1 + 3 + 4 = 35$	5 parcels
To L	$24 + 9 + 1 + 3 = 37$	4 parcels
Non-Transferable	$1 + 2 + 2 = 5$	3 parcels

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The state of the poll on the conclusion of the eighth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	35
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	21
H	50 (elected)
I	50 (elected)
K	0 (eliminated)
L	37
Non-Transferable	5
Total	348

NINTH COUNT

There being now no surplus, the votes of G, the candidate lowest on the poll, are analysed and assigned. G's parcel of 21 ballots is found to contain 7 ballots on which C is the next preference, and 12 on which L is the next preference, and 2 ballots which are non-transferable. Therefore 7 ballots are transferred to C, and 12 to L, and 2 are filed as a separate parcel with the other parcels of non-transferable ballots.

The totals of the votes credited to these candidates then become:

To C	$25 + 2 + 1 + 3 + 4 + 7 = 42$	6 parcels
To L	$24 + 9 + 1 + 3 + 12 = 49$	5 parcels
Non-Transferable	$1 + 2 + 2 + 2 = 7$	4 parcels

The state of the poll on the conclusion of the ninth count is as follows:

Candidate	Votes
A	0 (eliminated)
B	50 (elected)
C	42
D	50 (elected)
E	0 (eliminated)
F	50 (elected)
G	0 (eliminated)
H	50 (elected)
I	50 (elected)
K	0 (eliminated)
L	49
Non-Transferable	7
Total	348

There being now no surplus, C, the candidate lowest on the poll, is excluded from the poll. But, as there remains only one vacancy to be filled, and only one continuing candidate, namely L, L is elected without any further transfer of votes.

The final result is that B, F, H, D, I and L are elected.";

- (k) the Eight Schedule shall be substituted by the following:

"EIGHTH SCHEDULE
(Regulation 20)

POLZA TAL-VOT – BALLOT PAPER

Għedd ta' Kunsilliera li għandhom jiġu eletti Number of Councillors to be elected		Kunsill Council	
Isimijiet tal-Kandidati Names of Candidates		Fotografija tal-Kandidat Photo of Candidate	Immatrikolarità u kodiċi tal-identifikazzjoni Matri. code of preference in electoral roll

PARTIT A

AZZOPARDI ALBERT , Ta' Gawdenz , ta' 140, Triq il-Kapuċċini, San Gilijan, Perit		
LIA PATRICK , ta' 44, 'Daffodil', Triq il-Kavallieri ta' Malta, I-Isola, Avukat		

PARTIT B

ABDILLA FRANCIS SAVIOUR (Frankie), ta' 21, 'La Paloma Bianca', Triq San Piju XIV, San Pawl il-Bahar, Impjegat il-Bank		
BALDACCHINO MARK ANTHONY , ta' 'April Love', Triq il-Konvoj ta' Santa Marija, Marsaskala, Avukat		
VELLA DEGIORGIO JAMES , ta' 240, 'Old Trafford', Triq I-Izbark ta' Franciżi, San Pawl il-Bahar, Nutar		
ZAMMIT HENRY ALFRED , ta' 18, Fl 3, Triq il-Vittmi ta' Gwerra, Bormia, Pensjonant		

PARTIT Ċ

ABELA CHRISTOPHER (Chris), ta' 107, 'San Siro', Triq Santa Marija, L-Ingarr, Tabib/Konsulent fis-Sahha Pubblika		
BORG MALLIA NOREEN , ta' 6, Misrah Diċembru Tlettax, San Pawl il-Bahar, Procurement Officer		
GALEA GWENITH (Gwen), ta' 35, 'Shalom', Triq Nikola Briffa, Is-Sigglewi, Konsulent Finanzjarju		
SANT BRIAN (Abraham), Ta' Bramu, ta' 21, 'Bianco Nero', Triq il-Gran Mastru Wignacourt, Fleur-De-Lys, Birkirkara, Negozjant		
UNGARO TRACY , Dr, ta' 'Villa Genesis', Triq il-Bajja s-Sabiha, Il-Mellieha, Tabiba		

KANDIDATI INDIPENDENTI

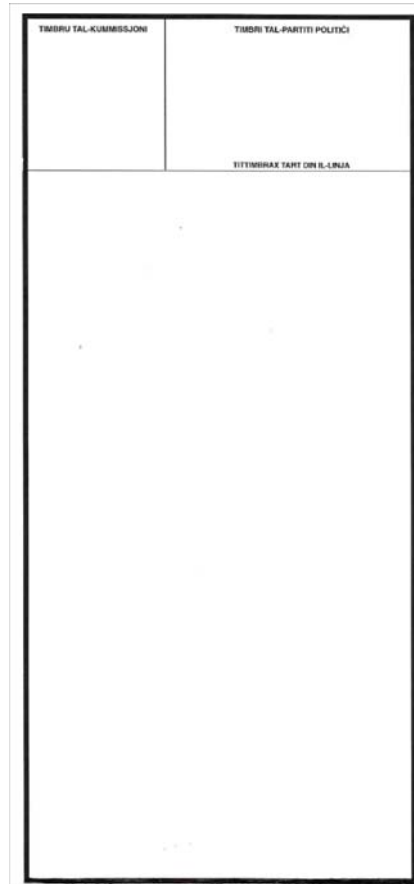
BUSUTTIL MATTHEW , il-Kitarrikt, ta' 21, 'Villa Madama', Triq Valletta, Mosta, Direttur Artistiku		
TANTI PHILIP , ta' 69, Flat 6, Marigold Flats, Triq il-Vopa, Marsaskala, Pensjonant		

"; and

(1) immediately after the Eighth Schedule there shall be added the following new Schedule:

"SCHEDULE 8A
(Regulation 20)

Rear of Ballot Paper



".

Passed by the House of Representatives at Sitting No. 215 of the
3rd April, 2019

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA