

Nru. 113

24. 1. 2020

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Byron Camilleri, M.P., Ministru għall-Intern, is-Sigurtà Nazzjonali u l-Infurzar tal-Ligi, u moqri għall-Ewwel darba fis-Seduta tat-22 ta' Jannar 2020.

A BILL introduced by the Honourable Byron Camilleri, M.P., Minister for Home Affairs, Law Enforcement and National Security, and read the First time at the Sitting of the 22nd January 2020.

ATT li jemenda l-Att dwar il-Pulizija, Kap. 164.

AN ACT to amend the Police Act, Cap. 164.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjah

ATT li jemenda l-Att dwar il-Pulizija, Kap. 164.

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 li jemenda l-Att dwar il-Pulizija u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Att dwar il-Pulizija, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.
Kap. 164.

2. Is-subartikolu (2) tal-artikolu 6 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Emenda tal-artikolu 6 tal-Att prinċipali.

"(2) Meta sseħħ vakanza fil-kariga ta' Kummissarju, il-proċedura għall-ħatra ta' Kummissarju għandha tkun kif ġej:

(a) il-Kummissjoni dwar is-Servizz Pubbliku għandha toħroġ sejha pubblika għal applikazzjonijiet sugġetta għal kwalifiki u esperjenza neċessarja meħtieġa sabiex persuna tkun eligibbli biex tiġi maħtura għall-kariga ta' Kummissarju;

C 3842

(b) wara li teżamina l-kandidati, il-Kummissjoni dwar is-Servizz Pubbliku għandha tiffirma lista mqassra li tindika l-aktar żewġ kandidati adattati. Il-Kummissjoni dwar is-Servizz Pubbliku għandha tirreferi l-lista mqassra biż-żewġ kandidati lill-Kabinett li għandu, wara li jikkunsidra l-lista mqassra biż-żewġ kandidati, jirreferi lill-Ministru responsabbli kandidat li huwa kkunsidrat bħala l-aktar wieħed adattat għall-ħatra. Il-Ministru responsabbli għandu jirreferi lill-istess kandidat għal smiġħ parlamentari mill-Kumitat Permanenti dwar il-Ħatriet Pubbliċi stabbilit permezz tal-artikolu 37 tal-Att dwar l-Amministrazzjoni Pubblika. Id-dispożizzjonijiet tal-artikolu 38 tal-Att dwar l-Amministrazzjoni Pubblika għandhom, *mutatis mutandis*, japplikaw, għal imsemmi smiġħ;

Kap. 595.

(ċ) jekk il-Kumitat Permanenti dwar il-Ħatriet Pubbliċi jagħti parir favur il-ħatra tal-kandidat magħżul, il-Prim Ministru għandu jappunta lill-kandidat magħżul wara konsultazzjoni mal-Kummissjoni dwar is-Servizz Pubbliku; u

(d) jekk ikun hemm kandidat wieħed biss eliġibbli, il-proċess imwaqqaf fil-paragrafi (b) u (ċ) għandu, *mutatis mutandis*, japplika għal dak il-kandidat."

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma sabiex jiġi stabbilit proċess ta' ħatra trasparenti u kompetittiva għall-kariga ta' Kummissarju tal-Pulizija.

**A BILL
entitled**

AN ACT to amend the Police Act, Cap. 164.

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 Police (Amendment) Act, 2020, and this Act shall be read and construed as one with the Police Act, hereinafter referred to as "the principal Act".

Short title.
Cap. 164.

2. Sub-article (2) of article 6 of the principal Act shall be substituted by the following:

Amendment of
article 6 of the
principal Act.

"(2) When a vacancy occurs in the office of Commissioner, the procedure for the appointment of a Commissioner shall be the following:

(a) the Public Service Commission shall issue a public call for applications subject to the necessary qualifications and experience required for a person to be eligible for appointment to the office of Commissioner;

C 3844

Cap. 595.

(b) after examining the candidates, the Public Service Commission shall draw up a short-list indicating the two most suitable candidates. The Public Service Commission shall refer the said short-list of the two candidates to the Cabinet which shall, after giving due consideration to the two short-listed candidates, refer the candidate who it considers to be the most suitable candidate for appointment to the responsible Minister. The Minister responsible shall refer the said candidate for a parliamentary hearing by the Standing Committee on Public Appointments established under article 37 of the Public Administration Act. The provisions of article 38 of the Public Administration Act shall, *mutatis mutandis*, apply to the said hearing;

(c) if the Standing Committee on Public Appointments advises in favour of the appointment of the selected candidate, the Prime Minister shall appoint the selected candidate after consultation with the Public Service Commission; and

(d) if there is only one eligible candidate, the process provided in paragraphs (b) and (c) shall, *mutatis mutandis*, be applied in respect of that candidate."

Objects and Reasons

The objects and reasons of this Bill are to establish a transparent and competitive process of appointment for the office of Commissioner of Police.

VERŻJONI ELETTRONIKA