Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,446, 22 ta' Lulju, 2020
Taqsima C

Nru. 157

22. 7. 2020

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Edward Zammit Lewis, M.P., Ministru għall-Ġustizzja, l-Ugwaljanza u l-Governanza, u moqri għall-Ewwel darba fis-Seduta tal-1 ta' Lulju 2020.

ATT sabiex jemenda diversi liġijiet bil-għan li jirriforma l-proċedura li biha jsiru l-ħatriet tas-Segretarju Permanenti Ewlieni u tas-Segretarji Permanenti.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Edward Zammit Lewis, M.P., Minister for Justice, Equality and Governance, and read the First time at the Sitting of the 1st July 2020.

AN ACT to amend various laws with the aim of reforming the procedure by which the appointments of the Principal Permanent Secretary and Permanent Secretaries are made.

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex jemenda diversi liġijiet bil-għan li jirriforma l-proċedura li biha jsiru l-ħatriet tas-Segretarju Permanenti Ewlieni u tas-Segretarji Permanenti.

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2020 li jemenda l-Kostituzzjoni ta' Malta (Emenda Nru 3) u għandu jinqara u jinftiehem ħaġa waħda mal-Kostituzzjoni, hawn iżjed 'il quddiem imsejħa "il-Kostituzzjoni". Titolu fil-qosor.

2. L-artikolu 92 tal-Kostituzzjoni għandu jiġi emendat kif ġej: Emenda għall-artikolu 92 tal-Kostituzzjoni.

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

"(3) Is-setgħa ta' ħatra ta' uffiċjali pubbliċi biex iżommu jew jaġixxu fil-kariga ta' Segretarju Permanenti u ta' tneħħija mill-kariga ta' persuni li jkunu jżommu jew ikunu qegħdin jaġixxu f'dik il-kariga tkun fil-President ta' Malta li jaġixxi fuq il-parir tal-Kummissjoni dwar is-Servizz Pubbliku:", u minnufih wara għandu jiżdied il-proviso li ġej:

"Iżda l-Kummissjoni tas-Servizz Pubbliku għandha tagħti l-parir tagħha lill-President wara li tkun irċeviet u evalwat ir-rakkommandazzjoni mogħtija mis-Segretarju Permanenti Ewlieni."; u

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

(i) minnufih qabel il-proviso tiegħu, għandu jiżdied il-proviso ġdid li ġej:

"Iżda s-setgħa li taħtar is-Segretarju Permanenti Ewlieni għandha tkun vestita fil-President li jaġixxi skont il-parir tal-Kabinett tal-Ministri u wara li jikkonsultaw l-Kummissjoni tas-Servizz Pubbliku:" u

(ii) fil-proviso tiegħu, il-kelma "Iżda" għandha tiġi sostitwita bil-kliem "Iżda wkoll".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma sabiex jitkomplew ir-riformi li l-Gvern qiegħed jagħmel sabiex fil-ħatriet jassigura l-involviment tal-Kabinett tal-Ministri u l-Kummissjoni tas-Servizz Pubbliku fil-proċessi ta' ħatriet tas-Segretarju Permanenti Ewlieni u tas-Segretarji Permanenti.

A BILL
entitled

AN ACT to amend various laws with the aim of reforming the procedure by which the appointments of the Principal Permanent Secretary and Permanent Secretaries are made.

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:-

Short title.

1. The short title of this Act is the Constitution of Malta (Amendment No. 3) Act, 2020 and this Act is to be read and construed as one with the Constitution, hereinafter referred to as "the Constitution".

Amendment of article 92 of the Constitution.

2. Article 92 of the Constitution shall be amended as follows:

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

"(3) Power to appoint public officers to hold or act in the office of Permanent Secretary and to remove from office persons holding or acting in such office shall vest in the President of Malta acting in accordance with the advice of the Public Service Commission:", and immediately thereafter there shall be added the following proviso:

"Provided that the Public Service Commission shall give its advice to the President after having received and evaluated the recommendation given by the Principal Permanent Secretary."; and

(b) sub-article (5) thereof, shall be amended as follows:

(i) immediately before the proviso thereof, there shall be added the following new proviso:

"Provided that the power to appoint the Principal Permanent Secretary shall vest in the President acting in accordance with the advice of the Cabinet of Ministers and after consulting the Public Service Commission:" and

(ii) in the proviso thereof, the words "Provided that" shall be substituted by the words ‘Provided further that".

Objects and Reasons

The object and reasons of this Bill are to continue the reforms that the Government is undertaking in order to ensure the involvement of the Cabinet of Ministers and the Public Service Commission in the processes of the appointments of the Principal Permanent Secretary and of the Permanent Secretaries.

VERŻJONI ELETTRONIKA

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