

Nru. 165

6. 6. 91

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Guido de Marco, M.P., Viċi Prim Ministru u Ministru ta' l-Affarijiet Barranin u Ġustizzja, u moqri għall-Ewwel darba fis-Seduta ta' l-20 ta' Mejju, 1991.

A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister of Foreign Affairs and Justice, and read the First time at the Sitting of the 20th May, 1991.

ATT biex jemenda l-Kostituzzjoni.

AN ACT to amend the Constitution.

RICHARD J. CAUCHI

Agent Skrivani tal-Kamra tad-Deputati

RICHARD J. CAUCHI

Acting Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jemenda l-Kostituzzjoni.

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

1. Dan l-Att jista' jissejjah l-Att ta' l-1991 li jemenda l-Kostituzzjoni, u għandu jinqara u jiftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawnhekk iżjed 'il quddiem imsejha "il-Kostituzzjoni".

Titolu
fil-qosor.

2. L-artikolu 45 tal-Kostituzzjoni għandu jiġi emendat kif ġej:

Emenda
ta' l-artikolu 45
tal-Kostituzzjoni.

(a) fis-subartikolu (3) tiegħu minflok il-kliem "kullur jew fidi" għandhom jidhlu l-kliem "kullur, fidi jew sess"; u

(b) minnufih wara s-subartikolu (9) tiegħu għandu jidhol is-subartikolu ġdid li ġej:

"(10) Sa tmiem ta' perijodu ta' sentejn li jibda fl-1 ta' Lulju 1991, ebda haġa li hemm f'xi liġi magħmula qabel l-1 ta' Lulju 1991 ma titqies li tkun inkonsistenti mad-dispożizzjoni-jiet ta' dan l-artikolu, billi dik il-liġi tkun tipprovdi għal trattament differenti lil persuni differenti attribwibbli għal kollox jew prinċipalment għad-deskrizzjoni tagħhom rispettiva skond is-sess."

3. Minflok il-kliem "Ebda haġa li hemm" fis-subartikolu (7) ta' l-artikolu 47 tal-Kostituzzjoni, għandhom jidhlu l-kliem "Sa tmiem ta' perijodu li jagħlaq fil-31 ta' Ġunju 1996, ebda haġa li hemm".

Emenda
ta' l-artikolu 47
tal-Kostituzzjoni.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa li tiġi emendata l-Kostituzzjoni sabiex diskriminazzjoni li ssir ma' ċittadini minhabba s-sess tagħhom titqies ukoll bħal ksur tad-Drittijiet u Libertajiet Fondamentali ta' l-Individwu u b'hekk il-mara u r-raġel jersqu aktar lejn l-ugwaljanza. L-Abbozz jipprovdi wkoll biex il-Kodiċijiet imsemmija fl-Ewwel Skeda tal-Kostituzzjoni jiġu wkoll soġġetta għal provvedimenti tad-dispożizzjonijiet tal-Kostituzzjoni li jiproteġu l-imsemmija Drittijiet u Libertajiet.

**A BILL
entitled**

AN ACT to amend the Constitution.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Constitution (Amendment) Act, 1991, and shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”.

Short title.

2. Section 45 of the Constitution shall be amended as follows:

Amendment
of section 45
of the
Constitution.

(a) in subsection (3) thereof for the words “colour or creed” there shall be substituted the words “colour, creed or sex”; and

(b) immediately after subsection (9) thereof there shall be added the following subsection:

“(10) Until the expiration of a period of two years commencing on the 1st July, 1991, nothing contained in any law made before the 1st July, 1991, shall be held to be inconsistent with the provision of this section, in so far as that law provides for different treatment to different persons attributable wholly or mainly to their respective description by sex.”.

3. For the words “Nothing contained in” in subsection (7) of section 47 of the Constitution, there shall be substituted the words “Until the expiration of a period ending on the 31st June, 1996, nothing contained in”.

Amendment
of section 47
of the
Constitution.

Objects and Reasons

The Object of the Bill is to amend the Constitution to render discrimination on grounds of sex a violation of Fundamental Rights and Freedoms of the Individual and thus man and woman can move closer to the objective of equality. The Bill also provides for the Codes mentioned in the First Schedule to the Constitution to be also subject to the provisions of the Constitution protecting the said rights and freedoms.