

C 741

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 13,303, 30 ta' Novembru, 1976
Taqsimha C

Nru. 1

30. 11. 76

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onor-
 evoli Jos. Cassar, M.P., Ministru tal-
 Ġustizzja, Artijiet, Djar u Affarijiet tal-
 Parlament, u moqri għall-Ewwel darba
 fis-Seduta tad-29 ta' Novembru, 1976.

ATT biex ikompli jemenda l-Konstituz-
 zjoni ta' Malta.

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honour-
 able Jos. Cassar, M.P., Minister of Jus-
 tice, Lands, Housing and Parliamentary
 Affairs, and read the First time at the
 Sitting of the 29th November, 1976.

AN ACT further to amend the Consti-
 tution of Malta.

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIGI

msejjah

ATT biex ikompli jemenda l-Kostituzzjoni ta' Malta.

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

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1976 li jemenda l-Kostituzzjoni ta' Malta, u għandu jinqara u jiftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawnhekk iżjed 'il quddiem imsejha "il-Kostituzzjoni".

Emenda ta' l-artikolu 55 tal-Kostituzzjoni.

2. Fil-paragrafu (ċ) tas-subartikolu (1) ta' l-artikolu 55 tal-Kostituzzjoni, minflok il-kliem "xi kuntratt mal-Gvern ta' Malta għal jew akkont tas-servizz pubbliku" għandhom jidhlu l-kliem "kuntratt mal-Gvern ta' Malta li jkun kuntratt ta' appalt għal xi xogħol jew kuntratt għall-provvista ta' merkanzija biex tiġi wżata fil-qadi tal-pubbliku".

Emenda ta' l-artikolu 56 tal-Kostituzzjoni.

3. Fil-paragrafu (ċ) tas-subartikolu (1) ta' l-artikolu 56 tal-Kostituzzjoni, minflok il-kliem "f'xi kuntratt mal-Gvern ta' Malta għal jew akkont tas-servizz pubbliku" għandhom jidhlu l-kliem "f'xi kuntratt mal-Gvern ta' Malta li jkun kuntratt ta' appalt għal xi xogħol jew kuntratt għall-provvista ta' merkanzija biex tiġi wżata fil-qadi tal-pubbliku".

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa li jfisser b'mod ċar liema kuntratti li jsiru għal jew f'isem is-servizz pubbliku jistgħu jiskwalifikaw persuna miili ssir jew tibqa' membru tal-Parlament. Il-kliem tad-disposizzjonijiet rilevanti tal-Kostituzzjoni qed jiġu mibdula sabiex daww id-disposizzjonijiet jiġu jaqblu b'mod aktar ċar ma' l-interpretazzjoni li nġhatat ilhom mill-Qrati.

Disqualifications for membership of House of Representatives

55. (1) Omissis

(a) Omissis

(b) Omissis

(c) if he is a party to, or is a partner with unlimited liability in a partnership or a director or manager of a company which is a party to, any contract with the Government of Malta for or on account of the public service and has not, within one month before the date of election, published in the Gazette a notice setting out the nature of any such contract, and his interest, or the interest of any such partnership or company, therein;

(d) Omissis

(e) Omissis

(f) Omissis

(g) Omissis

(h) Omissis

56. (1) Omissis

(a) Omissis

(b) Omissis

(c) If he becomes a party to any contract with the Government of Malta for or on account of the public service, or if any partnership in which he is a partner with unlimited liability or a company of which he is a director or manager becomes a party to any such contract, or if he becomes a partner with unlimited liability in a partnership or a director or manager of a company that is a party to any such contract:

Provided that he shall not vacate his seat under the provisions of this paragraph if before becoming a party to the contract or before, or as soon as practicable after, becoming otherwise interested in the contract (whether as a partner with unlimited liability in a partnership or as a director or manager of a company) he discloses to the Speaker the nature of the contract and his interest or the interest of the partnership or company therein and the House of Representatives by resolution exempts him from the provisions of this paragraph;

(d); (e); (f) and (g) Omissis

A BILL
entitled

AN ACT further to amend the Constitution of Malta.

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 of Malta (Amendment) Act, 1976, and shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”. Short title.

2. In paragraph (c) of subsection (1) of section 55 of the Constitution, for the words “any contract with the Government of Malta for or on account of the public service” there shall be substituted the words “a contract with the Government of Malta being a contract of works or a contract for the supply of merchandise to be used in the service of the public”. Amendment of section 55 of the Constitution.

3. In paragraph (c) of subsection (1) of section 56 of the Constitution, for the words “any contract with the Government of Malta for or on account of the public service” there shall be substituted the words “a contract with the Government of Malta being a contract of works or a contract for the supply of merchandise to be used in the service of the public”. Amendment of section 56 of the Constitution.

Objects and Reasons

The Object of the Bill is to define clearly which contracts for or on behalf of the public service may disqualify a person from becoming or remaining a member of Parliament. The wording of the relevant provisions of the Constitution is being changed to make those provisions correspond more clearly to the interpretation given to them by the Courts.