

Nru 170

24. 03. 2026

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Jonathan Attard, M.P., Ministru għall-Ġustizzja u r-Riforma tas-Settur tal-Kostruzzjoni, u moqri għall-Ewwel darba fis-Seduta tat-2 ta' Marzu 2026.

A BILL introduced by the Honourable Jonathan Attard, M.P, Minister for Justice and Reform of the Construction Sector, and read the First time at the Sitting of the 2nd March 2026.

ATT sabiex jemenda l-Kostituzzjoni ta' Malta.

AN ACT to amend the Constitution of Malta.

ELEANOR SCERRI

Skrivan tal-Kamra tad-Deputati

ELEANOR SCERRI

Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjah

ATT sabiex jemenda l-Kostituzzjoni ta' Malta

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2026 li jemenda l-Kostituzzjoni ta' Malta u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Kostituzzjoni ta' Malta, hawn iżjed 'il quddiem imsejha l-"Kostituzzjoni". Titolu fil-qosor.

2. L-artikolu 108 tal-Kostituzzjoni għandu jiġi emendat kif ġej: Emenda tal-artikolu 108 tal-Kostituzzjoni.

(a) fil-proviso għas-subartikolu (2) tiegħu l-kliem "Izda meta persuna" għandhom jiġu sostitwiti bil-kliem "Izda wkoll meta persuna" u minnufih qabel dan l-imsemmi proviso, kif emendat, għandu jiġi miżjud il-proviso ġdid li ġej:

"Izda minkejja d-dispożizzjonijiet ta' kwalunkwe liġi oħra, jekk fiż-żmien meta jiskadi t-terminu tal-ħatra tal-Awditur Ġenerali ma tkunx giet preżentata riżoluzzjoni quddiem il-Kamra tad-Deputati għall-ħatra ta' Awditur Ġenerali jew għall-ħatra mill-ġdid tal-Awditur Ġenerali, jew għad li tkun giet preżentata riżoluzzjoni kif imsemmi quddiem il-Kamra tad-Deputati, ma tkunx għaddiet bis-saħħa tal-voti favur tagħha ta' mhux inqas minn żewġ terzi (2/3) tal-membri kollha tal-Kamra tad-Deputati, il-persuna li minnufih qabel ma jkun skada l-imsemmi terminu tkun tokkupa l-kariga ta' Awditur Ġenerali għandha, fi kwalunkwe ċirkostanzi, tibqa' fil-kariga sakemm tgħaddi r-riżoluzzjoni bis-saħħa tal-voti favur tagħha ta' mhux inqas

C 3950

minn żewġ terzi (2/3) tal-membri kollha tal-Kamra:";

(b) fil-paragrafu (a) tas-subartikolu (9) tiegħu l-kliem "u sakemm jiġi maħtur Awditur Ġenerali ġdid," għandhom jiġu mħassra.

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex ikun provdut li meta jiskadi t-terminu tal-ħatra ta' Awditur Ġenerali jew ta' Deputat Awditur Ġenerali fin-nuqqas ta' rizzoluzzjoni jew tal-approvazzjoni tagħha bil-maġġoranza ta' żewġ terzi tal-membri kollha tal-Kamra tad-Deputati għall-ħatra ta' Awditur Ġenerali jew ta' Deputat Awditur Ġenerali, id-detenturi attwali ta' dawk il-karigi għandhom jibqgħu fil-kariga sakemm jinhatru Awditur Ġenerali u Deputat Awditur Ġenerali, skont il-każ. Dan f'konformità mal-proċedura applikabbli għal karigi Kostituzzjonali oħra li jeħtieġu vot favur ta' żewġ terzi tal-membri kollha tal-Kamra.

A BILL
Entitled

An Act 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. The short title of this Act is the Constitution of Malta (Amendment) Act 2026, and this Act shall be read and construed as one with the Constitution of Malta, hereinafter referred to as the "Constitution". Short title.

2. Article 108 of the Constitution shall be amended as follows: Amendment of article 108 of the Constitution.
 - (a) in the proviso to sub-article (2) thereof the words "Provided that when a person" shall be substituted by the words "Provided further that when a person" and immediately before the mentioned proviso, as amended, there shall be added the following new proviso:

"Provided that notwithstanding the provisions of any other law, if at the time of expiry of the term of appointment of the Auditor General a resolution has not been presented before the House of Representatives for the appointment of an Auditor General or for the re-appointment of the Auditor General, or if a resolution as aforesaid has been presented before the House of Representatives, such resolution has not been approved by the votes in favour of not less than two-thirds (2/3) of all the members of the House of Representatives, the person who immediately before the expiry of the said term was occupying the office of Auditor General shall, in any

C 3952

circumstances, remain in office until the resolution is approved by the votes in favour of not less than two-thirds (2/3) of all the members of the House:";

(b) in paragraph (a) of sub-article (9) thereof the words "and until a new Auditor General is appointed," shall be deleted.

Objects and Reasons

The objects and reasons of this Bill are to make provision to the effect that when upon the lapse of the term of office of the Auditor General or of the Deputy Auditor General in the absence of a resolution or of its approval by a two-thirds (2/3) majority of all the members of the House of Representatives for the appointment of an Auditor General or Deputy Auditor General, the persons currently holding those offices shall remain in office until an Auditor General or Deputy Auditor General is appointed, as the case may be. This is in line with the procedure applicable to other Constitutional offices which require a vote in favour of two-thirds (2/3) of all the members of the House.

