

Nru. 29

16. 7. 2004

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Tonio Borg, M.P., Viċi Prim Ministru u Ministru tal-Ġustizzja u l-Intern u moqri għall-Ewwel darba fis-Seduta tat-12 ta' Lulju, 2004.

A BILL introduced by the Honourable Tonio Borg, M.P., Deputy Prime Minister and Minister for Justice and Home Affairs and read the First time at the Sitting of the 12th July, 2004.

ATT dwar il-Membri Parlamentari u l-Impjieġ Pubbliku.

MEMBERS of Parliament (Public Employment) Act.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjaħ

Att dwar il-Membri Parlamentari u l-Impjeg Pubbliku

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. It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2004 dwar il-Membri Parlamentari u l-Impjeg Pubbliku. Titolu fil-qosor.

2. F'dan l-Att kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'ohra:- Tifsir.

(a) “Kamra” tfisser il-Kamra tad-Deputati;

(b) “kariga pubblika”, “uffiċjal pubbliku” u “is-servizz pubbliku” għandhom l-istess tifsira bħal dik mogħtija lilhom bl-artikolu 124 tal-Kostituzzjoni;

(ċ) “korp dixxiplinat” għandha l-istess tifsira bħal dik mogħtija lilha bis-subartikolu (1) ta' l-artikolu 47 tal-Kostituzzjoni;

(d) “Kostituzzjoni” tfisser il-Kostituzzjoni ta' Malta.

3. (1) Bla hsara għad-disposizzjonijiet ta' l-artikolu 4 ta' dan l-Att, għall-finijiet tal-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 54 tal-Kostituzzjoni, qieghed b'dan jiġi provdut li uffiċjal pubbliku, li l- Kif uffiċjali pubbliċi jikkwalifikaw biex jiġu eletti membri tal-Kamra.

kariga tieghu, sostantiva jew xort'ohra, fis-servizz pubbliku ma tkunx qeghda fuq skala ta' salarju li tkun oghla mill-iskala ta' salarju 6, jew xi skala ta' salarju ohra li l-Kamra tista' minn żmien ghal żmien tistabilixxi, ikun jikkwalifika biex jiġi elett membru tal-Kamra.

(2) Bla hsara ghad-disposizzjonijiet tas-subartikolu (3) uffiċjal pubbliku li jkun elett membru tal-Kamra jgawdi daww id-drittijiet, u jkun soġġett ghal daww l-obbligazzjonijiet u kondizzjonijiet, bhal kull uffiċjal pubbliku ieħor fl-istess grad jew pożizzjoni; b'dan illi dak il-membru ghandu jithalla jaqdi dmirijietu fil-Kamra.

(3) Meta l-Prim Ministru jkun jidhirlu li jkun hekk mehtieg fl-interess pubbliku, huwa jista' b'Ordni pubblikat fil-Gazzetta jagħmel regoli speċjali taħt dan l-Att li bihom jimpedixxi uffiċjali pubbliċi li jiġu eletti fil-Kamra milli jaqdu dmirijiethom f'xi dipartimenti jew uffiċċji partikolari jew milli jwettqu xi dmirijiet partikolari, u daww l-uffiċjali pubbliċi għandhom jiġu assenjati mill-ġdid band'ohra jew inkella jiġu eżonerati minn daww id-dmirijiet skond ma jkun speċifikat b'dak l-Ordni.

Membri ta' Korp
Dixxiplinat.

4. Id-disposizzjonijiet ta' dan l-Att ma għandhom japplikaw għal ebda membru ta' korp dixxiplinat.

Għanijiet u Raġunijiet

L-għan ta' dan l-Abbozz hu sabiex membri tal-parlament li jkollhom kariga pubblika sa ċerti gradi, ikunu jistgħu jibqgħu ingaġġati u jaqdu dmirijiethom fis-servizz pubbliku.

**A BILL
entitled**

Members of Parliament (Public Employment) Act

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 Members of Parliament (Public Employment) Act, 2004. Short title.

2. In this Act unless the context otherwise requires:- Interpretation.
 - (a) “Constitution” means the Constitution of Malta;
 - (b) “disciplined force” has the same meaning as is assigned to it by sub-article (1) of article 47 of the Constitution;
 - (c) “House” means the House of Representatives;
 - (d) “public office”, “public officer” and “public service” shall have the same meaning as is assigned to them by article 124 of the Constitution.

3. (1) Subject to the provisions of article 4 of this Act, for the purposes of paragraph (b) of sub-article (1) of article 54 of the Constitution, it is hereby provided that a public officer, whose office, substantive or otherwise, in the Public Service is not on a salary scale Qualification of Public officers to be elected as members of the House.

which is higher than salary scale 6, or such other salary scale as the House may from time to time determine, shall be qualified to be elected as a member of the House.

(2) Subject to the provisions of sub-article (3) a public officer who is elected as member of the House shall enjoy such rights, and be subject to such obligations and conditions, as any other public officer in the same grade or position; so however that such member shall be allowed to attend to his duties in the House.

(3) Where it appears to the Prime Minister to be necessary in the public interest, he may by Order published in the Gazette make special rules under this Act barring public officers who are elected to the House from serving in particular departments or offices or from performing particular duties, and such public officers shall be reassigned elsewhere or excused from those duties as specified by that Order.

Members of a
Disciplined Force.

4. The provisions of this Act shall not apply to any member of a disciplined force.

Objects and Reasons

The purpose of this Bill is to allow members of parliament who hold public office within certain grades, to remain engaged and serve in the public service.