

Abbozz ta' Liġi msejjah

ATT biex jemenda l-Att dwar Kunsilli Lokali.

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2014 li jemenda l-Att dwar Kunsilli Lokali, u dan l-Att għandu jinqara u jiftiehem haġa waħda mal-Att dwar Kunsilli Lokali, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

Kap. 363.

2. L-artikolu 8 tal-Att prinċipali għandu jiġi emendat kif ġej:

Jemenda l-artikolu 8 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu il-kliem "kull erba' snin" għandhom jiġu sostitwiti bil-kliem "kull ħames snin";

(b) l-ewwel proviso tas-subartikolu (1) tiegħu għandu jiġi sostitwit b'dan li ġej:

"Izda:

(a) l-elezzjonijiet għall-kunsillieri li għandhom isiru wara l-11 ta' April, 2015 għandhom isiru fis-sena 2019 u għandhom, kemm jista jkun possibbli, isiru fl-istess ġurnata tal-elezzjoni għall-Membri tal-Parlament Ewropew li ssir skont l-Att dwar Elezzjonijiet għall-Parlament Ewropew;

(b) il-kunsilliera kollha li jkunu qed jokkupaw il-kariga tagħhom, minnufih wara l-pubblikazzjoni tar-rizultat tal-elezzjoni tal-kunsilliera li tkun saret fil-11 ta' April, 2015, għandhom, ukoll jekk dawn ġew eletti f'elezzjoni barra minn dik li saret fil-11 ta' April, 2015, jibqgħu fil-kariga tagħhom sakemm issir elezzjoni oħra

tal-kunsillieri skont dan il-proviso;

(ċ) meta f'xi hin qabel ma tinzamm elezzjoni tal-kunsilliera fl-2019 jiġi xolt kunsill lokali, għandha tinzamm elezzjoni tal-kunsilliera fil-lokalità ta' dak il-kunsill hekk xolt qabel l-2019 minkejja d-dispożizzjonijiet tal-paragrafu (a) ta' dan il-proviso:";

(ċ) it-tieni proviso tiegħu għandu jiġi sostitwit b'dan li ġej:

"Izda wkoll il-Prim Ministru jista' jipposponi l-elezzjoni tal-Kunsilli Lokali jew l-elezzjoni tal-kunsilliera li tkun ser issir wara li jkun xolja Kunsill Lokali b'perjodu ta' mhux aktar minn sena jekk matul dak il-perjodu tkun ser issir elezzjoni għall-Membri tal-Parlament Ewropew, l-elezzjoni Ġenerali jew referendum, u dan unikament sabiex l-elezzjonijiet tal-Kunsilli Lokali jkunu jistgħu jsiru fl-istess gurnata tal-elezzjoni għall-Membri tal-Parlament Ewropew jew l-elezzjoni Ġenerali.

Jemenda l-
artikolu 32 tal-
Att prinċipali.

3. L-artikolu 32 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (ċ) tas-subartikolu (1) tiegħu, minflok il-kliem "ta' membru parlamentari:" għandhom jidhlu l-kliem "ta' membru parlamentari.", u l-proviso tiegħu għandu jiġi mħassar;

(b) minnufih wara s-subartikolu (1) tiegħu għandu jizdied is-subartikolu ġdid li ġej:

Kap. 318.

"(1A) L-onorarju tas-Sindku għandu jkun meqjus bħala dħul għall-finijiet tal-Att dwar is-Sigurtà Soċjali:

Izda, is-Sindku jista' jagħzel li dak l-onorarju ma jkunx meqjus bħala dħul għall-finijiet tal-Att dwar is-Sigurtà Soċjali."

Jemenda l-
artikolu 47A tal-
Att prinċipali.

4. Fis-subartikolu (6) tal-artikolu 47A tal-Att prinċipali il-kliem "erba' snin" għandhom jiġu sostitwiti bil-kliem "hames snin" u minflok il-kliem "hames persuni eletti." għandhom jidhlu l-kliem "hames persuni eletti:" u minnufih wara għandhu jizdied dan il-proviso ġdid li ġej:

"Izda l-elezzjonijiet tal-Kumitati Amministrattivi tal-komunitajiet għandhom kemm jista' jkun possibbli jsiru fl-istess gurnata bħal dik tal-elezzjonijiet tal-Kunsilli Lokali u

d-dispożizzjonijiet tal-ewwel proviso tas-subartikolu (1) tal-artikolu 8 għandhom *mutatis mutandis* japplikaw għall-Kumitati Amministrattivi."

5. L-artikolu 58 tal-Att prinċipali għandu jiġi enumerat mill-ġdid bħala s-subartikolu (1) tiegħu u minnufih wara għandu jiżdied is-subartikolu ġdid li ġej:

Jemenda l-artikolu 58 tal-Att prinċipali.

"(2) Il-Ministru jista' wkoll, bl-approvazzjoni tal-Ministru għall-Finanzi, jistabbilixxi l-entitajiet ġuridici bħal kumpanniji, fondazzjonijiet, assoċjazzjonijiet jew persuni ġuridici oħra għall-fini tal-amministrazzjoni u d-distribuzzjoni ta' xi fondi speċjali skont ir-regolamenti magħmula mill-Ministru."

6. Is-subartikolu (2) tal-artikolu 72 tal-Att prinċipali l-kliem "sal-Għaxar Skeda" għandhom jiġu sostitwiti bil-kliem "sad-Disa' Skeda".

Jemenda l-artikolu 72 tal-Att prinċipali.

7. L-Għaxar Skeda li tinsab mal-Att prinċipali għandha tiġi tiffassar.

Ihassar l-Għaxar Skeda tal-Att prinċipali.

Għanijiet u Raġunijiet

L-għanijiet u raġunijiet ta' dan l-Abbozz ta' Liġi huma biex jemendaw id-dispożizzjonijiet tal-Att dwar Kunsilli Lokali, sabiex jipprovdur għall-elezzjonijiet tal-Kunsilli Lokali u tal-Kumitati Amministrattivi li jsiru wara l-11 ta' April 2015 sabiex isiru kemm jista' jkun flimkien mal-elezzjonijiet tal-Membri tal-Parlament Ewropew u sabiex isiru dispożizzjonijiet relatati u anċillari fir-rigward tal-imsemmija miżura. L-abbozz jinkludi wkoll dispożizzjonijiet li għandhom x'jaqsmu mal-onorarju ta' Sindki l-pożizzjoni tagħhom skont l-Att dwar is-Sigurtà Soċjali.

**A Bill
entitled**

AN ACT to amend the Local Councils 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:-

Short title.

1. The short title of this Act is the Local Councils (Amendment) Act, 2014 and this Act shall be read and construed as one with the Local Councils Act, hereinafter referred to as "the principal Act".

Cap. 363.

Amends article
8 of the
principal Act

2. Article 8 of the principal Act shall be amended as follows:

(a) in sub-article (1) thereof for the words "every four years" there shall be substituted the words "every five years";

(b) the first proviso to sub-article (1) thereof shall be substituted by the following:

"Provided that:

(a) the first elections of councillors to be held after the 11th April 2015 shall be held in the year 2019 and shall, as much as possible, be held on the same day as the election of members of the European Parliament held in terms of the European Parliament Elections Act;

(b) all councillors who are in office immediately after the publication of the result of the elections of councillors held on the 11th April 2015 shall, even if they have been elected at an election other than that held on the 11th April 2015, remain in office until the holding of the next elections of councillors in terms of this proviso;

(c) where at any time prior to the holding of elections of councillors in 2019 a local council is dissolved an election of councillors shall be held in the locality of any such dissolved council prior to 2019 notwithstanding the provisions of paragraph (a) of this proviso:";

(c) the second proviso thereof shall be substituted by the following:

"Provided further that the Prime Minister may postpone the election of Local Councils or the election of councillors to be held following the dissolution of a Local Council by a period of not more than one year if during that period an election for Members of the European Parliament, the General election or the referendum is due to be held, and this solely in order that the Local Councils elections may be held on the same day as the election for the European Parliament or the General Election."

3. Article 32 of the principal Act shall be amended as follows: Amends article 32 of the principal Act.

(a) in paragraph (c) of sub-article (1) thereof, for the words "payable to a Member of Parliament:" there shall be substituted the words "payable to a Member of Parliament.", and the proviso thereto shall be deleted; and

(b) immediately after sub-article (1) thereof there shall be added the following new sub-article:

"(1A) The honorarium of the Mayor shall be deemed to be income for the purposes of the Social Security Act: Cap. 318.

Provided that, if the Mayor so chooses, that honorarium should not be deemed as income for the purposes of the Social Security Act."

4. In sub-article (6) of article 47A of the principal Act the words "four years" shall be substituted with the words "five years" and for the words "five elected persons." there shall be substituted the words "five elected persons:" and immediately thereafter there shall be added the following new proviso: Amends article 47A of the principal Act.

"Provided that elections of Administrative Committees of communities shall as much as possible be held on the same day as elections of local councils and the provisions of the first proviso of sub-article (1) of article 8 shall *mutatis mutandis*

C 82

apply to Administrative Committees."

Amends article
58 of the
principal Act.

5. Article 58 of the principal Act shall be re-numbered as sub-article (1) thereof and immediately thereafter there shall be added the following new sub-article:

"(2) The Minister may also, with the approval of the Minister of Finance, establish legal entities such as companies, foundations, associations or other legal persons for the purpose of the administration and distribution of any special funds in accordance with regulations made by the Minister."

Amends article
72 of the
principal Act.

6. In sub-article (2) of article 72 of the principal Act the words "to the Tenth Schedule" shall be substituted with the words "to the Ninth Schedule".

Deletes the Ten
Tenth Schedule
to the principal
Act.

7. The Tenth Schedule to the principal Act shall be deleted.

Objects and Reasons

The objects and reasons of this Bill are to amend the provisions of the Local Councils Act to provide for elections to Local Councils and Administrative Committees of communities to be held after the 11th April 2015 to coincide as much as possible with elections of Members of the European Parliament and to make related and ancillary provisions in respect of the said measure. The Bill also includes provisions regarding the honorarium of Mayors and their position under the Social Security Act.
