

Nagħti l-kunsens tiegħi.

(L.S.)

ANTON TABONE  
Agent President

17 ta' Lulju, 2012

**ATT Nru. XIV tal-2012**

*ATT biex jemenda l-Att dwar l-Elezzjonijiet Ġenerali.*

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

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2012 li Jemenda l-Att dwar l-Elezzjonijiet Ġenerali, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar l-Elezzjonijiet Ġenerali, hawn iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor.

Kap. 354.

2. L-artikolu 33 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 33 tal-Att prinċipali.

(a) is-subartikolu (5) tiegħu għandu jiġi mhassar;

(b) is-subartikoli (6) u (7) għandhom jiġu enumerati mill-ġdid bħala s-subartikoli (5) u (6) rispettivament; u

(ċ) is-subartikolu (5) tiegħu, kif enumerat mill-ġdid, għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(5) Il-Kummissjoni għandha tara li jiġi pubblikat fil-Gazzetta, kemm jista' jkun malajr wara x-xoljiment tal-Parlament u f'kull każ mhux aktar tard minn hamest ijiem wara l-pubblikazzjoni tar-*Writ* fil-Gazzetta, Regjistru Elettorali rivedut, li r-reviżjoni tiegħu tkun tinkludi:

(a) kull tibdil fil-konfini tad-distretti elettorali li jista' jkun gie approvat mill-Kamra bis-saħħa tad-dispożizzjonijiet tal-artikolu 61 tal-Kostituzzjoni fiż-żmien bejn il-pubblikazzjoni tal-aħħar Reġistru Elettorali rivedut u x-xoljiment tal-Parlament;

(b) kull korrezzjoni, żjieda, trasferiment jew taħsir li jkun sar mid-data tal-pubblikazzjoni tal-aħħar Reġistru Elettorali rivedut publikat skont is-subartikolu (1) ta' dan l-artikolu; u

(ċ) kull persuna li, wara l-pubblikazzjoni tal-aħħar Reġistru Elettorali rivedut, tkun għalqet jew tkun ser tagħlaq l-età ta' tmintax-il sena sal-ġurnata, u inkluża dik il-ġurnata, li tiġi minnufih qabel id-data li fiha għandha ssir l-elezzjoni, hekk iżda li dawn il-persuni jkunu, minbarra l-fatt li mhumiex elenkati fl-aħħar Reġistru Elettorali rivedut ippublikat skont is-subartikolu (1) ta' dan l-artikolu, jikkwalifikaw biex jiġu reġistrati bħala eletturi skont l-artikolu 57 tal-Kostituzzjoni ta' Malta."

Sostituzzjoni tal-artikolu 35 tal-Att prinċipali.

**3.** L-artikolu 35 tal-Att prinċipali għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"35. (1) Kull meta għandha ssir elezzjoni, l-eletturi jkunu l-persuni li isimhom ikun jidher fir-Reġistru Elettorali rivedut li jkun gie ppublikat skont id-dispożizzjonijiet tal-artikolu 33(5), sugġett għal dawk iż-żidiet, taħsiriet jew korrezzjonijiet li jiġu ordnati mill-Uffiċjal Revizur, u l-Kummissjoni ma jkollhiex jedd li ma tagħtix xi dokument ta' votazzjoni lil elettur li jkun hekk reġistrat sakemm dak l-elettur ma jkunx miet:

Iżda xejn milli jinsab f'dan l-artikolu ma għandu jagħti jedd lil xi persuna li tivvota meta din ma jkunx għad għandha l-kwalifiki meħtieġa biex tivvota, jew jeħles lil dik il-persuna minn xi pieneni li jistgħu jisthoqqulha jekk tivvota hekk. Lanqas ma għandha ebda haġa f'dan l-artikolu tagħti l-jedd lil xi persuna li tivvota jekk ma tkunx tissodisfa l-ħtiġijiet ta' dan l-Att.

(2) L-uffiċjali pubbliċi msemmija fl-artikolu 20, il-Kummissarju tal-Pulizija, ir-Reġistratur tal-Qrati ta' Malta u r-Reġistratur tal-Qrati ta' Għawdex, ikunu meħtieġa li jagħtu lill-Kummissjoni kull informazzjoni li din tista' teħtieġ rigward

jekk persuna tkunx intitolata li tiġi registrata bħala elettur jew le."

4. L-artikolu 46 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 46 tal-Att prinċipali.

(a) is-subartikoli (5) sa (11) tiegħu, it-tnejn inkluzi, għandhom jiġu enumerati mill-ġdid bħala s-subartikoli (6) sa (12), it-tnejn inkluzi, rispettivament;

(b) minnufih wara s-subartikolu (4) tiegħu, għandu jiżdied is-subartikolu ġdid li ġej:

"(5) (a) Kull elettur li jkun reġistrat bħala elettur f'Għawdex jista', fil-perjodu ta' għaxart ijiem wara l-pubblikazzjoni tar-*Writ*, jinforma bil-miktub lill-Kummissjoni li dak l-elettur jixtieq li d-dokument jingabar minnu stess mill-uffiċċju tal-Kummissjoni f'Malta fil-perjodu li jibda meta dokumenti għall-votazzjoni li ma jkunux ġew konsenjati jistgħu jingabru skont is-subartikolu (9) sal-ġurnata tal-Ħamis qabel il-ġurnata tal-elezzjoni.

(b) F'dan il-każ il-Kummissjoni għandha, sakemm dak id-dokument għall-votazzjoni ma jkunx ġie konsenjat qabel ma tkun irċeviet dik it-talba, tiżgura li dak id-dokument għall-votazzjoni jinżamm jew jingieb lura, u jkun magħmul disponibbli biex jingabar mill-elettur personalment mill-uffiċċju tal-Kummissjoni f'Malta fil-granet stabbiliti għall-ġbir skont id-dispożizzjonijiet ta' dan is-subartikolu.

(ċ) Kull elettur li jkun reġistrat bħala elettur f'Malta jista', fil-perjodu ta' għaxart ijiem wara l-pubblikazzjoni tar-*Writ*, jinforma bil-miktub lill-Kummissjoni li dak l-elettur jixtieq li d-dokument jingabar minnu stess mill-uffiċċju tal-Kummissjoni f'Għawdex fil-perjodu li jibda meta dokumenti għall-votazzjoni li ma jkunux ġew konsenjati jistgħu jingabru skont is-subartikolu (9) sal-ġurnata tal-Ħamis qabel il-ġurnata tal-elezzjoni.

(d) F'dan il-każ il-Kummissjoni għandha, sakemm dak id-dokument għall-votazzjoni ma jkunx ġie konsenjat qabel ma tkun irċeviet dik it-talba, tiżgura li dak id-dokument għall-votazzjoni jinżamm jew jingieb lura, u jkun magħmul disponibbli biex jingabar mill-elettur personalment mill-uffiċċju tal-Kummissjoni f'Għawdex

fil-granet stabbiliti għall-ġbir skont id-dispożizzjonijiet ta' dan is-subartikolu.

(e) Il-Kummissjoni għandha żżomm reġistru bil-miktub tat-talbiet kollha li jsiru bis-saħħa ta' dan is-subartikolu u għandha tagħti lill-partiti lista ta' kull talba li hekk tirċievi, b'din il-lista tingħata l-ewwel darba fi żmien jumejn wara l-pubblikazzjoni tar-*Writ* u aġġornata kull jumejn wara dik il-ġurnata.";

(ċ) fis-subartikolu (9) tiegħu, kif enumerat mill-ġdid, minflok il-kliem "skont ma hemm fis-subartikolu (6)" għandhom jidhlu l-kliem "skont ma hemm fis-subartikolu (7)";

(d) is-subartikolu (10) tiegħu, kif enumerat mill-ġdid, għandu jiġi emendat kif ġej:

(i) minflok il-kliem "li tinsab fis-subartikoli (6), (7) u (8)", għandhom jidhlu l-kliem "li tinsab fis-subartikoli (7), (8) u (9)";

(ii) minflok il-kliem "msemmija fis-subartikolu (5)", għandhom jidhlu l-kliem "msemmija fis-subartikolu (6)"; u

(iii) minflok il-kliem "skond is-subartikolu (8)", għandhom jidhlu l-kliem "skont is-subartikolu (9)".

Emenda tal-artikolu 66 tal-Att prinċipali.

5. L-artikolu 66 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-kliem "Kull każin, hanut jew stabbiliment pubbliku ieħor tul dik id-distanza" għandu jiġi sostwit bil-kliem "Kull każin ta' partit politiku tul id-distanza ta' hamsin metru miċ-ċentru tal-wisa' tal-bieb tad-dhul li jkun qed jintuża għall-votazzjoni"; u

(b) il-kliem "fil-jum tal-votazzjoni." għandu jiġi sostwit bil-kliem "fil-jum tal-votazzjoni:" u minnufih wara għandu jidhul il-proviso li ġej:

"Izda l-Kummissjoni Elettorali u l-Kummissarju tal-Pulizija jistgħu jordnaw l-għeluq ta' xi każin, hanut jew stabbiliment pubbliku ieħor f'dik id-distanza ta' hamsin metru jekk, fil-fehma tagħhom, ikun meħtieġ li jsir dak l-għeluq biex jinżamm l-ordni pubbliku jew sabiex ma tithalliex issir xi influwenza mhux dovuta fuq il-votanti filwaqt li tkun qiegħda ssir il-votazzjoni.".

6. L-artikolu 77 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 77 tal-Att prinċipali.

(a) fil-paragrafu (b) tas-subartikolu (3) tiegħu, minflok il-kliem "f'San Vinċenz de Paule.", għandhom jidhru l-kliem "f'San Vinċenz de Paule;", u minnufih wara għandu jizdied il-paragrafu ġdid li ġej:

"(c) fl-Isptar Mater Dei l-Imnsida, fl-Isptar Karen Grech Gwardamanga, fl-Isptar Monte Karmeli H'Attard u fl-Isptar Ġenerali Għawdex.";

(b) minnufih wara s-subartikolu (3A) tiegħu, għandu jizdied is-subartikolu ġdid li ġej:

"(3B) Minkejja d-dispożizzjonijiet ta' dan l-Att jew ta' kull liġi oħra, iċ-*Chairman* u l-Membri tal-Kummissjoni Elettorali għandhom, fl-elezzjoni ġenerali, fl-elezzjoni tal-Membri tal-Parlament Ewropew u fl-elezzjoni tal-Kunsilli Lokali, jivvutaw fil-post indikat fis-subartikolu (3)(a) bejn is-7.00 am u l-10.00 pm sebat ijiem qabel il-jum tal-votazzjoni.";

(c) minnufih wara l-paragrafu (c) tas-subartikolu (4) tiegħu, għandhom jizdiedu l-paragrafi ġodda li ġejjin:

"(d) L-eletturi kollha li, tliet ijiem qabel il-votazzjoni, ikunu reġistrati bħala pazjenti fl-Isptar Mater Dei, fl-Isptar Karen Grech, fl-Isptar Monte Karmeli, u fl-Isptar Ġenerali Għawdex, għandhom jivvutaw fil-post indikat fis-subartikolu (3)(c) u jkun id-dmir tas-sotto kumitat stabbilit skont l-artikolu 81, li jiddetermina min għandhom ikunu dawn l-eletturi.

(e) Minkejja d-dispożizzjonijiet l-oħra ta' dan l-Att l-eletturi residenti f'San Vinċenz de Paule kif ukoll eletturi li għandhom jivvutaw f'xi sptar skont id-dispożizzjonijiet tal-paragrafu (d) għandhom jivvutaw fil-jum ta' qabel il-jum tal-votazzjoni bejn is-7.00 am u l-10.00 pm.";

(d) is-subartikolu (6) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(6) Fil-każ ta' dawk l-eletturi li jivvotaw fil-lokalitajiet indikati fis-subartikolu (3)(a) u (b), kopja ta' listi tal-persuni intitolati biex jivvotaw f'dawk il-postijiet tal-votazzjoni mhallta għandha tingħata mill-Kummissjoni

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Elettorali lill-partiti politiċi mill-anqas erbat ijiem qabel il-gurnata tal-elezzjoni. Il-lista tal-persuni intitolati biex jivvotaw fil-lokalità indikata fis-subartikolu (3)(ċ) għandha tinghata mill-Kummissjoni Elettorali lill-partiti politiċi mhux aktar tard minn nofsillejl tal-gurnata tal-Hamis qabel il-gurnata tal-votazzjoni."

Sostituzzjoni tal-intestatura tat-Taqsima XII tal-Att prinċipali.

**7.** Minflok l-intestatura tat-Taqsima XII tal-Att prinċipali, għandha tidhol l-intestatura ġdida li ġejja: "Votazzjoni fi Djar tal-Anzjani u fi Sptarijiet".

Sostituzzjoni tal-artikolu 80 tal-Att prinċipali.

**8.** L-artikolu 80 tal-Att prinċipali għandu jiġi sostitwit bl-artikolu ġdid li ġejj:

"Dar tal-anzjani u sptarijiet.

80. Għall-finijiet ta' din it-Taqsima, "dar tal-anzjani" tfisser dak il-post jew dawk il-postijiet prinċipalment użati għall-kura ta' persuni anzjani li fihom ikunu, mill-inqas, joqogħdu hamsin elettur u "sptarijiet" tfisser l-Isptar Mater Dei, l-Isptar Karen Grech u l-Isptar Monte Karmeli f'Malta u l-Isptar Generali f'Għawdex:

Izda d-dispożizzjonijiet tal-artikolu 81(3)(a), tal-artikolu 82(1)(b) u tal-artikolu 83 ma għandhomx japplikaw għal djar tal-anzjani li ma jkunux immexxijin jew amministrati mill-Gvern."

Emenda tal-artikolu 81 tal-Att prinċipali.

**9.** L-artikolu 81 tal-Att prinċipali għandu jiġi emendat kif ġejj:

(a) fin-nota marginali tiegħu, minnufih wara l-kliem "Sotto-kumitat għal Djar ta' l-Anzjani" għandhom jiżdiedu l-kliem "u sptarijiet";

(b) fis-subartikolu (1) tiegħu, minflok il-kliem "fid-djar ta' l-anzjani kollha", għandhom jidhlu l-kliem "fid-djar tal-anzjani u fl-isptarijiet kollha"; u

(ċ) fis-subartikolu (2) tiegħu, minflok il-kliem "fi djar għan-nies avvanzati", għandhom jidhlu l-kliem "fid-djar tal-anzjani u fl-isptarijiet".

Emenda tal-artikolu 82 tal-Att prinċipali.

**10.** L-artikolu 82 tal-Att prinċipali għandu jiġi emendat kif ġejj:

(a) fin-nota marginali tiegħu, minnufih wara l-kliem "Dmirijiet ta' persuni responsabbli għat-tmexxija ta' Djar ta' l-

Anzjani" għandhom jiżdiedu l-kliem "u sptarijiet";

(b) is-subartikoli (2), (3) u (4) tiegħu għandhom jigu enumerati mill-ġdid bħala s-subartikoli (3), (4) u (5) rispettivament;

(c) minnufih wara s-subartikolu (1) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

"(2) Fi żmien tliet ijiem mill-pubblikazzjoni tar-*Writ* il-persuna responsabbli mit-tmexxija ta' sptar għandha tibgħat lis-sotto kumitat:

(a) lista tal-pazjenti li f'dak iż-żmien ikunu fl-isptarijiet b'indikazzjoni tal-isem, numru tal-karta tal-identità, l-aħħar indirizz magħruf, numru tal-ward, l-isem u l-indirizz tal-eqreb qarib tal-pazjent. Il-persuna responsabbli mit-tmexxija għandha, kull jum, tibgħat lista aġġornata tal-pazjenti lis-sotto kumitat sal-ġurnata sew sew qabel l-elezzjoni; u

(b) lista tal-persunal kollu fl-isptar li turi l-isem, in-numru tal-karta tal-identità, l-indirizz, il-kariga u l-hinijiet tax-xogħol sal-ghada tal-jum stabbilit għall-votazzjoni.";

(d) fis-subartikolu (4) tiegħu, kif enumerat mill-ġdid, minflok il-kliem "ta kull dar ta' l-anzjani", għandhom jidhlu l-kliem "ta' kull dar tal-anzjani u ta' kull sptar"; u

(e) fis-subartikolu (5) tiegħu, kif enumerat mill-ġdid, minflok il-kliem "fi djar ta' l-anzjani", għandhom jidhlu l-kliem "fi djar tal-anzjani u fi sptarijiet".

**11.** L-artikolu 83 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 83 tal-Att prinċipali.

(a) fin-nota marginali tiegħu, minnufih wara l-kliem "Votazzjoni fi Djar ta' l-Anzjani" għandhom jiżdiedu l-kliem "u sptarijiet";

(b) is-subartikolu (1) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(1) Id-dokumenti għall-votazzjoni ta' eletturi li jkunu registrati fi djar tal-anzjani għandhom jitqassmu lill-eletturi personalment fid-dar tal-anzjani. Sakemm ma jkunx ġew ikkonsenjati lill-eletturi qabel ma l-elettur ikun

daħal fl-isptar bħala pazjent, id-dokumenti għall-elezzjoni ta' pazjenti fi sptarijiet għandhom jiġu konsenjati lill-elettur personalment fl-isptarijiet. L-elettur jista' jagħzel li jikkonsenja d-dokument għall-votazzjoni liċ-*Chairperson* tas-Sotto-kumitat sabiex jiehu hsiebu fiż-żgur, u dak iċ-*Chairperson* għandu jikkonsenja lura d-dokument lill-elettur fil-jum stabbilit għall-votazzjoni jew f'dak il-jum li jiġi aktar qabel hekk kif l-elettur jista' jitlob li jsir.";

(ċ) fis-subartikolu (2) tiegħu, minflok il-kliem "fi djar ta' l-anzjani", għandhom jidhlu l-kliem "fi djar tal-anzjani u fi sptarijiet";

(d) fis-subartikolu (4) tiegħu, minflok il-kliem "f'dawk id-djar", kull fejn jinsabu, għandhom jidhlu l-kliem "f'dawk id-djar u f'dawk l-isptarijiet";

(e) fil-paragrafu (a) tas-subartikolu (6) tiegħu, minflok il-kliem "fi djar ta' l-anzjani", għandhom jidhlu l-kliem "fi djar tal-anzjani u fi sptarijiet"; u

(f) fis-subartikolu (7) tiegħu, minflok il-kliem "f'dar ta' l-anzjani", għandhom jidhlu l-kliem "f'dar tal-anzjani u fi sptar".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 501 tal-10 ta' Lulju, 2012.

MICHAEL FRENDO  
*Speaker*

RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*



I assent.

(L.S.)

ANTON TABONE  
Acting President

17th July, 2012

**ACT No. XIV of 2012**

*AN ACT to amend the General Elections 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.** The short title of this Act is the General Elections (Amendment) Act, 2012, and this Act shall be read and construed as one with the General Elections Act, hereinafter referred to as "the principal Act".

Short title.

Cap. 354.

**2.** Article 33 of the principal Act shall be amended as follows:

Amendment of article 33 of the principal Act.

- (a) sub-article (5) thereof shall be deleted;
- (b) sub-articles (6) and (7) shall be renumbered as sub-articles (5) and (6) respectively; and
- (c) for sub-article (5) as renumbered there shall be substituted the following:

"(5) The Commission shall cause to be published in the Gazette as soon as possible after the dissolution of Parliament and in any case not later than five days after the publication of the Writ in the Gazette, a revised Electoral Register, the revision of which shall include:

(a) any alteration to the boundaries of the electoral divisions which may have been approved by the House under the provisions of article 61 of the Constitution in the interim between the publication of the last revised Electoral Register and the dissolution of Parliament;

(b) all corrections, additions, transfers and cancellations effected from the date of the publication of the last revised Electoral Register published in terms of sub-article (1) of this article; and

(c) any person who has since the publication of the last revised Electoral Register attained or shall attain the age of eighteen years up to and including the day preceding the day on which the election is to be held provided that such persons are, except for the fact that they are not listed in the last revised Electoral Register published in terms of sub-article (1) of this article, qualified to be registered as voters in accordance to article 57 of the Constitution of Malta."

Substitution of article 35 of the principal Act.

**3.** Article 35 of the principal Act shall be substituted by the following new article:

"35. (1) Whenever an election is to be held, the voters shall be those whose name appears in the revised Electoral Register published in terms of article 33(5), subject to such additions, cancellations or corrections ordered by the Revising Officer, and the Commission shall not have the right to withhold any voting document to any voter who is so registered unless such voter has died:

Provided that nothing in this article shall entitle any person to vote, who has ceased to have the necessary qualifications to vote or relieve such person from penalties to which he may be liable for so voting. Nor shall anything in this article entitle any person to vote unless he satisfies the requirements of this Act.

(2) The public officers indicated in article 20, the Commissioner of Police, the Registrar of the Courts of Malta and the Registrar of the Courts of Gozo, shall be required to furnish the Commission with all information it may require to determine whether or not a person is entitled to be registered as a voter."

4. Article 46 of the principal Act shall be amended as follows:

Amendment of article 46 of the principal Act.

(a) sub-articles (5) to (11) thereof, both inclusive, shall be re-numbered as sub-articles (6) to (12), both inclusive, respectively;

(b) immediately after sub-article (4) thereof, there shall be added the following new sub-article:

"(5) (a) Any voter who is registered as a voter in Gozo may, in the period of ten days after the publication of the Writ, inform in writing the Commission that such voter desires that his document is collected by himself from the office of the Commission in Malta in the period starting from when undelivered voting documents can be collected in terms of sub-article (9) up to the Thursday before polling day.

(b) In such event the Commission shall, unless such voting document had already been delivered prior to the receipt of such request, ensure that such voting document is withheld or retrieved, and made available for collection by the voter personally from the office of the Commission in Malta on the days appointed for collection in terms of this sub-article.

(c) Any voter who is registered as a voter in Malta may, in the period of ten days after the publication of the Writ, inform in writing the Commission that such voter desires that his document is collected by himself from the office of the Commission in Gozo in the period starting from when undelivered voting documents can be collected in terms of sub-article (9) up to the Thursday before polling day.

(d) In such event the Commission shall, unless such voting document had already been delivered prior to the receipt of such request, ensure that such voting document is withheld or retrieved, and made available for collection by the voter personally from the office of the Commission in Gozo on the days appointed for collection in terms of this sub-article.

(e) The Commission shall keep a written record of all requests made by virtue of this sub-article and shall provide the parties with a list of such requests received, with such list being supplied first within two days after the

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publication of the Writ and updated every two days thereafter.";

(c) in subarticle (9) thereof, as re-numbered, for the words "in terms of subarticle (6)" there shall be substituted the words "in terms of sub-article (7)";

(d) sub-article (10) thereof, as re-numbered, shall be amended as follows:

(i) for the words "contained in subarticles (6), (7) and (8)", there shall be substituted the words "contained in sub-articles (7), (8) and (9)";

(ii) for the words "mentioned in subarticle (5)", there shall be substituted the words "mentioned in sub-article (6)"; and

(iii) for the words "in terms of subarticle (8)", there shall be substituted the words "in terms of sub-article (9)".

Amendment of article 66 of the principal Act.

**5.** Article 66 of the principal Act shall be amended as follows:

(a) for the words "Any club, shop or any other public establishment within such distance" there shall be substituted the words "Any political party club within the distance of fifty metres from the centre of the width of the door used as an entrance to the polling place"; and

(b) for the words "on polling day." there shall be substituted the words "on polling day:" and immediately thereafter there shall be added the following proviso:

"Provided that the Electoral Commission and the Commissioner of Police may order the closure of any club, shop or other public establishment within such distance of fifty metres if in their opinion, such closure is necessary to maintain public order or prevent undue influence on voters during voting."

Amendment of article 77 of the principal Act.

**6.** Article 77 of the principal Act shall be amended as follows:

(a) in paragraph (b) of subarticle (3) thereof, for the words "at Saint Vincent de Paule.", there shall be substituted the words "at Saint Vincent de Paule;", and immediately thereafter there shall be added the following new paragraph:

"(c) at Mater Dei Hospital Msida, Karen Grech Hospital Gwardamanga, Mount Carmel Hospital Attard, and Gozo General Hospital.";

(b) immediately after sub-article (3A) thereof, there shall be added the following new sub-article:

"(3B) Notwithstanding the provisions of this Act or of any other law, the Chairman and Members of the Electoral Commission shall, in a general election, in an election of Members of the European Parliament and in a Local Council election, vote at the place indicated in sub-article (3)(a) between 7.00 am and 10.00 pm seven days before polling day.";

(c) immediately after paragraph (c) of sub-article (4) thereof, there shall be added the following new paragraphs:

"(d) All voters who three days before polling shall be registered as patients at Mater Dei Hospital, Karen Grech Hospital, Mount Carmel Hospital, and at the Gozo General Hospital, shall vote in the place indicated in subarticle (3)(c) and it shall be the duty of the sub-committee set up under article 81, to determine who these voters shall be.

(e) Notwithstanding the other provisions of this Act, voters residing at Saint Vincent de Paule as well as voters who shall vote in a hospital in accordance with paragraph (d) shall vote on the day prior to election day between 7.00 am and 10.00 pm."; and

(d) subarticle (6) thereof shall be substituted by the following new subarticle:

"(6) In the case of those voters voting in the localities indicated in sub-article (3)(a) and (b), a copy of the list of persons entitled to vote in such mixed polling place shall be given by the Electoral Commission to the political parties, at least four days prior to polling day. The list of the persons entitled to vote in locality indicated in sub-article (3)(c) shall be given by the Electoral Commission to the political parties by not later than midnight of the Thursday preceding the polling date.".

**7.** For the heading in Part XII of the principal Act, there shall be substituted the following new heading: "Voting in Retirement Homes and Hospitals".

Substitution of heading in Part XII of the principal Act.

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Substitution of article 80 of the principal Act.

**8.** Article 80 of the principal Act shall be substituted by the following new article:

"Retirement Home and hospitals.

80. For the purpose of this Part, "a retirement home" means such place or places principally used for the care of elderly persons in which at least fifty voters reside and "hospitals" means Mater Dei Hospital, Karen Grech Hospital and Mount Carmel Hospital in Malta, and the General Hospital in Gozo:

Provided that the provisions of article 81(3)(a), of article 82(1)(b) and of article 83 shall not apply to retirement homes not run or administered by the Government."

Amendment of article 81 of the principal Act.

**9.** Article 81 of the principal Act shall be amended as follows:

(a) in the marginal note thereof, immediately after the words "Sub-committee for Retirement Homes", there shall be added the words "and hospitals";

(b) in sub-article (1) thereof, for the words "retirement homes", there shall be substituted the words "retirement homes and hospitals"; and

(c) in sub-article (2) thereof, for the words "old age homes", there shall be substituted the words "retirement homes and hospitals".

Amendment of article 82 of the principal Act.

**10.** Article 82 of the principal Act shall be amended as follows:

(a) in the marginal note, immediately after the words "Duties of persons responsible for the administration of retirement homes", there shall be added the words "and hospitals";

(b) sub-articles (2), (3) and (4) thereof shall be re-numbered as sub-articles (3), (4) and (5) respectively;

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

"(2) Within three days of the publication of the Writ the person responsible for the administration of hospitals shall send to the sub-committee:

(a) a list of all patients currently in the hospitals indicating the name, identity card number, last known address, ward number, name and address of the next of kin. The person responsible for the administration shall send updated lists of the patients on a daily basis to the sub-committee until the day preceding the election; and

(b) a list of all staff at the hospital indicating the name, identity card number, address, grade and working hours up to the day following the day fixed for voting.";

(d) in sub-article (4) thereof, as re-numbered, for the words "retirement home", there shall be substituted the words "retirement home and hospital"; and

(e) in sub-article (5) thereof, as re-numbered, for the words "retirement homes", there shall be substituted the words "retirement homes and hospitals".

**11.** Article 83 of the principal Act shall be amended as follows:

Amendment of  
article 83 of the  
principal Act.

(a) in the marginal note thereof, immediately after the words "Voting at Retirement Homes", there shall be added the words "and hospitals";

(b) sub-article (1) thereof shall be substituted by the following new subarticle:

"(1) The voting documents of voters registered in retirement homes shall be delivered to the voters personally in the retirement home. Unless delivered to the voter prior to admittance as a patient into a hospital, the voting documents of patients in hospitals shall be delivered to the voter personally in the hospitals. The voter may opt to deliver the voting document to the Chairperson of the Sub-Committee for safekeeping, and such Chairperson shall return the same to the voter on the day fixed for voting or on such earlier day as may be requested by the voter.";

(c) in sub-article (2) thereof, for the words "in retirement homes", there shall be substituted the words "in retirement homes and hospitals";

(d) in sub-article (4) thereof, for the words "at such

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homes" and "to such homes", there shall be substituted the words "at such homes and hospitals" and "to such homes and hospitals" respectively;

(e) in paragraph (a) of sub-article (6) thereof, for the words "retirement homes", there shall be substituted the words "retirement homes and hospitals"; and

(f) in sub-article (7) thereof, for the words "in a retirement home", there shall be substituted the words ""in a retirement home and hospital".

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Passed by the House of Representatives at Sitting No. 501 of the 10th July, 2012.

MICHAEL FRENDU

*Speaker*

RAYMOND SCICLUNA

*Clerk to the House of Representatives*

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