

ABBOZZ TA' LIĠI
msejjaħ

ATT biex jemenda l-Att dwar l-Elezzjonijiet Ġenerali, Kap. 354.

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

1. It-titolu fil-qosor ta' dan l-Att hu Att ta' l-2009 li jemenda l-Att dwar l-Elezzjonijiet Ġenerali, u dan l-Att għandu jiftiehem ħaġa waħda ma' l-Att dwar l-Elezzjonijiet Ġenerali, hawn iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

2. Minnufih wara s-subartikolu (3) ta' l-artikolu 77 ta' l-Att prinċipali, għandu jiżded dan is-subartikolu ġdid li ġej:

Jemenda l-artikolu 77 ta' l-Att prinċipali.

“Votazzjoni li ssir qabel il-jum tal-votazzjoni.

(3A) (a) Minkejja d-disposizzjonijiet ta' din il-liġi jew ta' kull liġi oħra, kull persuna reġistrata bhala votant li jkollha jedd tivvota f'elezzjoni ġenerali, f'elezzjoni ta' Membri tal-Parlament Ewropew jew f'elezzjoni ta' Kunsill Lokali u li jkollha jedd tircievi d-dokument għall-votazzjoni u li tiddikjara bil-ġurament quddiem il-Kummissjoni Elettorali li hija m'hijiex se tkun Malta fil-jum tal-votazzjoni, ikollha l-jedd li tivvota fil-post indikat fil-paragrafu (a) tas-subartikolu (3) ta' dan l-artikolu bejn is-7.00am u l-10.00pm sebat ijiem qabel il-jum tal-votazzjoni.

(b) Id-dikjarazzjoni ġuramentata li għaliha hemm referenza fil-paragrafu (a):

(i) tista' ssir bi dritt sa nofsinhar tal-jum tal-Ġimgħa li jkun jaħbat minnufih qabel il-jum stabbilit sabiex persuni jivvutaw qabel il-jum tal-votazzjoni skond il-paragrafu (a) , u

(ii) għandha ssir f'dik il-forma u skond dik il-proċedura hekk kif il-Kummissjoni Elettorali tista' tesigi.

(ċ) Id-disposizzjonijiet kollha ta' dan l-Att li japplikaw għall-votazzjoni mill-Assistenti Kummissjonarji għandhom, mingħajr preġudizzju għal dan is-subartikolu, japplikaw *mutatis mutandis* għal dawk il-persuni reġistrati bħala votanti li jkollhom il-jedd li jivvutaw qabel il-jum tal-votazzjoni skond il-paragrafu (a):

Izda persuna li, wara li tkun għamlet dikjarazzjoni ġuramentata skond il-paragrafu (a) ma tivvutax fil-jum stabbilit sabiex persuni jivvutaw qabel il-jum tal-votazzjoni, ikollha l-jedd li tivvota fil-jum tal-votazzjoni.”.

Għanijiet u Raġunijiet

L-għan ta' dan l-Abbozz hu sabiex jipprovdi, f'ċerti kazijiet, li ssir il-votazzjoni qabel il-jum tal-votazzjoni minn persuni li jkunu eliġibbli li jivvotaw f'Elezzjonijiet Ġenerali, f'elezzjonijiet ta' Membri tal-Parlament Ewropew u f'elezzjonijiet tal-Kunsilli Lokali.

**A Bill
entitled**

AN ACT to amend the General Elections Act, Cap. 354

BE IT ENACTED by the President, by and with the advice 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, 2009 and this Act shall be construed as one with the General Elections Act, hereinafter referred to as “the principal Act”.

Short title.

2. Immediately after sub-article (3) of article 77 of the principal Act, there shall be added the following new sub-article:

Amends article 77 of the principal Act.

“Voting before polling day.

(3A) (a) Notwithstanding the other provisions of this Act or of any other law, every registered voter who is entitled to vote at a general election, at an election of Members of the European Parliament or at a Local Council election and who is entitled to receive the voting document and who declares on oath before the Electoral Commission that he will not be in Malta on the day of the election, shall be entitled to cast his vote at the place indicated in paragraph (a) of sub-article (3) of this article between 7.00am and 10.00pm seven days before polling day.

(b) The sworn declaration referred to in paragraph (a):

(i) may be made, as of right, until noon of the Friday immediately preceeding the day established for voting before polling day in accordance with paragraph (a), and

(ii) shall be made in such form and in accordance with such procedure as the Electoral Commission may require.

(c) All the provisions of this Act applicable to voting by Assistant Commissioners shall, without prejudice to this subarticle, be applied *mutatis mutandis* to registered voters entitled to vote before polling day in accordance with paragraph (a):

Provided that a person who, after having made a sworn declaration in accordance with paragraph (a) does not vote on the day established for voting before polling day, shall have the right to vote on polling day.”.

Objects and Reasons

The object of this Bill is to make provision, in certain cases, for voting prior to polling day by persons eligible to vote at General Elections, at elections of Members of the European Parliament and at Local Council elections.