VERŻJONI ELETTRONIKA

I assent.

(L.S.) **MARIE LOUISE COLEIRO PRECA**
President

15th December, 2015

ACT No. XL of 2015

AN ACT to amend the Local Councils Act, Cap. 363.

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 and commencement.

1. (1) The short title of this Act is the Local Councils (Amendment) Act, 2015 and this Act shall be read and construed as one with the Local Councils Act, hereinafter referred to as "the principal Act". Cap. 363.

(2) The provisions of this Act shall come into force on such date as the Minister responsible for Local Government shall by order in the Gazette establish and different dates may be established in respect of different articles or sub-articles and of different purposes of this Act.

Amendment of 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

VERŻJONI ELETTRONIKA

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.".

Amendment of article 32 of the principal Act.

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

(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,

VERŻJONI ELETTRONIKA

that honorarium should not be deemed as income for the purposes of the Social Security Act and the said choice may also be made with reference to a period which precedes the coming into force of this sub-article and even if at the time when the choice is made the person making that choice no longer occupies the office of Mayor.".

Amendment of article 44 of the principal Act.

4. Article 44 of the principal Act shall be amended as follows:

(a) the marginal note thereof shall be substituted by the following "Admission of public to meetings and streaming on the internet."; and

(b) in sub-article (1) thereof, immediately after the words "open to the public" there shall be added the words "and it shall be streamed on the internet in an audiovisual form on the council's website".

Amendment of article 47A of the principal Act.

5. 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:

"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* apply to Administrative Committees.".

Amendment of 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".

Deletion of the Tenth Schedule to the principal Act.

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

VERŻJONI ELETTRONIKA

A 1458

Passed by the House of Representatives at Sitting No. 338 of the 9th December, 2015.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

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