

I assent.

(L.S.)

**GEORGE VELLA**  
**President**

26th April, 2019

**ACT No. XIV of 2019**

*AN ACT to further 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:-

**1.** (1) The short title of this Act is the Local Councils (Amendment No. 2) Act, 2019, and this Act shall be read and construed as one with the Local Councils Act hereinafter referred to as the "principal Act".

Short title and commencement.

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(2) This Act shall come into force on such date as the Minister responsible for Local Councils may by order in the Gazette establish, and different dates may be so established for different provisions and different purposes thereof.

**2.** The principal title of the principal Act shall be substituted by the following:

Amendment of the principal title of the principal Act.

"LOCAL GOVERNMENT ACT".

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Amendment of  
'Arrangement of  
Act' of the  
principal Act.

**3.** Under the heading 'Schedules' in 'Arrangement of Act' of the principal Act, immediately after "Eleventh Schedule" there shall be added the following:

|                     |                                                                   |
|---------------------|-------------------------------------------------------------------|
| "Twelfth Schedule   | Protocol for Regional Presidents,<br>Mayors and Local Councillors |
| Thirteenth Schedule | Code of Ethics for Local Government<br>Elected Representatives    |
| Fourteenth Schedule | Councillors' Responsibilities".                                   |

Amendment of  
article 1 of the  
principal Act.

**4.** Article 1 of the principal Act shall be substituted by the following:

"1. The short title of this Act is Local Government Act."

Amendment of  
article 2 of the  
principal Act.

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

(a) the definition "Association" shall be substituted by the following:

" "Association" means the Association representing the Local Councils and Regional Councils recognized as such by the provisions of article 37(3);";

(b) the definition "councillor" shall be substituted by the following:

" "councillor" means a member elected to the Local Council under the provisions of this Act;";

(c) immediately after the definition "councillor" there shall be added the following new definition:

" "Department" means the Department responsible for the monitoring and support of Local Government;";

(d) the definition "Director" shall be substituted by the following:

" "Director" means the Director responsible for Local Government;";

(e) the definition "Executive Secretary" shall be substituted by the following:

" "Executive Secretary" means the person occupying the post of an Executive Secretary of a Local Council or

Regional Council in accordance with this Act;";

(f) immediately after the proviso to the definition of "financial year" there shall be added the following new definition:

" "Governance Board" means the Local Governance Board established by means of regulations issued by the Minister;";

(g) the definition "Council" shall be substituted by the following:

" "Local Council" means Local Council established under this Act;";

(h) immediately after the definition "Information and Data Protection Commissioner" there shall be added the following new definition:

" "Local Government" includes both the Regional Councils as well as Local Councils;";

(i) the definition "Mayor" shall be substituted by the following:

" "Mayor" means the Mayor of a Council elected in accordance with the provisions of this Act;";

(j) immediately after the definition "Minister" there shall be added the following new definition:

" "most senior councillor" means that councillor who has been continuously serving in office and who belongs to that party or organisation which in the last Local Election elected the majority of councillors;";

(k) immediately after the definition "population of a locality" there shall be added the following new definition:

" "President" means the President of the Republic;";

(l) immediately after the definition "public service" there shall be added the following new definition:

" "Regional Council" shall have the same meaning as assigned to it in the Regional Councils Regulations;";

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(m) the definition "resolution" shall be substituted by the

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following:

" " resolution" means a motion which was discussed and approved during a Local Council or Regional Council meeting, and which is so registered in the minutes of the same meeting;"

Amendment of the title of Part II of the principal Act.

**6.** The title of Part II of the principal Act shall be substituted by the following:

"Constitution of Local Councils".

Amendment of article 3 of the principal Act.

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

(a) in sub-articles (1) and (2) thereof, before the word "Council" there shall be added the word "Local";

(b) paragraph (d) of sub-article (2) thereof shall be substituted by the following:

"(d) a Local Council may enter into public private partnerships both with the private sector or with non-governmental organisations, following approval by the Director who shall grant such approval after evaluating the request, and after having obtained the approval of the Minister responsible for Finance and of the Minister responsible for Local Government.";

(c) in sub-article (2A) thereof, the words "with the Local Councils Association" shall be substituted by the words "with the Association";

(d) sub-article (6) thereof shall be substituted by the following:

"(6) A Local Council proposing to finance a project by means of a loan, shall submit its proposal for the approval of the Minister.".

Addition of new articles 3A and 3B to the principal Act.

**8.** Immediately after article 3 of the principal Act there shall be added the following:

"Work plan.

3A. By not later than three months from the start of the working of the legislature, a public meeting shall be summoned wherein the Council's Work Plan shall be discussed. For this purpose, an invite shall be sent in every residence and the meeting shall be held in a suitable place.

Candidature  
of sixteen  
year old  
persons.

3B. Persons who attain sixteen years of age shall have the right to contest Local Council elections:

Provided that if a person of an age between sixteen years and eighteen years is elected to Council and obtains the majority of votes from the party which gets the majority of votes in the first count, he shall not be declared a Mayor:

Provided further that if the number of councillors elected between sixteen years and eighteen years is such that there is no councillor over eighteen years of age who can be declared Mayor, then the number of councillors increases by one councillor for each party represented in that Local Council from amongst those respective party candidates who were not elected and who, in the last count of votes, obtained the majority of votes and who is over eighteen years of age on the election day:

Provided further that if there are no eligible candidates as provided for in the preceding paragraph, the vacant post shall be filled through the choice of a person from the same party or parties."

9. Article 5 of the principal Act shall be substituted by the following:

Substitution of  
article 5 of the  
principal Act.

"5. (1) Every citizen of Malta who, after the publication of the last revised Local Councils electoral register, attained or shall attain the age of sixteen years up to the day and including the day preceding the 2015 elections, and who has not been convicted of any offence connected with the election of members of Local Councils shall be entitled to vote in elections of the Local Councils.

(2) Every person who is a national of a Member State of the European Union who, after the publication of the last revised European electoral register, and every person who is of a United Kingdom nationality, who attained or shall attain the age of sixteen years and who has not been convicted of any offence connected with the election of members of Local Councils shall be entitled to vote in election of the Local Councils."

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

Amendment of  
article 8 of the  
principal Act.

(a) sub-article (1) thereof, before the proviso, shall be substituted by the following:

"(1) The elections of councillors shall be held every five years by means of the system of proportional representation using the single transferable vote, and this by means of manual voting as well as electronically:";

(b) sub-article (3) thereof, before the proviso shall be substituted by the following:

"(3) If no candidates are nominated to contest the election of a Local Council in accordance with the Third Schedule, the Minister shall appoint a Committee of Management chaired by the President of the Association or his representative, which shall perform all such duties as are competent on the Council until a new Council is elected:"; and

(c) sub-article (6) thereof shall be substituted by the following:

"(6) Elections shall be held on the same day of the Elections for the European Parliament.

(7) The councillors whose mandate expires on 31 May 2019 shall have their mandate extended till 30 June 2019, and the councillors elected in the elections held on 25 May 2019 shall assume office as from 1 July 2019."

Amendment of  
article 12 of the  
principal Act.

**11.** Article 12 of the principal Act shall be amended as follows:

(a) paragraph (d) thereof shall be substituted by the following:

"(d) he is a person in the employment of the Council for which elections are to be held or Executive Secretary in any one of the Local Councils or Regional Councils;" and

(b) the proviso immediately after paragraph (j) shall be substituted by the following:

"Provided that no councillor shall remain in office if at any time during his term of office he is elected or chosen as Councillor of any other Local Council or of any similar institution in any other member state:"; and immediately after there shall be added the following new proviso:

"Provided further that in the event of any of the circumstances mentioned in this article, the Minister shall be

informed and shall declare the office as vacant."

**12.** Sub-article (1) of article 17 of the principal Act shall be substituted by the following:

Amendment of  
article 17 of the  
principal Act.

"(1) A member of the Local Council may, at any time, resign his office in the Local Council by notice in writing signed by him and delivered to the Executive Secretary and his resignation shall take effect from the date of the receipt of the notice by the Executive Secretary, which date shall be immediately registered by the Executive Secretary, and his office shall become vacant as of such date. The Executive Secretary shall give a registered receipt containing the date and time of resignation, and shall immediately inform all the councillors and the Director."

**13.** Sub-article (4) of article 19 of the principal Act shall be substituted by the following:

Amendment of  
article 19 of the  
principal Act.

"(4) For the purposes of sub-article (1) the word "indirect" includes any pecuniary interest which a councillor may have through his wife or husband, spouse in marriage, partners in a civil union, children, parents, persons having or who had children in common, siblings or through any company (not being a public company) of which he or any one or more of them is a shareholder or through any company of which he or any one or more of them is a director."

**14.** Sub-article (4) of article 20 of the principal Act shall be substituted by the following:

Amendment of  
article 20 of the  
principal Act.

"(4) For the purposes of this article, a relevant family relationship shall be deemed to exist between a councillor and an officer or candidate if they are married, partners in a civil union or if the officer or candidate, or the husband or wife of the officer or the candidate, are the -

- (a) parents;
- (b) grandparents;
- (c) grandson or granddaughter;
- (d) son or daughter;
- (e) siblings;
- (f) uncle or aunt;

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(g) nephew or niece; or

(h) first cousin,

of the councillor or of the husband or wife, partner in a civil union of the councillors."

Amendment of  
article 22 of the  
principal Act.

**15.** Article 22 of the principal Act shall be amended as follows:

(a) paragraph (a) thereof shall be substituted by the following:

"(a) a report of the Auditor General for persistent breach of financial responsibilities, and after a formal notice has been given by the Minister; or";

(b) paragraph (b) thereof shall be substituted by the following:

"(b) persistent non-regard to the provisions of this Act on report by the Governance Board and after a formal notice has been given by the Minister; or"; and

(c) paragraph (e) thereof shall be substituted by the following:

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"(e) a recommendation to that effect in a report by a board appointed under the Inquiries Act to the Minister."

Amendment of  
article 23 of the  
principal Act.

**16.** Article 23 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be substituted by the following:

"(1) Upon the dissolution of the Council in accordance with article 22, or if all the elected councillors have resigned and no other councillors can be elected in accordance with the Third Schedule, or if the Council cannot function for whatever reason, the Electoral Commission shall, within thirty days, hold an election for the new Council:

Provided that no election shall be held where the remaining term of office of the dissolved Council is less than six months."; and

(b) sub-article (2) thereof shall be substituted by the following:

"(2) The Minister shall within fifteen days from the dissolution of the Council, appoint a Committee of Management chaired by the President of the Association or his representative which shall perform all such duties as are competent on the Council until a new Council is elected:

Provided that until a Committee of Management is appointed, the Executive Secretary shall perform all such duties as are competent on the Local Council."

**17.** In sub-article (3) of article 24 of the principal Act the word "Board" shall be substituted by the words "Governance Board". Amendment of article 24 of the principal Act.

**18.** Article 25 of the principal Act shall be amended as follows: Amendment of article 25 of the principal Act.

(a) in sub-article (1) thereof, immediately after the words "the absolute majority of Councillors in such Council" there shall be added the words "and having over eighteen years of age";

(b) in the first proviso to sub-article (1A) thereof the words "in age" shall be deleted;

(c) in sub-article (4) thereof immediately after the words "he refuses" there shall be added the words "or does not answer within a week";

(d) in sub-article (5) thereof immediately after the words "specific sector" there shall be added the words "as specified in the Fourteenth Schedule"; and

(e) immediately after sub-article (5) there shall be added the following new sub-article (6):

"(6) In the event that a circumstance arises where the office of the Mayor and Deputy Mayor are vacant, the subsequent meeting wherein there shall be held the elections for the Mayor and Deputy Mayor shall be summoned by the most senior councillor, and the provisions of sub-article (4) apply *mutatis mutandis*."

**19.** Immediately after article 25 of the principal Act there shall be Addition of new article 25A to the principal Act.

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added the following new article 25A:

"Persons under eighteen years of age not eligible for the office of Mayor. 25A. (1) A person under eighteen years of age who is an elected councillor and who has obtained the majority of votes amongst the candidates of the party which obtains the majority of first count votes is not declared Mayor:

Provided that if there is vacancy in the office of the Mayor, and the person who was eligible when he was elected councillor had not yet attained eighteen years of age and was thus not elected Mayor, but at the time of the vacancy would have attained eighteen years of age, shall, if willing to accept the office, be declared Mayor whereas if not willing to accept the office, the provisions of article 25 shall apply.

(2) The provisions of sub-article (1) shall *mutatis mutandis* apply if there is a vacancy in the office of Deputy Mayor."

Substitution of article 29A of the principal Act.

**20.** Article 29A of the principal Act shall be substituted by the following:

"29A. The Mayor, or at least one-third of the councillors, shall have the right to request an urgent meeting. The urgent meeting shall only discuss the urgent matter for which the meeting has been convened and no other. The subsequent meeting shall still be held on the same day as agreed in the last regular meeting. The Executive Secretary shall be obliged to convene the urgent meeting by not later than three working days from the receipt of the request, and all the applicable procedures for local council meetings shall be adopted, including the time at which the meeting shall be convened:

Provided that when a councillor requests an urgent meeting, he shall be bound to indicate the nature of the urgency and why the matter in question cannot wait to be put on the agenda of the next meeting in accordance with the ordinary conduct of the meetings. The decision whether the request for an urgent meeting be acceded to shall be taken by the Mayor in accordance with the guidelines issued by the Director after consultation with the Association."

Substitution of article 30 of the principal Act.

**21.** Article 30 of the principal Act shall be substituted by the following:

"30. When a vote of no confidence as provided in article

29 is carried, it shall be communicated to the Director and the Minister by the Executive Secretary without delay."

- 22.** Sub-article (2) of article 31 of the principal Act shall be substituted by the following: Amendment of article 31 of the principal Act.

"(2) If for the purposes of sub-article (1) the Deputy Mayor is unable to perform the functions of Mayor, for any reason whatsoever, such function shall be performed by the most senior councillor provided that he shall by not later than three working days from the occurrence of the circumstance mentioned in this sub-article, provide to the Executive Secretary his acceptance in writing, and in case that this does not happen, the Minister shall have the faculty to appoint a member from the Association to chair the meetings."

- 23.** Article 32 of the principal Act shall be amended as follows: Amendment of article 32 of the principal Act.

- (a) the marginal note thereof shall be substituted by the following:

"Allowances to the Councillors and Honorarium to the Mayor."; and

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

"(1) The Council shall pay an honorarium to the Mayor of its locality as follows:

- (a) in localities having five councillors, an amount equivalent to forty-five percent (45%) of the honorarium payable to a member of parliament;

- (b) in localities having between seven and nine councillors, an amount equivalent to sixty five percent (65%) of the honorarium payable to a member of parliament;

- (c) in localities having more than nine councillors, an amount equivalent to eighty five percent (85%) of the honorarium payable to a member of parliament;";

- (c) sub-article (2) thereof shall be substituted by the following:

"(2) The Minister may, by regulations, establish the

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allowance that Local Councils may pay to Councillors, which allowance shall be paid every month."; and

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

"The notification shall be made by the Executive Secretary to the Head of Department and shall specify that such activity is an official council activity.".

Amendment of article 33 of the principal Act.

**24.** Sub-article (1) of article 33 of the principal Act shall be amended as follows:

(a) in paragraph (i) thereof, the words "where applicable" shall be deleted; and

(b) in paragraph (s) thereof, immediately after the word "sports" there shall be added the words "or physical".

Addition of new article 33A to the principal Act.

**25.** Immediately after article 33 of the principal Act there shall be added the following new article 33A:

"Responsibilities assigned to councillors.

33A.(1) In the first meeting of the Local Council held after the election, the Mayor shall assign to each Councillor any one of the responsibilities listed in the Fourteenth Schedule. For this purpose, each councillor has the right to appoint a sub-committee, and from amongst the members of the said sub-committee there shall be appointed a secretary.

(2) At the end of each year, each councillor shall submit a report on his work in the sector of which he is responsible, which reports shall be included in the Administrative Report.

(3) Apart from those subject matters listed in the Fourteenth Schedule, the Mayor shall have the right to assign amongst the councillors other responsibilities as he deems fit and according to the localities' needs.

(4) The Executive Secretary shall immediately inform the Director once the responsibilities are assigned to the councillors.".

Amendment of article 34 of the principal Act.

**26.** Sub-article (1) of article 34 of the principal Act shall be substituted by the following:

"(1) A Local Council may make, amend or revoke bye-

laws for the purpose of carrying out its functions and for the prevention and suppression of nuisances in its locality and to increase funds other than those allocated to it in terms of article 55."

**27.** Article 35 of the principal Act shall be amended as follows:

Amendment of article 35 of the principal Act.

- (a) sub-article (1) thereof shall be deleted;
- (b) sub-article (2) thereof shall be renumbered as sub-article (1) and substituted by the following:  
  

"(1) A Local Council shall, on application, furnish to any person a copy of the proposed bye-laws, or of any part thereof, without payment.";
- (c) sub-article (3) thereof shall be renumbered as sub-article (2);
- (d) sub-article (4) thereof shall be renumbered as sub-article (3) and the word "six" shall be substituted by the word "eight";
- (e) sub-article (5) thereof shall be deleted;
- (f) sub-article (6) thereof shall be renumbered as sub-article (4);
- (g) sub-article (7) thereof shall be renumbered as sub-article (5) and substituted by the following:  
  

"(5) The Minister shall have the right to object to any bye-law approved by any Council and shall signify such objection and the justification thereof in writing to the Council by not later than eight weeks.";
- (h) sub-article (7) thereof shall be deleted.

**28.** Sub-article (6) of article 36 of the principal Act shall be substituted by the following:

Amendment of article 36 of the principal Act.

"(6) The Minister may by order in the Gazette direct that the provisions of sub-articles (2), (3), (4) and (5) shall apply to one or more of the offences listed in the Schedule to the Commissioners for Justice Act and whenever any such order is made prosecution in relation to such infringements shall be conducted by the Executive Secretary before the Commissioner for Justice who shall sit in any place as designated under sub-

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article (3).".

Amendment of  
article 36A of  
the principal  
Act.

**29.** In paragraphs (a), (b) and (c) of sub-article (2) of article 36A of the principal Act the word "thereof" shall be substituted by the words "of Part V" whenever it appears.

Amendment of  
the short title of  
article 37A of  
the principal  
Act.

**30.** Article 37A of the principal Act shall be amended as follows:

(a) the marginal note thereof shall be substituted by the following:

"Regional Councils."; and

(b) in sub-article (1) thereof the word "five" shall be substituted by the word "six";

(c) in paragraph (a) of sub-article (2) thereof the word "Committee" shall be substituted by the word "Council";

(d) paragraph (b) of sub-article (2) thereof shall be renumbered as paragraph (c) and substituted by the following:

"(c) Each Mayor forming part of that Region shall appoint its representative to form part of the Regional Council.";

(e) immediately after paragraph (a) thereof, there shall be added the following new paragraph (b):

"(b) A candidate is eligible to contest for the office of President of the Region if he is a resident in a locality forming part of the same region or is an elected councillor in a Local Council which forms part of that region, or is the President in office up to the date of the opening of nominations for the election.";

(f) paragraph (c) of sub-article (2) thereof shall be renumbered as paragraph (d) and the word "Committee" shall be substituted by the word "Council";

(g) immediately after paragraph (d) of sub-article (2) thereof as renumbered there shall be added the following new paragraph (e):

"(e) The President of the Region and the President of the Association shall not be councillors, and if a councillor in office is elected to any of such offices, he shall resign from being a councillor.";

(h) sub-article (3) thereof shall be renumbered as sub-article (5) and shall be substituted by the following:

"(5) The Regional Council shall appoint a person to act Executive Secretary to the same Council.";

(i) sub-article (4) thereof shall be renumbered as sub-article (6);

(j) sub-article (5) thereof shall be renumbered as sub-article (7) and the word "Committees" shall be substituted by the word "Councils";

(k) sub-article (6) thereof shall be renumbered as sub-article (8) and the word "Committees" shall be substituted by the word "Councils";

(l) sub-article (7) thereof shall be renumbered as sub-article (9) and shall be substituted by the following:

"(9) The Regional Councils shall be appointed for such time as provided for in the Local Government (Association) Regulations.";

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(m) sub-article (8) thereof shall be renumbered as sub-article (10) and the word "Committees" shall be substituted by the word "Councils";

(n) immediately after sub-article (2) thereof there shall be added the following new sub-articles (3) and (4):

"(3) The Regional Council is another level of Local Government.

(4) The geographical distribution of the regions as established in the Eleventh Schedule shall be officially recognized by any entity whether governmental or not."; and

(o) immediately after sub-article (10) thereof as renumbered there shall be added the following new sub-articles (11) and (12):

"(11) The Presidents of the Regional Committees whose mandate expires in 2022 will continue to retain such mandate even if any one of them is not elected as a councillor in the Local Elections held on 25 May 2019:

Provided that the Regional Presidents whose mandate expires in 2022 shall renounce to the office of councillor if they are re-elected to the council in the local elections held on 25 May 2019, in the event that the Regional Presidents want to hold the office of Regional Council Presidents, such condition to resign shall not be applicable to the President of the Association and the members of the Association elected from the general list:

Provided further that the provisions mentioned in the proviso of this article shall be with effect from 24 June 2019.

(12) Each year the Minister responsible for finance shall allocate a provision under the Appropriation Act which will serve for the exercise of the functions of Regional Councils. The amount appropriated shall be established according to a formula determined by regulations issued by the Minister."

Addition of a new article 37B to the principal Act.

**31.** Immediately after article 37A of the principal Act there shall be added the following new sub-article 37B:

"Functions of Regional Councils.

37B. The functions of Regional Councils shall be the following:

(a) the issuance of a call for tenders for the service to local councils within them for waste management and this shall come into effect from the year 2022, and this without prejudice to the functions of the local councils in terms of article 33(1)(b);

(b) the social aspect, which includes researches and report of social impact evaluations, which report shall be made within the first year of each legislature;

(c) the provision of assistance to local councils within the region, which assistance includes the provision of professional services including the environmental sector, social, cultural, touristic and information technology;

(d) the provision of assistance to local councils within the region to benefit and successfully manage programmes which are funded by the European Union;

(e) the provision of subsidy to students for researches regarding aspects relating to the region;

(f) the coordination with local councils of sports and physical activities and initiatives, including those relating to welfare;

(g) the coordination with ministries, departments and Government entities to facilitate the work of local councils, including coordination with the maintaining order sections;

(h) to give an opinion regarding the Local Plan and the same opinion will be attached to the report submitted to the House;

(i) the preparation, on an annual basis, of a Work Plan which includes the Region's financial needs and human resources."

**32.** In article 38 of the principal Act, immediately after the words "Local Councils" there shall be added the following new words "and Regional Councils".

Amendment of article 38 of the principal Act.

**33.** Article 39 of the principal Act shall be substituted by the following:

Substitution of article 39 of the principal Act.

"39. For the purpose of discharging any functions in pursuance of any matter under this Part of the Act, a Local or Regional Council, shall contract out and expose to competition any of the functions assigned to it, any person employed in terms of articles 52 and 53 or by another Local Council or Regional Council which has exposed or is to expose the carrying out of the functions to competition:

Provided that no councillor or a Local Council or Regional Council employee or any company in which such councillor or employee has a majority shareholding or controlling interest, shall tender or submit quotations for any works, goods or services or for the transfer of any land for which a call for tenders or quotations has been issued by the Council of which he is such a member or employee:

Provided further that with the approval of the Minister, a Local Council or Regional Council may make arrangements with any public body, government department or other Local Council or Regional Council, for -

(a) the supply by one party to the other of any goods;

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(b) the provision by one party to the other of any administrative, professional or technical services;

(c) the use by one party of any vehicle, plant or apparatus belonging to the other and the placing at the disposal of the first-mentioned party of the services of any person employed in connection with the vehicle, plant or apparatus in question; and

(d) the provision or maintenance by one party of any works, facility, amenity, equipment or thing for the provision or maintenance of which the other is responsible,

on such terms as may be agreed according to arrangements reached between the parties."

Substitution of article 40 of the principal Act.

**34.** Article 40 of the principal Act shall be substituted by the following:

"Acquisitions. 40. Any acquisition by the Local Council or Regional Council shall be made in accordance with the Local Councils Procurement Regulations."

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Substitution of article 41 of the principal Act.

**35.** Article 41 of the principal Act shall be substituted by the following:

"Projects co-financed by the European Union. 41. With respect to projects co-financed by the European Union, the tendering procedures shall be in accordance with the rules of the European Union and in accordance with the Local Councils Procurement Regulations."

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Substitution of article 43 of the principal Act.

**36.** Article 43 of the principal Act shall be substituted by the following:

"43. (1) During the meetings the Local Councils and the Regional Councils shall follow the standing orders in the Sixth Schedule to this Act.

(2) Local Council and Regional Council meetings shall be held at least once a month.

(3) Local Council meetings which shall be held once a month and urgent meetings shall start not before 5.00 pm and not later than 7.00 pm and shall not last for more than three (3) hours, unless otherwise unanimously agreed to.

(4) Other meetings may be convened as unanimously

agreed to by the councillors:

Provided that the times established for statutory meetings of the Local Council may be set otherwise if for reasons of convenience all the councillors agreed to this."

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

Amendment of article 44 of the principal Act.

(a) sub-article (1) thereof shall be substituted by the following:

"(1) Every meeting of a Local Council and a Regional Council shall be open to the public and it shall be streamed and kept on demand on the internet in an audiovisual form on the Local Council's and Regional Council's website."; and

(b) sub-article (2) thereof shall be substituted by the following:

"(2) Where at a meeting of a Local Council or a Regional Council the Council resolves itself into committee, the proceedings in committee shall for the purposes of this Act be treated as forming part of the proceedings of the meeting of the Local Council or the Regional Council."

**38. Article 45 of the principal Act shall be amended as follows:**

Amendment of article 45 of the principal Act.

(a) sub-article (1), including paragraph (a) thereof, shall be substituted by the following:

"(1) The Executive Secretary shall, if so requested and upon payment of required fee for the supply of any such permissible information, furnish –

(a) a copy of the agenda and accompanying documents directly related to the agenda and which are to be discussed at the meeting as circulated to members of the Local Council or Regional Council; and"; and

(b) in paragraph (b) of sub-article (1) thereof, the words "so supplied; and" shall be substituted by the words "so supplied.", and sub-paragraph (c) and (d) shall be deleted.

**39. In article 46 of the principal Act, the word "Council" shall be substituted by the words "Executive Secretary".**

Amendment of article 46 of the principal Act.

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Amendment of  
article 47 of the  
principal Act.

**40.** Article 47 of the principal Act shall be amended as follows:

(a) sub-article (1) shall be substituted by the following:

"(1) Subject to the provisions of this article, the Local Council or the Regional Council may appoint committees for the purpose of assisting Local Councils and Regional Councils in the execution of their functions.";

(b) sub-article (2) shall be substituted by the following:

"(2) Committees established under sub-article (1) shall consist of a Chairperson from among the councillors.";

(c) sub-article (5) shall be substituted by the following:

"(5) The Chairperson of the committee shall present the minutes in the first meeting of the Council.";

(d) immediately after sub-article (5) there shall be added the following new sub-article (6):

"(6) The Executive Secretary shall be an *ex officio* member of the Financial Committee.".

Amendment of  
article 47A of  
the principal  
Act.

**41.** Article 47A of the principal Act shall be amended as follows:

(a) sub-article (5) shall be substituted by the following:

"(5) The Mayor shall assign the responsibility of the community found within the locality to the councillor having his residence in this community. If more than one councillor resides in that community, the councillors shall vote for one of the councillors who resides in that community and who shall be assigned the responsibility of that community. If none of the councillors resides in that community, the Mayor shall assign this responsibility to the councillor who he deems merits this responsibility:

Provided that for the Swatar Community there shall be assigned two councillors, one from the locality of Birkirkara and another from the locality of I-Imsida.";

(b) sub-articles (6), (7), (8) u (9) shall be deleted; and

(c) immediately after sub-article (5) there shall be added the following new sub-article (6):

"(6) There shall be a financial allocation for Communities, which shall be part of the Local Council allocation and this shall be computed on the basis of the same funding formula, for the Local Council, found in the Eighth Schedule. Any decision on the use of these funds shall be implemented after ratification by the Local Council of the locality."

**42.** Article 48 of the principal Act shall be amended as follows:

Amendment of article 48 of the principal Act.

(a) in sub-article (1) the words "including persons using a wheelchair" shall be deleted;

(b) sub-article (2) shall be substituted by the following:

"(2) The administrative offices of the Local Council shall be open to the public on all working days including Saturday during normal office hours as established by directives issued by the Minister after consultation with the Association."; and

(c) sub-article (3), including its proviso, shall be substituted by the following:

"(3) Any meetings of the Local Council shall be held at the Local Council's administrative offices."

**43.** Article 49 of the principal Act shall be amended as follows:

Amendment of article 49 of the principal Act.

(a) the marginal note thereof shall be substituted by the following:

"Appointment of Executive Secretary and Deputy Executive Secretary.";

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

"(1) Every Local Council shall have an Executive Secretary and a Deputy Executive Secretary.";

(c) in sub-article (2) thereof immediately before the word "Council" there shall be added the word "Local";

(d) sub-article (3) thereof shall be substituted by the following:

"(3) The Executive Secretary shall be a public officer during the performance of his duties chosen from a

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pool of persons for this purpose.";

(e) sub-article (4) thereof shall be substituted by the following:

"(4) Where a Local Council fails to appoint an Executive Secretary or Deputy Executive Secretary, the Minister shall appoint an Acting Executive Secretary or Acting Deputy Executive Secretary.";

(f) paragraph (a) of sub-article (6) thereof shall be substituted by the following:

"(a) at the request of the Local Council or Regional Council, after a motion has been put forward stating the justified and substantiated reasons for his removal and after approval by the Local Council or Regional Council; or";

(g) in paragraph (b) of sub-article (6) thereof, immediately after the words "within the Council;" there shall be added the word "or";

(h) paragraph (c) of sub-article (6) thereof shall be substituted by the following:

"(c) at the request of the Director following shortcomings shown in the local auditors' report or following a reconnaissance by the Director, it results that the Executive Secretary has committed any abuse or permitted the commission of abusive practices and contraventions of the law and of local council regulations:"; and

(i) in the second proviso to paragraph (c) of sub-article (6) thereof the words "Public Administration Act." shall be substituted by the words "Public Administration Act:" and immediately after there shall be added the following new proviso:

"Provided also that when a motion is put forward as provided in paragraph (a), the Executive Secretary shall be suspended from office with right of pay until a decision or otherwise is take with regards to his suspension. During this period of time the Executive Secretary shall report for work at the Department.".

**44.** Article 50 of the principal Act shall be substituted by the following: Substitution of article 50 of the principal Act.

"50. Subject to the provisions of articles 49 and 53, a Local Council shall designate a Deputy Executive Secretary from the employees in scale 11 and above of the Council to exercise the functions of the Executive Secretary whenever the office of Executive Secretary is vacant or the Executive Secretary is for any reason unable to act. The Executive Secretary shall give due notice to the Council in writing of any instance where he is unable to act:

Provided that if in that particular Local Council none of the employees are of the scale required, the Deputy Executive Secretary shall be designated from another Local Council as long as he has the required qualifications."

**45.** Article 51 of the principal Act shall be substituted by the following: Substitution of article 51 of the principal Act.

"Full-time Executive Secretary. 51. An Executive Secretary shall only act on a full-time basis."

**46.** In article 52 of the principal Act, immediately after paragraph (g) there shall be added the following new sub-articles (h) and (i): Amendment of article 52 of the principal Act.

"(h) be responsible for the management both of the employees of the Local Council and Regional Council as well as of the workers assigned to the Local Council and Regional Council; and

(i) perform those other duties as stipulated in the Local Councils (Human Resources) Regulations." S.L. 363.20.

**47.** Article 53 of the principal Act shall be amended as follows: Amendment of article 53 of the principal Act.

(a) paragraph (a) of sub-article (1) thereof shall be substituted by the following:

"(a) Subject to the provisions of article 110(6) of the Constitution, the Local Council may appoint such other employees as the Council thinks necessary for the efficient discharge of functions of the Council and this following the approval of the Department.";

(b) paragraph (b) of sub-article (1) thereof shall be deleted;

(c) paragraph (c) of sub-article (1) thereof shall be

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renumbered as paragraph (b);

(d) sub-article (2) thereof shall be substituted by the following:

"Qualifications of Executive Secretaries and Council employees.

53A. The Minister may, by regulations, and after consultation with the Association prescribe the qualifications to be possessed by, the remuneration payable to and the technical administrative and office procedures to be followed by -

(a) any person appointed to the office of the Executive Secretary or Deputy Executive Secretary of a Council; and

(b) any person appointed to such other post as may be prescribed.";

(e) sub-article (3) thereof shall be substituted by the following:

"Removal, suspension and reinstatement of Executive Secretaries and employees of the Council.

53B. (1) The removal from office, suspension or re-instatement, or any withholding of the remuneration, of the Executive Secretary or the Deputy Executive Secretary of a Council and of any other employees for whom qualifications are prescribed under article 53A shall be subject to the approval of the Minister:

Provided that such removal, suspension or withholding shall only become effective from such date as may be determined by the Minister.

(2) A Council shall not, without the approval of the Minister, remove from office or suspend, or withhold the remuneration of an Acting Executive Secretary or Deputy Executive Secretary appointed by the Minister under article 49(4).

(3) Employees of the Council shall be appointed for a period of three years and their contract may be renewed for successive three year periods under such terms and conditions as may be prescribed under article 53A.";

(f) sub-article (6) thereof shall be substituted by the following:

"Data  
protection.

53C. Unless there is a court order to the contrary, information relating to a particular employee or office-holder, former employee or former office-holder, or job applicant shall be treated as confidential and shall not be made available to persons other than the members of the Council, members of staff as delegated by the Executive Secretary, the Minister in the exercise of his functions under this Act and the individual concerned."

**48.** Article 55 of the principal Act shall be amended as follows:

Amendment of  
article 55 of the  
principal Act.

(a) in sub-article (1) thereof, the word "Councils" shall be substituted by the words "Local Councils and Regional Councils";

(b) in sub-article (2) thereof, the word "Council" shall be substituted by the new words "Local Council";

(c) sub-article (3) thereof, including its paragraphs and provisos, shall be substituted by the following:

"(3) In allocating the appropriated amount to a Local Council, the Minister may retain any portion of such amount after having the:

(a) advice of the Governance Board; or

(b) advice of the Director; or

(c) a recommendation from the Board appointed to investigate any irregularity of the Local Council or Regional Council."

**49.** Article 56 of the principal Act shall be substituted by the following:

Substitution of  
article 56 of the  
principal Act.

"Annual budget.

56. Every Council shall once during the month of January in each financial year approve and make available its financial estimates for the following financial year."

**50.** Article 57 of the principal Act shall be substituted by the following:

Substitution of  
article 57 of the  
principal Act.

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"57. The allocation mentioned in article 55 shall be made available to Local Councils by the Minister after consultation with the Association."

Amendment of article 59 of the principal Act.

**51.** Article 59 of the principal Act shall be amended as follows:

(a) the marginal note thereof shall be substituted by the following:

"Five-year business and financial plan.";

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

"(1) At the end of the first year of its term, a Local Council shall prepare and discuss a Working Plan which covers a five-year plan on Local Council operation, projects and finances so as to provide a framework for the Local Council's annual budgets.";

(c) in sub-article (2) thereof, the word "three" shall be substituted by the word "five".

Deletion of article 60 of the principal Act.

**52.** Article 60 of the principal Act shall be deleted.

Substitution of article 61 of the principal Act.

**53.** Article 61 of the principal Act shall be substituted by the following:

"61. The Local Council shall not authorise any works, services and provisions the value of which exceeds the annual provision allotted to it for that financial year and other provisions resulting from the previous year taking into consideration the amount forecast for payment of acts of ordinary administration:

Provided that a Local Council shall prepare a plan of recovery to address its liquidity and shall only commit itself to the statutory functions provided for in article 33."

Substitution of article 63A of the principal Act.

**54.** Article 63A of the principal Act shall be substituted by the following:

"63A. Any donation whether of money or in kind by a Local Council or Regional Council is prohibited unless it is to a function established by article 33 or by a directive of the Director."

**55.** Article 65 of the principal Act shall be amended as follows:

Amendment of article 65 of the principal Act.

(a) sub-paragraph (ii) of paragraph (a) of sub-article (2) thereof shall be substituted by the following:

"(ii) in the employment of the Council of the locality or a person who is rendering a service to the same Local Council; or"; and

(b) in sub-paragraph (iii) of paragraph (a) of sub-article (2) thereof immediately after the word "affinity" there shall be added the words "or by civil union".

**56.** In sub-article (1) of article 66 of the principal Act, immediately after the words "regular appraisals" there shall be added the words "by the Director".

Amendment of article 66 of the principal Act.

**57.** Immediately after article 66 of the principal Act there shall be added the following new article 66A:

Addition of new article 66A to the principal Act.

"Precedence for funds and special schemes.

66A. Local Councils shall be given precedence for the application of funds and special schemes issued from time to time by the Minister or the Local Government Division on the basis of financial indicators and results, within a period of three years. This shall be done to give note and recognition to Local Council and Regional Councils who abide to the financial regulations."

**58.** Article 70 of the principal Act shall be amended as follows:

Amendment of article 70 of the principal Act.

(a) sub-article (1) thereof shall be substituted by the following:

"(1) Local Councils shall call two annual locality meetings –

(a) an annual meeting which shall be held not later than the fifteenth (15) December so as to present the financial estimates prior to the Council meeting in which the Council shall consider the estimates for the following financial year; and

(b) another annual meeting is to be held not later than the fifteenth (15) April of every year in which there shall be presented the administrative report, the financial report and the Work Plan.

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The first item on the agenda of every annual meeting shall be the reading of the minutes of the previous meeting.";

(b) sub-article (2) thereof shall be substituted by the following:

"(2) The annual locality meetings shall be held at such place as the Local Council may determine and which is accessible to all persons. A notice for such meetings shall be made by means of a letter sent to every residence, business, and associations of the locality and on the website and published on the Council's social media not later than 15 days before the date of the meeting.";

(c) sub-article (3) thereof shall be deleted;

(d) sub-article (4) thereof shall be renumbered as sub-article (3);

(e) in sub-article (3) thereof, as renumbered, immediately after the words "complaints and suggestions" there shall be added the words "related to the meeting"; and

(f) sub-article (5) thereof shall be deleted.

Amendment of article 72 of the principal Act.

**59.** Article 72 of the principal Act shall be amended as follows:

(a) in sub-article (2) thereof immediately after the words "Ninth Schedule" there shall be added the words "and from the Twelfth to the Fourteenth Schedule";

(b) sub-article (3) thereof shall be substituted by the following:

"(3) The Minister may also, in addition to such regulations, make or authorise the making of such forms, procedures, guidelines and directions as he may deem necessary or expedient, in relation to any function vested in or delegated to Local Councils and Regional Councils by or under this Act, so as to secure a uniform level of operation, and the procurement of other services and goods, or to establish minimum standards or to provide for such other matter as may be ancillary or incidental to the exercise of such functions.".

Substitution of article 73 of the principal Act.

**60.** Article 73 of the principal Act shall be substituted by the

following:

"Official  
Population  
Statistics.

73. The Director shall every year obtain the official population statistics of every locality, which shall be made available to all Local Councils."

**61.** Article 75 of the principal Act shall be amended as follows:

Amendment of  
article 75 of the  
principal Act.

(a) in sub-article (2) thereof the words "one hundred and sixteen euro and forty-seven cents (€116.47)" shall be substituted by the words "two hundred euro (€200)"; and

(b) in the proviso of sub-article (2) thereof the words "two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37)" shall be substituted by the words "two thousand and five hundred euro (€2,500)".

**62.** Article 78 of the principal Act shall be substituted by the following:

Substitution of  
article 78 of the  
principal Act.

"78. The First, Second, Ninth and Twelfth to the Fourteenth Schedule shall be published with the Maltese text only and such Schedules shall apply also to the English text of this Act."

**63.** Article 80 of the principal Act shall be amended as follows:

Amendment of  
article 80 of the  
principal Act.

(a) paragraph (d) thereof shall be substituted by the following:

"(d) manage the Department and ensure that the necessary support from the Department is given to Local Councils;" and

(b) in paragraph (e) thereof the word "employees." shall be substituted by the word "employees;" and immediately after there shall be added the following new paragraph (f):

"(f) monitors the operations of the Local Government."

**64.** In article 81 of the principal Act immediately after the words "its responsibility" there shall be added the words "as provided in article 33".

Amendment of  
article 81 of the  
principal Act.

**65.** Immediately after article 81 of the principal Act there shall be

Addition of new  
articles 82, 83  
and 84 to the  
principal Act.

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added the following new articles 82, 83 and 84:

"Local and Regional Protocol. 82. The precedence, status and behaviour towards the President of the Region, Mayor, Deputy Mayor and Local Councillors shall be regulated by the Twelfth Schedule of this Act.

Code of Ethics. 83. The behaviour expected from every person elected to Local Government shall be regulated by the Code of Ethics of Elected Representatives to Local Government which is provided for in the Thirteenth Schedule of this Act.

Protection and privacy of personal data. 84. Due to reasons of protection and privacy of personal data, the names of third parties who are not directly involved in the operations of the Council shall not be published or broadcasted during meeting of the Council. This also includes the reasons given in writing by a councillor as to why he is not able to attend a meeting of the Local Council, where such reasons have only been given to the Executive Secretary, the Mayor and the councillors."

Amendment of the Second Schedule to the principal Act.

**66.** The Site Plans in the Second Schedule to the principal Act of the boundaries of localities 14. Birkirkara, 51. Hal Safi, 58. Santa Venera and 67. Żurrieq shall be substituted by the new site plans as provided for in the Annex to this Act.

Substitution of the Fourth Schedule to the principal Act.

**67.** The fourth Schedule to the principal Act shall be substituted by the following:

#### "FOURTH SCHEDULE [Article 33]

##### *Items excluded from the responsibility of Local Councils*

###### *Industrial Areas:*

|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| Central Business District, Mrieħel | Limits of Birkirkara, Hal Qormi and Santa Venera |
| Bulebel Industrial Estate          | Limits of Żejtun                                 |
| Hal Far Industrial Estate          | Limits of Birżebbuġa                             |
| Kordin Industrial Estate           | Limits of Paola                                  |
| Luqa Industrial Estate             | Limits of Hal Luqa                               |
| Marsa Industrial Estate            | Limits of Marsa                                  |
| Ricasoli Industrial Estate         | Limits of Kalkara                                |
| San Ġwann Industrial Estate        | Limits of San Ġwann                              |
| Xewkija Industrial Estate          | Limits of Xewkija                                |
| Mosta Technopark                   | Limits of Mosta                                  |
| Ta' Dbiegi Crafts Village          | Limits of Għarb                                  |
| Ta' Qali Crafts Village            | Limits of H'Attard                               |

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| Mosta Industrial Zone (Targa Gap)   | Limits of Mosta                     |
| Mosta Industrial Zone (Tas-Sriedek) | Limits of Mosta                     |
| Tal-Handaq Industrial Zone          | Limits of Hal Qormi (Ċittà Pinto)   |
| Hal Safi Aviation Park              | Limits of Hal Safi                  |
| Malta Freeport                      | Limits of Birżebbuġa                |
| Delimara Power Station              | Limits of Marsaxlokk                |
| Marsa Power Station                 | Limits of Marsa                     |
| Airport                             | Limits of Hal Luqa                  |
| Ta' Lambert Heliport                | Limits of Xewkija                   |
| Bus Terminus                        | Il-Belt Valletta (Ċittà Umilissima) |
| Bus Terminus                        | Ir-Rabat (Ċittà Victoria)           |
| Albertown Reverse Osmosis Plant     | Limits of Marsa                     |
| Ċirkewwa Reverse Osmosis Plant      | Limits of Mellicha                  |
| Għar Lapsi Reverse Osmosis Plant    | Limits of Siġġiewi                  |
| Pembroke Reverse Osmosis Plant      | Limits of Pembroke                  |
| Tigné Reverse Osmosis Plant         | Tas-Sliema                          |
| Gas Installation                    | Limits of Birżebbuġa                |
| Petroleum Installation              | Limits of Birżebbuġa                |
| Sant'Antnin Waste Recycling Plant   | Limits of Marsaskala                |

All the Ports listed in the First Schedule to the Maritime Authority Act.

*Social and Health Centres:*

|                             |                    |
|-----------------------------|--------------------|
| Gozo Mental Hospital        | Ir-Rabat, Gozo     |
| Mount Carmel Hospital       | Limits of H'Attard |
| St Luke's Hospital          | Tal-Pieta          |
| St Vincent de Paul Hospital | Limits of Hal Luqa |
| Sir Paul Boffa Hospital     | Floriana           |
| Zammit Clapp Home           | San Ġiljan         |

*Dumping Sites:*

|                          |                   |
|--------------------------|-------------------|
| Magħtab Dumping Site     | Limits of Naxxar  |
| Wied Fulija Dumping Site | Limits of Żurrieq |
| Qortin Dumping Site      | Ix-Xagħra         |

*Buildings and Complexes:*

|                                               |                                     |
|-----------------------------------------------|-------------------------------------|
| Government Ministry Buildings (ex Beltissebħ) | Floriana                            |
| Marsa Sports Complex                          | Limits of Marsa                     |
| National Swimming Pool Tal-Qroqq              | Limits of Msida                     |
| Pool                                          | Żonqor, Marsaskala                  |
| Site for National Tennis Centre               | Pembroke                            |
| Water Sports Complex                          | Marsalforn Żebbuġ, Gozo             |
| Ta' Qali National Football Stadium            | Limits of H'Attard                  |
| Gozo Stadium                                  | Limits of Ir-Rabat (Ċittà Victoria) |
| Ta' Qali Basketball Pavilion                  | Limits of H'Attard                  |
| Kordin Sports Complex                         | Limits of Paola                     |
| Tigné Football Ground                         | Limits of Sliema                    |
| University Sports Complex                     | L-Imnsida                           |
| Bidnija Shooting Range                        | Limits of San Pawl il-Baħar         |
| Gozo Sports Complex                           | Rabat (Ċittà Victoria)              |
| Military Shooting Ranges                      | Limits of Pembroke                  |
| Clay Pigeon Shooting Range                    | Iż-Żebbuġ                           |

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Tax-Xhajma Racecourse  
University of Malta

Xewkija  
L-Imsida

*Cemeteries:*

Addolarata Cemetery  
Ta Braxia Cemetery  
Kalkara Cemetery  
Msida Bastions Cemetery  
L-Imtarfa Cemetery  
St. Mary's Cemetery

Limits of Paola  
Limits of Hamrun  
Limits of Kalkara  
Floriana  
Limits of H'Attard  
Limits of Rabat, Gozo

*Parks and Heritage Sites:*

Forts and fortifications to include moats, glacis and those components of the forts or fortifications which though not obvious are part of them

Buskett  
Ta' Qali National Park  
Ghadira  
Simar Nature Reserve  
Elysium Visitor Centre and TreeNursery  
Foresta 2000  
Sant' Antnin Family Park  
Majjistral Nature and History Park  
Ghadira Nature Reserve  
Kennedy Grove  
Xrobb L-Għagin Park

Limits of Siġġiewi  
Limits of H'Attard  
Limits of Mellicha  
Xemxija, San Pawl il-Baħar  
Limits of Mellicha  
Mellicha  
Marsaskala  
Manikata, Limits of l-Imġarr  
Mellicha  
Salina, Limits of San Pawl il-Baħar  
Limits of Marsaxlokk

*Islands:*

Comino Cominotto Filfla  
Fungus Rock  
Manoel Island  
St Paul's Islands

*Bastions, Fortifications and Historical Sites:*

Birgu Fortifications Bormla Fortifications  
Ċittadella Fortifications  
Floriana Fortifications  
Mdina Fortifications  
Senglea Fortifications  
Valletta Fortifications  
Fort Manoel  
Fort Ricasoli Fort St. Angelo  
Fort Chambrai  
Cottonera Lines  
Victoria Lines  
City Gate  
Portes des Bombes  
Wignacourt Aqueduct and Fountain  
All archaeological sites registered with Heritage Malta

Ir-Rabat (Ċittà Victoria)

Fort St. Elmo  
Limits of Għajnsielem

Il-Belt Valletta (Ċittà Umilissima)  
Floriana

*Gardens and Monuments:*

|                            |                                     |
|----------------------------|-------------------------------------|
| Independence Arena         | Floriana                            |
| The Mall                   | Floriana                            |
| Lower Barrakka Gardens     | Il-Belt Valletta (Ċittà Umilissima) |
| Upper Barrakka Gardens     | Il-Belt Valletta (Ċittà Umilissima) |
| Argotti Botanical Gardens  | Floriana                            |
| The Mall (Rundle Gardens)  | Rabat, Gozo                         |
| San Anton Palace Gardens   | Ħ'Attard                            |
| Verdala Palace Gardens     | Limits of Siggiewi                  |
| Independence Monument      | Floriana                            |
| Great Siege Monument       | Il-Belt Valletta (Ċittà Umilissima) |
| Siege Bell Monument        | Il-Belt Valletta (Ċittà Umilissima) |
| War Memorial               | Floriana                            |
| RAF Memorial               | Floriana                            |
| Sette Giugno Monument      | Il-Belt Valletta (Ċittà Umilissima) |
| Sette Giugno Memorial      | Rabat, Gozo                         |
| 31 March 1979 Monument     | Il-Birgu (Ċittà Vittoriosa)         |
| Enrico Mizzi Monument      | Il-Belt Valletta (Ċittà Umilissima) |
| Ġorġ Borġ Olivier Monument | Il-Belt Valletta (Ċittà Umilissima) |
| Pawlu Boffa Monument       | Il-Belt Valletta (Ċittà Umilissima) |
| Christ the King Monument   | Floriana                            |
| Christ the King Monument   | Rabat, Gozo                         |
| Dun Mikiel Xerri Monument  | Il-Belt Valletta (Ċittà Umilissima) |
| Anton Butigieg Monument    | Il-Hamrun                           |
| Manwel Dimech Monument     | Il-Belt Valletta (Ċittà Umilissima) |
| Spencer Monument           | Il-Hamrun                           |
| Queen Victoria Monument    | Il-Belt Valletta (Ċittà Umilissima) |
| Manoel de Vilhena Monument | Floriana                            |
| Guido De Marco Monument    | Il-Belt Valletta (Ċittà Umilissima) |
| Jean De Valette Monument   | Il-Belt Valletta (Ċittà Umilissima) |
| Duminku Mintoff Monument   | Il-Belt Valletta (Ċittà Umilissima) |
| Summit Monument            | Il-Belt Valletta (Ċittà Umilissima) |
| Fjamma Monument            | Il-Belt Valletta (Ċittà Umilissima) |

*Roads:*

The arterial and distributor roads determined by the Structure Plan;  
The passages and public access in the surroundings of Housing Estates."

**68.** In the Maltese version of the Fifth Schedule of the principal Act the word "Deputat" shall be substituted by the word "Viċi" wherever it occurs.

Amendment of the Fifth Schedule of the principal Act.

**69.** The Sixth Schedule of the principal Act shall be amended as follows:

Amendment of the Sixth Schedule of the principal Act.

(a) in paragraph (4) of standing order 1 of the Maltese Version, the word "Deputat" shall be substituted by the word "Viċi";

(b) paragraph (2) of standing order 2, including the first proviso thereof, shall be substituted by the following:

"(2) If a quorum is not reached and 30 minutes have

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elapsed from the start of the meeting or if during a meeting the number of councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Mayor may determine. If a quorum is no longer present after the commencement of a meeting, the Council shall wait for 10 minutes, and if a quorum is still not present, the meeting shall be adjourned:

Provided that the meeting shall not be held before the lapse of two working days from the meeting which was not held due to lack of quorum:";

(c) in the Maltese paragraph (e) of standing order 4 the word "Deputat" shall be substituted by the word "Viçi";

(d) paragraph (m) of standing order 5 shall be substituted and amended by the following:

"(m) In every Local Council meeting the last item of the agenda shall be the date and time of the next meeting."; and in the third paragraph thereof the words "five days" shall be substituted by the words "five working days";

(e) in standing order 7, immediately after the words "at least six" there shall be added the word "working";

(f) paragraph (1) of standing order 15 shall be substituted by the following:

"(1) A motion may be put to the vote in a meeting of the Council without being seconded. After the motion is read, who is presiding the meeting shall request that the motion is seconded. If the motion is not seconded, the motion shall not stand. In such a case the Executive Secretary shall take note of the whole content of the motion put to the vote, including who has proposed it, and shall indicate that it has not been seconded and that the motion shall not stand.";

(g) immediately after standing order 35, there shall be

added the following standing order 35A:

"Breach. 35A. If it is proven that a member of the Council has acted against the provisions of standing order 35, he shall be deemed to be in breach of the oath of office and the provisions of article 24(2) of the Act shall apply."

**70.** In the title of the Seventh Schedule of the Maltese version of the principal Act the word "Deputat" shall be substituted by the word "Viċi".

Amendment of the title of the Seventh Schedule to the principal Act.

**71.** The Eleventh Schedule to the principal Act shall be substituted by the following:

Substitution of the Eleventh Schedule of the principal Act.

"Eleventh Schedule  
[Article 37]

*Regions*

| <i>Northern Region</i> | <i>Eastern Region</i> | <i>Western Region</i>         | <i>Port Region</i>                  | <i>Southern Region</i>   | <i>Gozo Region</i>        |
|------------------------|-----------------------|-------------------------------|-------------------------------------|--------------------------|---------------------------|
| Il-Mellieha            | Il-Gżira              | L-Imdina (Ċittà Notabile)     | Il-Belt Valletta (Ċittà Umilissima) | Hal Qormi (Ċittà Pinto)  | Ir-Rabat (Ċittà Victoria) |
| L-Imġarr               | Pembroke              | Is-Siġġiewi (Ċittà Ferdinand) | Il-Birgu (Ċittà Vittoriosa)         | Iż-Żejtun (Ċittà Beland) | Il-Fontana                |
| Il-Mosta               | San Ġiljan            | Haż-Żebbuġ (Ċittà Rohan)      | L-Isla (Ċittà Invicta)              | Birżebbuġa               | Għajnsielem               |
| In-Naxxar              | L-Iklin               | Had-Dingli                    | Bormla (Ċittà Cospicua)             | Hal Għaxaq               | L-Għarb                   |
| San Pawl il-Baħar      | Tas-Sliema            | Ir-Rabat                      | Haż-Żabbar (Ċittà Hompesch)         | Santa Venera             | L-Għasri                  |
| H'Attard               | Is-Swieqi             | Hal Kirkop                    | Floriana                            | Marsaskala               | Ta'Kerċem                 |
| Hal Balzan             | Ta' Xbiex             | L-Imqabba                     | Il-Fgura                            | Marsaxlokk               | Il-Munxar                 |
| San Ġwann              | Hal Għarghur          | Il-Qrendi                     | Il-Kalkara                          | Santa Luċija             | In-Nadur                  |
| L-Imtarfa              | Hal Lija              | Hal Safi                      | Hal Tarxien                         | Il-Gudja                 | Il-Qala                   |
|                        | Birkirkara            | Iż-Żurrieq                    | Paola                               | Il-Hamrun                | San Lawrenz               |
|                        | L-Imsida              |                               | Ix-Xgħajra                          | Hal Luqa                 | Ta' Sannat                |
|                        | Tal-Pietà             |                               |                                     | Il-Marsa                 | Ix-Xagħra                 |
|                        |                       |                               |                                     |                          | Ix-Xewkija                |
|                        |                       |                               |                                     |                          | Iż-Żebbuġ                 |

".

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Addition of the  
Twelfth,  
Thirteenth and  
Fourteenth  
Schedule to the  
principal Act.

**72.** Immediately after the Eleventh Schedule of the principal Act, there shall be added the Twelfth, Thirteenth and Fourteenth Schedule as follows:

"TWELFTH SCHEDULE

[Article 82]

*Protocol for Regional Presidents, Mayors and Councillors and  
President of the Local Councils Association*

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THIRTEENTH SCHEDULE

[Article 83]

*Code of Ethics for Elected Representatives of Local Councils*

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FOURTEENTH SCHEDULE

[Article 33B]

Responsibilities of the Councillors

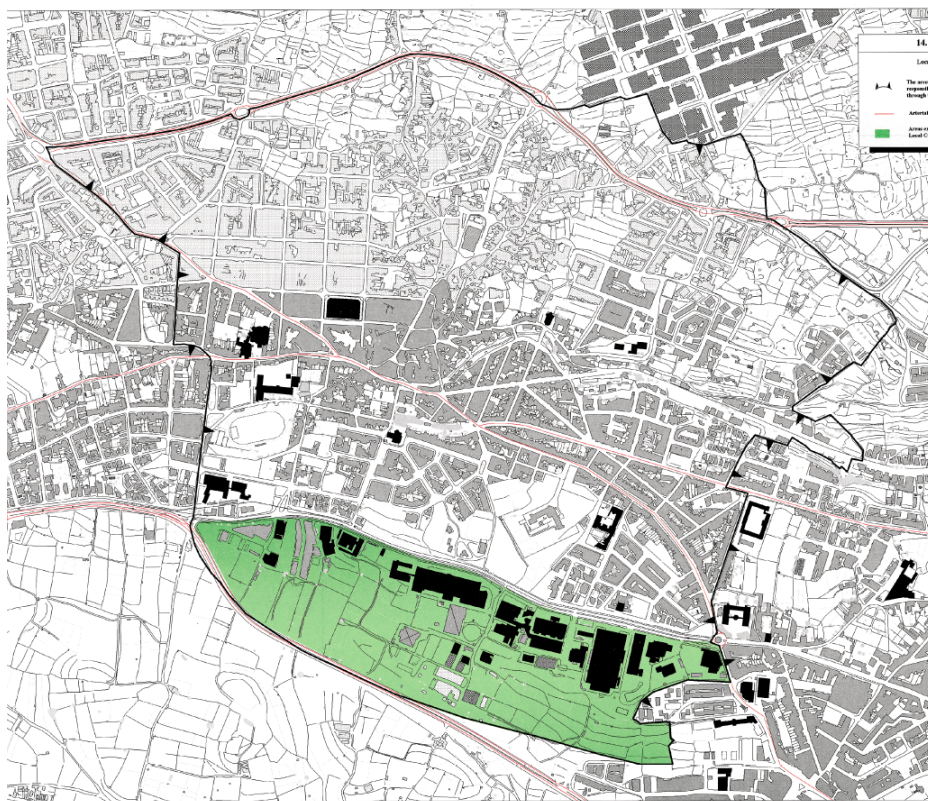
*List of Responsibilities*

".

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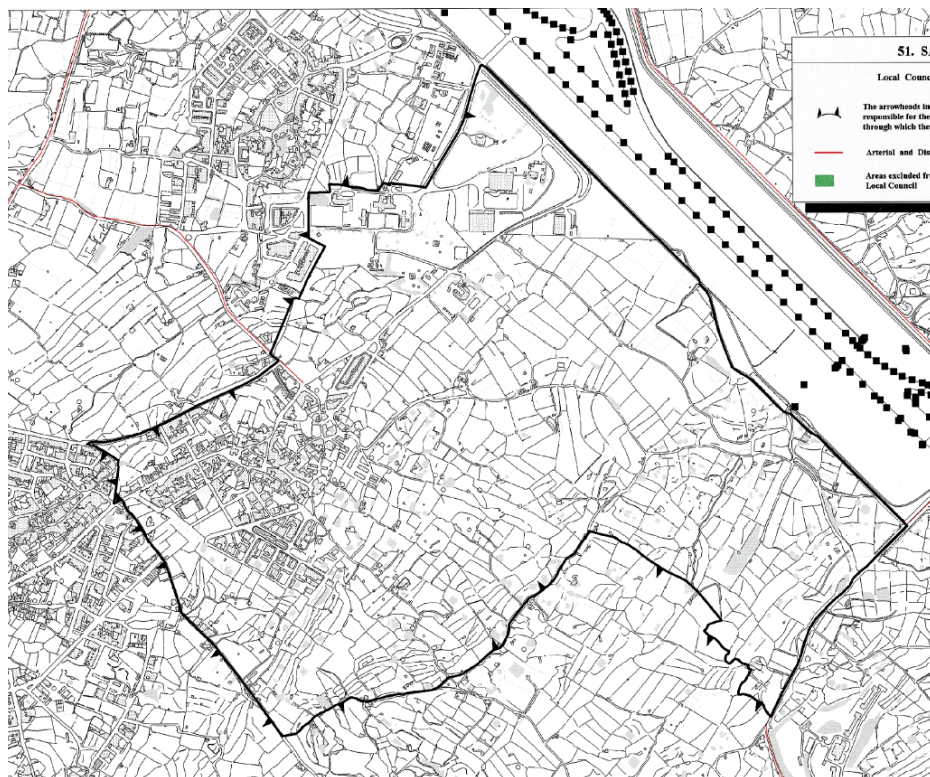
"ANNEX

14. Birkirkara

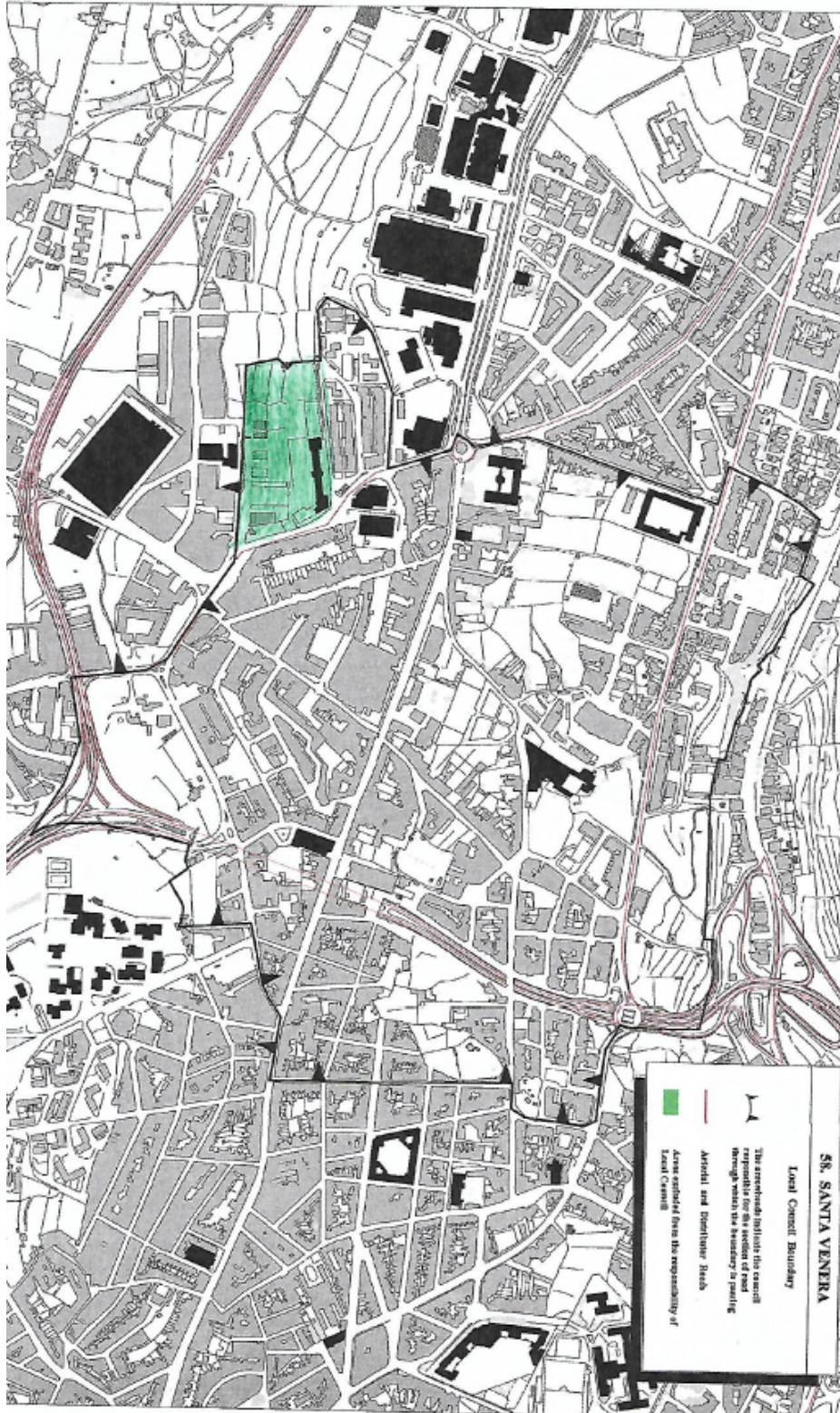


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51. Hal Safi

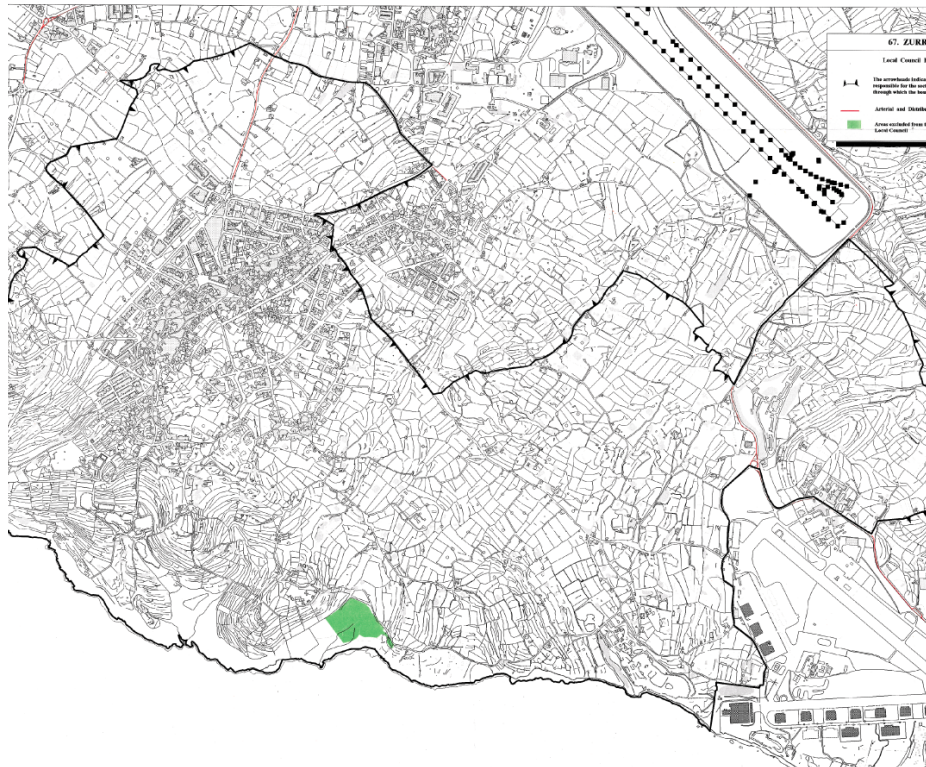


58. Santa Venera



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67. Iż-Żurrieq



"

Amendment to  
the Schedule to  
the  
Commissioners  
for Justice Act,  
Cap. 291.

**73.** In the Schedule to the Commissioners for Justice Act, immediately after the words "Smoking in Public Places Regulations, S.L. 315.04" there shall be added the following:

"Smoking Control in Private Vehicles  
Regulations

S.L. 315.11".

Passed by the House of Representatives at Sitting No. 223 of the  
17th April, 2019.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Clerk of the House of Representatives*

