VERŻJONI ELETTRONIKA

L.N. 330 of 2017

CONSTITUTION OF MALTA

Commission for the Administration of Justice (Election of Members) (Amendment) Rules, 2017

The President of Malta approved the following rules made in accordance with sub-article (3) of article 101A of the Constitution by the Rule Making Board, referred to in article 46 of the Constitution and constituted in terms of article 29 of the Code of Organization and Civil Procedure, Cap. 12.

Citation.

1. These rules may be cited as the Commission for the Administration of Justice (Election of Members) (Amendment) Rules, 2017 and they shall be read and construed as one with the Commission for the Administration of Justice (Election of Members) Rules, hereinafter referred to as "the principal rules".

S.L. Const. 04

Substitution of rule 3 of the principal rules.

2. Rule 3 of the principal rules shall be substituted by the following:

"Election by judges of the Superior Courts.

3. The election of the two judges of the superior courts shall be conducted as follows:

(a) the Chief Justice and each judge shall have one vote;

(b) the Chief Justice and each judge may vote for one candidate;

(c) the two candidates obtaining the highest number of votes shall, provided that each of them shall have received the votes of at least one-third plus one of the valid votes cast, be declared elected members of the Commission. If only one of the said two candidates receives one-third plus one of valid votes cast only that candidate shall be declared elected;

(d) in the event that the share one-third plus one of valid votes cast is not achieved by the two candidates obtaining the highest number of votes or by any one of them the election in respect of any unfilled vacancy on the Commission shall be repeated amongst all unelected candidates and the requirement to obtain at least one-third plus one of valid votes cast shall not apply to the said election.".

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