

I assent.

(L.S.)

GEORGE VELLA
President

15th December, 2020

ACT No. LIX of 2020

AN ACT to amend the Local Government 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. The short title of this Act is the Local Government (Amendment) Act, 2020 and this Act shall be read and construed as one with the Local Government Act, hereinafter referred to as the "principal Act".

Short title.

Cap. 363.

2. In article 2 of the principal Act, the definition "Director" shall be substituted by the following new definition:

Amendment of article 2 of the principal Act.

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

3. In sub-article (2) of article 34 of the principal Act, immediately after the first proviso, there shall be added the following new proviso:

Amendment of article 34 of the principal Act.

"Provided further that when regulations of general application are made by the Minister as stipulated herein, any bye-laws regarding the same subject-matter shall be *ipso jure* repealed, and specific conditions relevant to the Local Council shall be published as a schedule to the said regulations by general application."

A 1106

Amendment of
article 48 of the
principal Act.

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

(a) in sub-article (3) thereof, immediately after the words "at the Local Council's administrative offices" there shall be added the words "unless provided otherwise by a directive of the Director after consultation with the Association only in exceptional circumstances"; and

(b) immediately after sub-article (3) thereof, as amended, there shall be added the following new sub-article (4):

"(4) All meetings held by any Local Council not in the Council's administrative office during the pandemic period, as from the declaration of the National State of Emergency due to Health Reasons, shall not be deemed as Council meetings held against the law."

Amendment of
article 49 of the
principal Act.

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

(a) 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, who is chosen according to those procedures and criteria established by the Director as approved by the Public Service Commission, without prejudice to the pool established for this purpose.";

(b) in sub-article (4) thereof, the word "Minister" shall be substituted by the word "Director";

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

"(5) An Executive Secretary may be removed or transferred from one Council to another or in the Department in accordance with provisions of sub-article (6) after the request is evaluated by a board appointed for such purpose by the Minister. This board shall be a statutory board of not less than three (3) persons."; and

(d) sub-article (6) thereof shall be amended as follows:

(i) the words "from one Council to another by the Minister as follows:" shall be substituted by the words "in accordance with the provisions of sub-article (5) for one of the following reasons:";

(ii) its first proviso shall be deleted;

(iii) in its second proviso the word "further" shall be deleted.

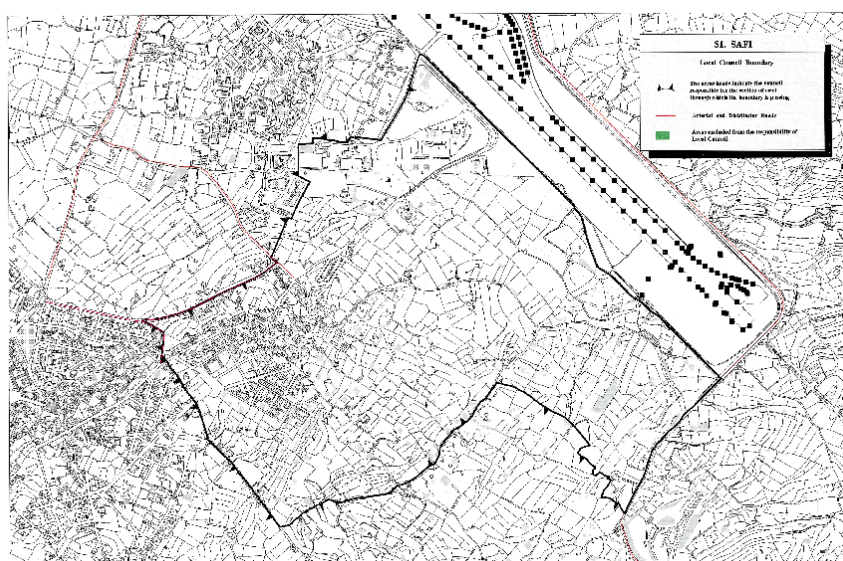
6. In sub-article (2) of article 70 of the principal Act, the words "date of the meeting." shall be substituted by the words "date of the meeting:" and immediately thereafter there shall be added the following new proviso:

Amendment of article 70 of the principal Act.

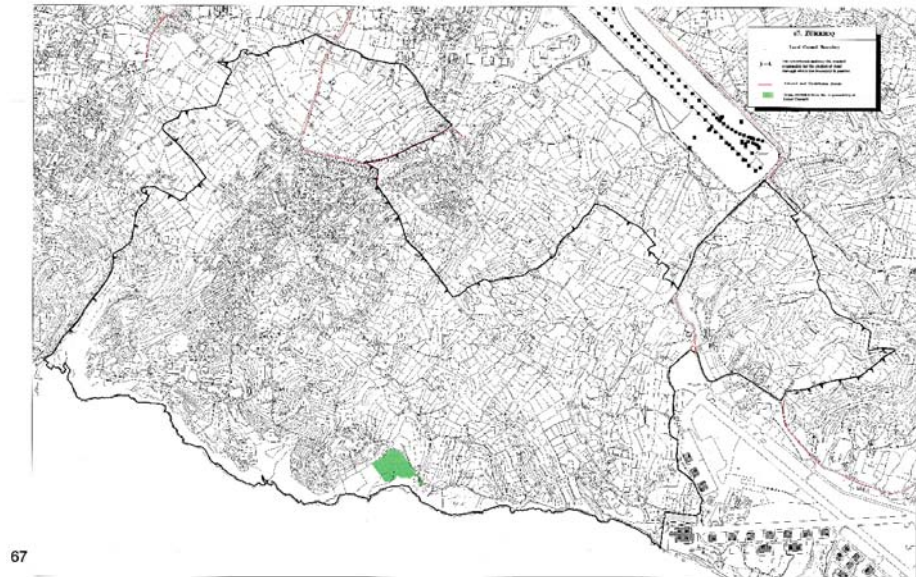
"Provided that such meetings may be held otherwise as provided by a directive of the Director after consultation with the Association, and this measure shall be taken only in exceptional circumstances."

7. The maps in the Second Schedule to the principal Act of the boundaries of localities 51. Hal Safi and 67. Żurrieq shall be substituted by the following new maps:

Amendment of the Second Schedule to the principal Act.



A 1108



Passed by the House of Representatives at Sitting No. 409 of the 9th December, 2020.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

