



THE  
MALTA CONSTITUTION  
1947

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MALTA  
GOVERNMENT PRINTING OFFICE  
1947.

[ Price 2/- ]

**LETTERS PATENT** passed under the Great Seal of the Realm providing for the constitution of responsible government in Malta.

**LETTERS PATENT** passed under the Great Seal of the Realm constituting the Office of Governor and Commander-in-Chief of Malta and making certain provisions for the Government thereof.

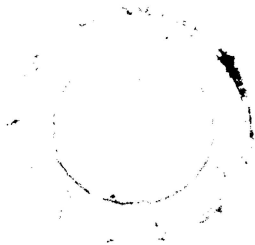
**INSTRUCTIONS** passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of Malta.

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“**LETTERS PATENT**” mghoddijin taht il-Kbir Sigill tas-Saltna li jahsbu ghat-twaqqif ta’ Gvern responsabbli f’Malta.

“**LETTERS PATENT**” mghoddijin taht il-Kbir Sigill tas-Saltna li jistabbilixxu l-Kariga ta’ Gvernatur u Kap Kmandant ta’ Malta u li jaghmlu xi dispożizzjonijiet għall-Gvern tagħha.

**ISTRUZZJONIJIET** imghoddijin bil-Firma u s-Sigill tar-Re lill-Gvernatur u Kap Kmandant ta’ Malta.



**GOVERNMENT NOTICE \***

[No. 464.]

IN pursuance of Section 2 of the Malta (Constitution) Letters Patent, 1947, and of Section 2 of the Malta (Office of Governor) Letters Patent, 1947, His Excellency the Governor has been pleased to direct the publication in this Gazette of the aforesaid Letters Patent.

9th September, 1947.

LIEUTENANT-GOVERNOR'S OFFICE.

The Palace, Valletta.

By Command,

PATRICK BRANIGAN.

Acting Lieutenant-Governor.

**NOTIFIKAZZJONI TAL-GVERN \***

[Nru. 464.]

SKOND l-Artiklu 2 tal-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni), u ta’ l-Artiklu 2 tal-“Letters Patent” ta’ l-1947 għal Malta (Kariga ta’ Gvernatur), l-Eċċellenza Tiegħu l-Gvernatur għogbu jordna illi l-“Letters Patent” imsemmijin hawn fuq ikunu mxandrin f’din il-Gazzetta.

Id-9 ta’ Settembru, 1947.

UFFIĊĠJU TAL-LOGUTENENT-GVERNATUR.

Il-Palazz, Il-Belt.

Bi Kmand,

PATRICK BRANIGAN,

Agent Logutenent-Gvernatur.

\* This notice was published in the Malta Government Gazette of 10th September, 1947.  
*Din in-Notifikazzjoni kienet ħarġet fil-Gazzetta tal-Gvern ta’ Malta fl-10 ta’ Settembru, 1947.*

## M A L T A

**LETTERS PATENT** passed under the Great Seal of the Realm  
**providing for the constitution of responsible government in Malta.**

Dated 5th September, 1947.

**GEORGE THE SIXTH**, by the Grace of God of Great Britain,  
Ireland and the British Dominions beyond the Seas King, Defender  
of the Faith :

To all to whom these presents shall come, Greeting!

WHEREAS by the Letters Patent mentioned in the First Schedule to these Letters Patent the Office of Governor and Commander-in-Chief in and over the Island of Malta is constituted and provision is made for the Government thereof :

AND WHEREAS We are minded to revoke the aforesaid Letters Patent and to provide for the establishment of responsible Government, subject to certain limitations hereinafter set forth, in the said Island and its Dependencies :

AND WHEREAS by Letters Patent of even date herewith, entitled the Malta (Office of Governor) Letters Patent, 1947, the Office of Governor and Commander-in-Chief in and over the said Island of Malta and its Dependencies is constituted and provision is made for an Executive Council therein :

NOW KNOW YE that We do declare Our will and pleasure as follows—

### PART I.

#### *Preliminary.*

Interpretation.

1.—(1) In these Letters Patent, unless the context otherwise requires—

“the appointed day” means the day on which these Letters Patent come into operation in accordance with the provisions of section 2 thereof ;

“the Assembly” means the Legislative Assembly established by section 4 of these Letters Patent ;

“the Consolidated Fund” means the Consolidated Revenue Fund established by section 49 of these Letters Patent ;

“Deputy Speaker” means the Deputy Speaker and Chairman of Committees of the Assembly ;

“the Executive Council” means the Executive Council constituted by the Malta (Office of Governor) Letters Patent, 1947, or any Letters Patent hereafter amending or substituted for those Letters Patent ;

# MALTA

**“LETTERS PATENT”** mgħoddijin taħt il-Kbir Sigill tas-Saltna li jahsbu għat-twaqqif ta' Gvern responsabbli f'Malta.

Data tal-5 ta' Settembru, 1947.

**GORG SITTA**, għall-Grazzja ta' Alla tal-Briannja l-Kbira, l-Irlanda u d-Dominji Ingliżi 'l hemm mill-Ibhra Re, Difensur tal-Fidi:

Lil dawk kollha li jaqraw dawn l-Ittri, Sliem!

BILLI bil-“Letters Patent” imsemmijin fl-Ewwel Skeda li tinsab ma' dawn il-“Letters Patent” hija mwaqqfa l-Kariga ta' Gvernatur u Kap Kmandant tal-Gżira ta' Malta u hemm maħsub għall-Gvern ta' dik il-Gżira:

U BILLI AHNA għandna l-fehma li nhassru l-imsemmijin “Letters Patent” u li naħsbu għat-twaqqif ta' Gvern responsabbli, b'xi tirzin li jinsab hawnhekk iżjed 'il quddiem imsemmi, fl-imsemmija Gżira u l-Gzejjer li jagħmlu magħha:

U BILLI b'“Letters Patent” tal-lum stess, imsejhin il-“Letters Patent” ta' l-1947 għal Malta (Kariga ta' Gvernatur), hija mwaqqfa l-Kariga ta' Gvernatur u Kap Kmandant ta' l-imsemmijin Gżira ta' Malta u l-Gzejjer li jagħmlu magħha, u ttiehed fihom ħsieb għal Kunsill Eżekuttiv:

ISSA KUNU AFU illi Ahna niddikjaraw illi Rridu u Jogħgobna dan li ġej:—

## TAQSIMA I.

### *Dħul.*

1.—(1) F'dawn il-“Letters Patent”, kemm-il darba r-rabta tas-Tifsir. sens fit-test ma titlobx tifsira oħra:—

“il-jum maħtur” ifisser il-jum li fih dawn il-“Letters Patent” jibdew isehħu kif hemm fid-dispożizzjonijiet ta' l-artiklu 2 tagħhom;

“l-Assemblea” jfisser l-Assemblea Legislativa mwaqqfa bl-artiklu 4 ta' dawn il-“Letters Patent”;

“il-Fond Konsolidat” ifisser il-Fond Konsolidat tad-Dħul ta' Flejjes imwaqqaf bl-artiklu 49 ta' dawn il-“Letters Patent”;

“*Deputy Speaker*” ifisser id-*Deputy Speaker* u *Chairman* tal-Kumitati ta' l-Assemblea;

“il-Kunsill Eżekuttiv” ifisser il-Kunsill Eżekuttiv imwaqqaf bil-“Letters Patent” ta' l-1947 għal Malta (Kariga ta' Gvernatur) jew xi “Letters Patent” li għal quddiem għad jistgħu jbiddu jew jidhlu minflok dawk il-“Letters Patent”;

“the existing Letters Patent” means the Letters Patent mentioned in the First Schedule to these Letters Patent;

“the Gazette” means the Malta Government Gazette;

“the Governor” means the Governor and Commander-in-Chief of Malta, and includes the Officer for the time being Administering the Government and, to the extent to which a Deputy for the Governor is authorized to act, that Deputy;

“the Governor in Council” means the Governor acting by, and with, the advice of the Executive Council;

“the Head of the Ministry” means the person designated as Head of the Ministry in accordance with the provisions of section 40 of these Letters Patent;

“Imperial property and interests” means the lands, buildings, docks, and harbours and other waters mentioned in paragraph (g) of subsection (3) of section 23 of these Letters Patent;

“judge” includes Chief Justice;

“Malta” means the Island of Malta and its Dependencies including the territorial waters thereof;

“Maltese Imperial Government” means the Government constituted by the Malta (Office of Governor) Letters Patent, 1947, or any Letters Patent hereafter amending or substituted for those Letters Patent, for the exercise of any power, jurisdiction or authority in Malta with regard to reserved matters;

“Maltese Government” means the Government hereby constituted for the exercise of any power, jurisdiction or authority in Malta with regard to all matters other than reserved matters;

“Member” means a member of the Assembly;

“the Public Seal” means the Public Seal of Malta;

“reserved matter” means a reserved matter as defined in subsection (3) of section 23 of these Letters Patent;

“session” means the meetings of the Assembly commencing when the Assembly first meets after being constituted under these Letters Patent, or after its prorogation or dissolution at any time, and terminating when the Assembly is prorogued or is dissolved without having been prorogued;

“sitting” means a period during which the Assembly is sitting continuously without adjournment, and includes any period during which the Assembly is in Committee;

“Speaker” means the Speaker of the Assembly.

(2) References in these Letters Patent to Ourselves shall be construed as including references to Our Successors and, when the context admits, to Our Predecessors.

(3) All references in these Letters Patent to Our dominions shall be construed as including references to all territories under Our protection or in which We have for the time being jurisdiction.

“il-‘Letters Patent’ li hemm” ifisser il-‘Letters Patent’ imsemmijin fl-Ewwel Skeda li tinsab ma’ dawn il-‘Letters Patent’;

“il-Gazzetta” jfisser il-Gazzetta tal-Gvern ta’ Malta;

“il-Gvernatur” ifisser il-Gvernatur u Kap Kmandant ta’ ta’ Malta, u jgħodd ukoll għall-Funzjonarju li, għaż-żmien li jkun, ikun qiegħed jamministra l-Gvern u, safejn Deputat tal-Gvernatur għandu setgħa li jagħmel, dak id-Deputat;

“il-Gvernatur fil-Kunsill” ifisser il-Gvernatur meta jagħmel xi haġa bil-parir u fuq il-parir tal-Kunsill Eżekuttiv;

“Prim Ministru” jfisser l-oniedem maħtur bħala Kap tal-Ministeru skond id-dispożizzjonijiet ta’ l-artiklu 40 ta’ dawn il-‘Letters Patent’;

“proprietà u interess Imperjali” jfisser l-artijiet, bini, *docks*, u portijiet u ibhra oħrajn imsemmijin fil-paragrafu (g) tas-sub-artiklu (3) ta’ l-artiklu 23 ta’ dawn il-‘Letters Patent’;

“imballef” ifisser ukoll il-Prim Imħallef;

“Malta” jfisser il-Gżira ta’ Malta u l-Gzejjer li jagħmlu magħha magħdud in-ibhra territorjali tagħhom;

“Gvern Imperjali Malti” jfisser il-Gvern imwaqqaf bil-‘Letters Patent’ ta’ l-1947 għal Malta (Kariga ta’ Gvernatur) jew xi ‘Letters Patent’ li għa’ quddiem għad jistgħu jbiddu jew jidhru minflok dawk il-‘Letters Patent’, għat-thaddim ta’ kull setgħa, ġurisdizzjon jew awtorità f’Malta dwar materji riservati;

“Gvern Malti” jfisser il-Gvern hawnhekk b’dawn imwaqqaf għat-thaddim ta’ kull setgħa, ġurisdizzjon jew awtorità f’Malta dwar kull materja minbarra materji riservati;

“Membru” jfisser membru ta’ l-Assemblea;

“is-Sigill Pubbliku” jfisser is-Sigill Pubbliku ta’ Malta;

“materja riservata” jfisser materja riservata kif imfisser fis-sub-artiklu (3) ta’ l-artiklu 23 ta’ dawn il-‘Letters Patent’;

“sessjoni” jfisser il-laqgħat ta’ l-Assemblea minn meta l-Assemblea tilitaqa’ għall-ewwel darba wara li tkun imwaqqfa taht dawn il-‘Letters Patent’, jew wara li tkun giet prorogata jew maħlula kull meta jkun, sa meta l-Assemblea tkun prorogata jew maħlula mingħajr ma tkun giet prorogata;

“laqgħa” jfisser żmien li tulu l-Assemblea tkun qiegħda bla ma taqta’ mingħajr aġġornament, u tghodd ukoll għal kull żmien li fih l-Assemblea tkun qiegħda bħala Kumitat;

“*Speaker*” ifisser l-*Ispeaker* ta’ l-Assemblea.

(2) Kull tismija f’dawn il-‘Letters Patent’ Tagħna Nfusna għandha tiftiehem li thaddan tismija tas-Suċċessuri Tagħna, u, fejn it-test jitlob hekk, ta’ min kien hemm Qabilna.

(3) Kull tismija f’dawn il-‘Letters Patent’ għad-dominji Tagħna għandha tiftiehem li thaddan tismija ta’ l-artijiet kollha taht il-protezzjon Tagħna jew li fihom Ahna jkollna ġurisdizzjon f’dak iż-żmien.

(4) For the purposes of these Letters Patent the following persons shall not be regarded as holding office of emolument under the Crown in Malta, that is to say—

- (a) persons holding the office of Minister established by section 40 of these Letters Patent,
- (b) persons in receipt of a pension or other like allowance from the Crown but not actually in the service of the Crown in Malta,
- (c) Officers of Our naval, military or air forces in receipt of retired or half-pay, and
- (d) teachers at the Royal University of Malta who are neither prohibited by the terms of their employment at the said University from the private exercise of their profession nor obliged to place their whole time at the disposal of the Maltese Government.

52 & 53  
Vict. c. 63.

(5) Save as is in these Letters Patent otherwise provided, or required by the context, the Interpretation Act, 1889, shall apply for the interpretation of these Letters Patent as it applies for the interpretation of an Act of Parliament.

Short title  
and com-  
mencement.

2. These Letters Patent may be cited as “The Malta (Constitution) Letters Patent, 1947.” They shall be published within Malta in such manner as the Governor shall think fit and, save as otherwise expressly provided in these Letters Patent, shall come into operation on a day to be appointed by the Governor by Proclamation published in the Gazette.

Revocation.

3.—(1) The existing Letters Patent are hereby revoked but (save as required by the provisions of these Letters Patent) without prejudice to any appointment lawfully made, or to any other thing lawfully done, thereunder.

(2) Notwithstanding the provisions of subsection (1) of this section, those provisions of the existing Letters Patent which relate to the constitution of the Executive Council, and to such executive functions of Government as are by these Letters Patent assigned to Ministers, shall continue in operation until the said Ministers have assumed charge of the said functions.

## PART II.

### *Establishment and constitution of the Legislative Assembly.*

Legislative  
Assembly  
established.

4.—(1) The Council of Government constituted by the existing Letters Patent is hereby abolished.

(2) In place of the said Council of Government there shall be in and for Malta, a Legislative Assembly constituted in accordance with the provisions of these Letters Patent.

Membership.

5. The Assembly shall consist of forty Members elected in accordance with the provisions of these Letters Patent.



(4) Għall-għanijiet ta' dawn il-“Letters Patent” dawn in-nies li għejjin ma għandhomx jitqiesu li għandhom kariga mħallsa taht il-Kuruna f'Malta, jiġifieri:—

- (a) in-nies li jkollhom il-kariga ta' Ministru mwaqqfa bl-artiklu 40 ta' dawn il-“Letters Patent”,
- (b) in-nies li jkunu jdaħħlu minn għand il-Kuruna pensjoni jew xi hlas ta' dik ix-xorta li, iżda, fil-fatt ma jkunux fis-servizz tal-Kuruna f'Malta,
- (c) il-Fizzjali tal-forzi Tagħna navali, militari jew ta' l-ajru li jkunu qegħdin idaħħlu *retired pay* jew *half pay*, u
- (d) il-għalliema fl-Università Rjali ta' Malta li m'humiex miżmumin bil-ftehim ta' l-impieg tagħhom fl-imsem-mija Università milli jhaddmu għal rashom il-professjoni tagħhom u li lanqas ma jkunu marbutin li jagħtu hinhom kollu lill-Gvern Malti.

(5) Hlief fejn hu xort'oħra maħsub f'dawn il-“Letters Patent”, jew meħtieġ bit-test, l-“Interpretation Act, 1889”, ikun ighodd għat-tifsir ta' dawn il-“Letters Patent” bħal ma jghodd għat-tifsir ta' Att tal-Parlament. 52 & 53  
Vict. k. 63.

2. Dawn il-“Letters Patent” jistgħu jissejju “Il-“Letters Patent” ta' l-1947 għal Malta (Kostituzzjoni)”. Għandhom jixxandru f'Malta hekk kif il-Gvernatur jidhirlu xieraq u, hlief kif xort'oħra jingħad bil-kliem f'dawn il-“Letters Patent”, jibdew isehhu f'jum li jkun maħtur mill-Gvernatur bi Proklama li tixxandar fil-Gazze ta. Isem fil-qosor  
u bidu.

3.—(1) Il-“Letters Patent” li hemm huma hawnhekk imħassrin imma (hlief kif meħtieġ bid-dispożizzjonijiet ta' dawn il-“Letters Patent”) mingħajr ħsara għal kull hatra magħmula skond il-liġi, jew għal kull haġ'oħra magħmula skond il-liġi, taht dawk il-“Letters Patent”. Tahsir.

(2) Minkejja d-dispożizzjonijiet fis-sub-artiklu (1) ta' dan l-artiklu, dawk id-dispożizzjonijiet tal-“Letters Patent” li hemm, li għandhom x'jaqsmu mat-twaqqif tal-Kunsill Eżekuttiv, u ma' dawk id-dmirijiet eżekuttivi ta' Gvern illi huma b'dawn il-“Letters Patent” mogħtijin lill-Ministri, jibqgħu fis-seħħ sa ma l-imsemmijin Ministri jkunu hađu f'idejhom l-imsemmijin dmirijiet.

## TAQSIMA II.

### *Twaqqif u għamla ta' l-Assemblea Legislativa.*

4.—(1) Il-Kunsill tal-Gvern imwaqqaf bil-“Letters Patent” li hemm huwa hawnhekk imneħhi. Twaqqif ta'  
l-Assemblea  
Legislativa.

(2) Minflok l-imsemmi Kunsill tal-Gvern għandu jkun hemm f'Malta u għal Malta Assemblea Legislativa magħmula skond id-dispożizzjonijiet ta' dawn il-“Letters Patent”.

5. L-Assemblea tkun magħmula minn erbghin Membru maħturin skond id-dispożizzjonijiet ta' dawn il-“Letters Patent”. Il-Membri.

Qualification  
of Members.

6. Subject to the provisions of these Letters Patent, any person who is qualified to be registered as a voter for the election of Members of the Assembly for any electoral division shall be qualified to be elected a Member of the Assembly for that or any other electoral division.

Disqualification  
of Members.

7.—(1) No person shall be qualified to be elected a Member of the Assembly, or having been so elected shall sit or vote therein, who—

- (a) has been sentenced by a competent court, in any part of Our dominions, to death or to imprisonment (by whatever name called) for a period exceeding one year, or has been sentenced by a competent court in Malta to any punishment upon conviction of any crime referred to in Sub-title II of Title VII of Book I of Chapter 12 of the Revised Edition of the Laws of Malta, 1942, (which relates to crimes against the peace and honour of families and against morals) and has not either suffered the punishment to which he was sentenced, or such other punishment as may by competent authority have been substituted therefor, or received a free pardon; or
- (b) is an undischarged bankrupt under the law of Malta; or
- (c) is interdicted or incapacitated for any mental infirmity or for prodigality by a competent court in Malta or has been certified in accordance with any law for the time being in force in Malta to be of unsound mind; or
- (d) is by virtue of his own act under any acknowledgment of allegiance, obedience or adherence to a foreign State or Power; or
- (e) is a party to, or a member of a firm or a director or manager of a company which is a party to, any subsisting contract with the Maltese Government for, or on account of, the public service; or
- (f) holds any office of emolument under the Crown in Malta; or
- (g) is disqualified for membership of the Assembly under any law for the time being in force in Malta relating to offences connected with the election of Members of the Assembly.

(2) No person while holding, or acting in, an office the functions of which involve any responsibility for, or in connection with, the conduct of any election of Members of the Assembly shall be qualified to be elected a Member of the Assembly.

(3) No person who has held, or acted in, any office the functions of which involve any responsibility for the compilation or revision of an electoral register for any electoral division shall be qualified to be elected a Member of the Assembly for that division while such register is in force.

6. Bla ħsara tad-dispożizzjonijiet ta' dawn il-“Letters Patent” Kwalifiki ta' Membri. kull min ikun kwalifikat li jkun registrat bħala elettur għall-elezzjoni ta' Membri ta' l-Assemblea għal xi taqsima elettoralijiet ta' Membri ta' l-Assemblea għal dik it-taqsima elettoralijiet jew xi taqsima oħra.

7. (1) Hadd ma jkun kwalifikat li jkun mahtur Membru ta' Skwalifiki ta' Membri. l-Assemblea, jew wara li jkun hekk mahtur li joqghod jew jivvota fiha, ta' Membri. jekk—

- (a) ikun gie kundannat minn qorti kompetenti, ikun fejn ikun fid-dominji Tagħna, għal mewt jew għal ħabs (jissejjah b'kull isem li jkun) għal żmien itwal minn sena, jew ikun gie kundannat minn qorti kompetenti f'Malta għal xi kastig li jkun, fuq li nstab hati ta' xi delitt imsemmi fis-Sub-Titlu II tat-Titlu VII tal-Ktieb I tal-Kapitlu 12 ta' l-Edizzjoni Riveduta tal-Liġijiet ta' Malta, 1942, (li għandu x'jaqsam mad-delitti kontra l-paċi u l-unur tal-familji u kontra l-morali), u la jkun ha l-kastig li għalih kien gie kundannat jew dak il-kastig l-ieħor li għalih sata' gie mibdul minn awtorità kompetenti, u lanqas ma tkun ingħatatlu maħfra sħiħa; jew
- (b) ikun fallut mhux rjabilitat skond il-liġi ta' Malta; jew
- (c) ikun interdett jew inabilitat minħabba mard tal-moħħ jew minħabba ħala minn qorti kompetenti f'Malta, jew dwaru kien ħareġ ċertifikat taħt xi liġi li fiż-żmien tkun fis-seħħ f'Malta li moħħu m'hux f'loku; jew
- (d) ikun b'egħmilu stess taħt xi rabta ta' lealtà, obbedjenza jew aderenza lejn xi Stat jew Potenza barranija; jew
- (e) ikollu sehem, jew ikun membru ta' ditta jew direttur jew manijer ta' kumpanija li jkollha sehem f'xi kuntratt fis-seħħ mal-Gvern Malti għal, jew f'isem is-Servizz pubbliku; jew
- (f) ikollu xi kariga mħallsa taħt il-Kuruna f'Malta; jew
- (g) ikun skwalifikat bħala membru ta' l-Assemblea taħt xi liġi li fiż-żmien tkun fis-seħħ f'Malta dwar ħtijiet li għandhom x'jaqsmu ma' l-elezzjoni ta' Membri ta' l-Assemblea.

(2) Ebda bniedem, fil-waqt li jkollu kariga jew qiegħed jaqdi d-dmirijiet ta' kariga, li d-dmirijiet tagħha jhaddnu xi responsabbiltà għal, jew dwar, it-tnexxija ta' xi elezzjoni ta' Membri ta' l-Assemblea, ma jkun kwalifikat li jkun Membru ta' l-Assemblea.

(3) Ebda bniedem li kellu xi kariga, jew qeda d-dmirijiet ta' kariga, li d-dmirijiet tagħha jgibu magħhom responsabbiltà għall-egħmil jew revizjoni ta' registru elettoralijiet għal xi taqsima elettoralijiet, ma jkun kwalifikat li jkun mahtur Membru ta' l-Assemblea għal dik it-taqsima waqt li dak ir-registru jkun fis-seħħ.

(4) Notwithstanding the provisions of paragraph (f) of subsection (1) of this section no person who holds any office of emolument under Our Government of the United Kingdom (other than a member of Our regular armed forces) shall, by reason of his holding such office, be disqualified for election as a Member of the Assembly if, immediately upon his election, he ceases to hold such office.

Vacation  
of seats.

8.--(1) The seat of a Member of the Assembly shall become vacant—

- (a) upon his death; or
- (b) if he shall be absent (otherwise than by reason of imprisonment) from the sittings of the Assembly for a continuous period of two months during any session thereof :  
Provided that, for the purposes of this paragraph, a Member shall not be deemed to have been absent from any sitting of the Assembly if his absence therefrom shall have been approved by the Speaker within a period of two months from such sitting; or
- (c) if he shall be sentenced by a competent court, in any part of Our dominions, to death or to imprisonment (by whatever name called) for a period exceeding one year, or shall be sentenced by a competent court in Malta to any punishment upon conviction of any crime referred to in Sub-title II of Title VII of Book I of Chapter 12 of the Revised Edition of the Laws of Malta, 1942, (which relates to crimes against the peace and honour of families and against morals); or
- (d) if he shall be declared a bankrupt under the law of Malta; or
- (e) if he shall do, concur in, or adopt any act done with the intention that he shall become the subject or citizen of any foreign State or Power; or
- (f) if he shall become a party to, or if any firm of which he is a member, or any company of which he is a director or manager, shall become a party to, any contract with the Maltese Government for, or on account of, the public service; or if he shall become a member of a firm, or a director or manager of a company, which is a party to any subsisting contract as aforesaid; or
- (g) if he shall cease to possess qualification for election under section 6, or shall become subject to any of the disqualifications referred to in paragraphs (c), (f) and (g) of subsection (1) of section 7 of these Letters Patent; or
- (h) if he shall be appointed to any office mentioned in subsection (2) of section 7 of these Letters Patent or to any office the functions of which involve any responsibility for the compilation or revision of the electoral register of the electoral division for which he is a Member; or
- (i) upon the dissolution of the Assembly.

(4) Minkejja d-dispożizzjonijiet tal-paragrafu (f) tas-sub-artiklu (1) ta' dan l-artiklu, ebda bniedem li jkollu kariga mħallsa taħt il-Gvern Tagħna fis-Saltna Magħquda (li ma jkunx membru tal-forzi armati Tagħna regolari), ma għandu, minhabba li għandu dik il-kariga, jkun skwalifikat għall-elezzjoni bhala Membru ta' l-Assemblea jekk, minnufih malli jiġi maħtur, huwa ma jbeqax f'dik il-kariga.

8.—(1) Il-post ta' Membru ta' l-Assemblea jitbattal—

Tbattil ta' postijiet.

- (a) b'mewtu ; jew
- (b) jekk jibqa' jonqos (hief minhabba li jkun il-habs) mill-laqgħat ta' l-Assemblea għal żmien m'hux maqtuġħ ta' xahrejn f'xi sessjoni tagħha ;
- Iżda, għall-għanijiet ta' dan il-paragrafu, Membru ma għandux jitqies li kien nieqes f'xi laqgħa ta' l-Assemblea jekk in-nuqqas tiegħu f'dik il-laqgħa jkun approvat mill-*Ispeaker* fi żmien xahrejn minn dik il-laqgħa ; jew
- (c) jekk huwa jiġi kundannat minn qorti kompetenti, ikun fejn ikun fid-dominji Tagħna, għal mewt jew għal habs (jissejjaħ b'liema isem ikun) għal żmien itwal minn sena jew jiġi kundannat minn qorti kompetenti f'Malta għal xi kastig li jkun, fuq li jkun insab hati ta' xi delitt imsemmi fis-Sub-Titlu II tat-Titlu VII tal-Ktieb I tal-Kapitlu 12 ta' l-Edizzjoni Riveduta tal-Liġijiet ta' Malta, 1942, (li għandu x'jaqsam mad-delitti kontra l-paċi u l-unur tal-familji u kontra l-morali) ; jew
- (d) jekk huwa jiġi dikjarat fallut taħt il-liġi ta' Malta ; jew
- (e) jekk huwa jagħmel, jew jaqbel f'xi għemil, jew jagħmel tiegħu xi għemil, magħmul bil-ħsieb li huwa jsir is-sudditu jew ċittadin ta' xi Stat jew Potenza barranija ; jew
- (f) jekk huwa jiehu sehem, jew jekk xi ditta li huwa jkun membru tagħha jew xi kumpanija li tagħha huwa d-direttur jew il-maniġer tiegħu sehem, f'xi kuntratt mal-Gvern Malti għal, jew f'isem, is-servizz pubbliku ; jew jekk huwa jsir membru ta' ditta, jew direttur jew maniġer ta' kumpanija, li jkollha sehem f'xi kuntratt fis-seħħ kif imsemmi hawn qabel ; jew
- (g) jekk huwa ma jibqax ikollu l-kwalifika għall-hatra taħt l-artiklu 6, jew jaqa' taħt xi skwalifika minn dawk imsemmijin fil-paragrafi (c), (f) u (g) tas-sub-artiklu (1) ta' l-artiklu 7 ta' dawn il-“Letters Patent” ; jew
- (h) jekk huwa jiġi maħtur għal xi kariga msemmija fis-sub-artiklu (2) ta' l-artiklu 7 ta' dawn il-“Letters Patent” jew għal xi kariga li d-dmirijiet tagħha jhaddnu xi responsabbiltà għall-egħmil jew reviżjoni tar-reġistru elettorali tat-taqsima elettorali li għaliha huwa jkun Membru ; jew
- (i) meta l-Assemblea tiġi mafulula,

(2) Any Member may resign his seat by writing under his hand addressed to the Speaker, and upon the receipt of such resignation by the Speaker the seat of such Member shall become vacant :

Provided that no Member shall, without the permission of the Assembly signified by resolution, resign his seat while any proceedings are pending in the Assembly or in any Committee thereof—

- (a) in respect of his conduct in the Assembly or as a Member ; or
- (b) in respect of his election as a Member, if it is alleged in those proceedings that any corrupt or illegal practices took place at his election.

Penalty for unqualified persons sitting or voting.

9.—(1) A person shall be liable to a penalty of two pounds for every day on which he shall sit or vote in the Assembly knowing, or having reasonable grounds for knowing, that he is disqualified for so sitting or voting, or that his seat has become vacant.

(2) Such penalty shall be recoverable by action in Our Civil Court in Malta at the suit of the Attorney General and shall be paid into the Consolidated Fund.

Questions as to Membership

10. All questions which may arise as to whether any person is, or was, a Member of the Assembly shall be referred to, and decided by, Our Court of Appeal in Malta in accordance with the provisions of any law for the time being in force in Malta and the decision of such Court thereon shall be final.

Electoral divisions and proportional representation.

11.—(1) For the purpose of the election of Members of the Assembly, Malta shall be divided into the eight electoral divisions described in the Second Schedule to these Letters Patent.

(2) Each electoral division shall be entitled to return five Members to the Assembly.

(3) The Members of the Assembly shall be elected upon the principle of proportional representation, each voter having one transferable vote.

Right to vote.

12.—(1) Every person who is registered as a voter in any electoral division shall, while so registered, be entitled to vote at the election of Members of the Assembly for that division and no person shall vote at the election of Members of the Assembly for any electoral division who is not registered as a voter in that division :

Provided that nothing in this subsection shall entitle any person to vote at any election of Members of the Assembly if he is prohibited from so voting, by any law for the time being in force in Malta, by reason of his holding, or acting in, any office the functions of which involve any responsibility for, or in connection with, the conduct of any such election.

(2) No person shall be registered as a voter in any electoral division who is not entitled to be so registered under the provisions of section 13 of these Letters Patent or who is disqualified from being so registered under the provisions of section 14 of these Letters Patent.

(2) Kull Membru jista' jitlaq minn postu billi jikteb minn idejh lill-*Ispeaker*, u malli l-*Ispeaker* tasallu dik id-dimissjoni l-post ta' dak il-Membru jibattal:

Izda ebda Membru ma għandu, minghajr is-sensja ta' l-Assemblea mgħarrfa b'riżoluzzjoni, jitlaq minn postu fil-waqt li jkun qegħdin isiru xi proċeduri fl-Assemblea jew f'xi Kumitat tagħha—

- (a) dwar l-ingiba tiegħu fl-Assemblea bħala Membru; jew
- (b) dwar il-ħatra tiegħu bħala Membru, jekk f'dawk il-proċeduri jingħad illi fil-ħatra tiegħu saru xi attijiet ta' korruzzjoni jew illegali.

9.—(1) Bniedem ikun jista' jehel piena ta' żewġ liri għal kull jum li fih huwa joqgħod jew jivvota fl-Assemblea waqt li jkun jaf, jew li jkollu sewwa għalfejn jaħseb illi huwa skwalifikat biex hekk joqgħod jew jivvota, jew illi postu tballat.

Piena għal nies skwalifikati li joqgħdu jew jivvotaw.

(2) Dik il-piena tingabar bi proċeduri fil-Qorti Ċivili Tagħna f'Malta fuq talba ta' l-*Attorney-General* u l-flus jidhallsu għewwa l-Fond Konsolidat.

10. Kull kustjoni li tista' titqanqal dwar jekk xi hadd hux jew kienx Membru ta' l-Assemblea għandha titressaq quddiem u tkun maqtugħa mill-Qorti Tagħna ta' l-Appell f'Malta skond id-dispożizzjonijiet ta' kull liġi li fiż-żmien tkun fis-seħħ f'Malta u d-deċiżjoni ta' dik il-Qorti fuq hekk tkun ta' l-aħbar.

Kustjonijiet dwar min hu Membru.

11.—(1) Għall-għan tal-ħatra ta' Membri ta' l-Assemblea, Malta tkun inqasma fit-tmien taqsimiet elettorali msemmijin fit-Tieni Skeda li hemm ma' dawn il-*Letters Patent*.

Taqsimiet elettorali u rappreżentanza proporzjonali.

(2) Kull taqsima elettorali jkollha l-jedd li tibgħat hames membri fl-Assemblea.

(3) Il-membri ta' l-Assemblea jkunu mahturin fuq il-prinċipju tar-rappreżentanza proporzjonali, billi kull elettur ikollu vot wieħed trasferibbli.

12.—(1) Kull bniedem li jkun registrat bħala elettur f'xi taqsima elettorali jkollu l-jedd, sakemm jibqa' hekk registrat, li jivvota fl-elezzjoni ta' Membri ta' l-Assemblea għal dik it-taqsima, u hadd ma għandu jivvota fl-elezzjoni ta' Membri ta' l-Assemblea għal xi taqsima elettorali jekk ma jkunx registrat bħala elettur f'dik it-taqsima:

Jedd għall-vot.

Izda ebda haġa f'dan is-sub-artiklu ma tagħti l-jedd lil xi hadd li jivvota f'xi elezzjoni ta' Membri ta' l-Assemblea jekk, bis-saħħa ta' xi liġi li f'dak iż-żmien tkun fis-seħħ f'Malta, huwa ma jkunx jista' hekk jivvota minħabba li huwa jkollu xi kariga jew ikun qed jaqdi d-dmirijiet ta' kariga, li dmirijietha jhaddnu xi responsabbiltà għal, jew dwar, it-tnexxija ta' xi elezzjoni bħal dik.

(2) Hadd ma għandu jkun registrat bħala elettur f'xi taqsima elettorali jekk ma jkollux il-jedd li jkun hekk registrat bid-dispożizzjonijiet ta' l-artiklu 13 ta' dawn il-*Letters Patent* jew jekk ikun skwalifikat milli jkun hekk registrat bid-dispożizzjonijiet ta' l-artiklu 14 ta' dawn il-*Letters Patent*.

**Qualification  
of voters.**

**13.** Subject to the provisions of section 14 of these Letters Patent, any person, who is a British subject of the age of twenty-one years or upwards and who is ordinarily resident in Malta and has been so resident for a period of not less than twelve months immediately preceding his registration, shall be entitled to be registered as a voter at the election of Members of the Assembly :

Provided that no person on full pay belonging to Our naval, military or air forces maintained by the annual vote of the Parliament of Our United Kingdom shall be entitled to be so registered unless he is domiciled in Malta.

**Disqualification  
of voters.**

**14.** No person shall be entitled to be registered as a voter at the election of Members of the Assembly who—

- (a) has been sentenced by a competent court in any part of Our dominions to death, or to imprisonment (by whatever name called) for a period exceeding one year, or has been sentenced by a competent court in Malta to any punishment upon conviction of any crime referred to in Sub-title II of Title VII of Book I of Chapter 12 of the Revised Edition of the Laws of Malta, 1942, (which relates to crimes against the peace and honour of families and against morals) and has not either suffered the punishment to which he was sentenced, or such other punishment as may by competent authority have been substituted therefor, or received a free pardon ; or
- (b) is interdicted or incapacitated for any mental infirmity or for prodigality by a competent court in Malta or has been certified in accordance with any law for the time being in force in Malta to be of unsound mind ; or
- (c) is, under any law for the time being in force in Malta, incapable of being so registered by reason of his conviction of any offence connected with the election of Members of the Assembly.

**Provisions  
as to  
elections.**

**15.—(1)** Subject to the provisions of these Letters Patent and of any Proclamation made under subsection (1) of section 57 of these Letters Patent, the election of Members of the Assembly shall be held, and the registration of voters at the election of Members shall be effected, in accordance with the provisions of the ordinances mentioned in the Third Schedule to these Letters Patent and of any regulation made under those ordinances as if any references therein to the Council of Government were references to the Assembly, or in accordance with any law or regulations amending or replacing those ordinances or regulations either before or after the appointed day ; and subject as aforesaid, all the provisions of the said ordinances and regulations shall apply.



**13.** Bla hsara tad-dispożizzjonijiet ta' l-artiklu 14 ta' dawn il-**Kwalifika ta'**  
 "Letters Patent", kull bniedem li jkun sudditu Ingliż tal-għomor **eletturi.**  
 ta' wieħed u għoxrin sena jew 'il fuq u li soltu joqgħod f'Malta u li  
 jkun ilu hekk joqgħod għal żmien ta' mhux inqas minn tnax-il xahar  
 sew sew qabel ma gie reġistrat, ikollu l-jedd li jkun reġistrat bħala  
 elettur fl-elezzjoni ta' Membri ta' l-Assemblea :

Iżda ebda bniedem li bil-paga sħiha jkun fil-forzi **Tagħna**  
 navali, militari jew ta' l-ajru mħallsa mill-vot ta' kull sena tal-Parla-  
 ment tas-Saltna Magħquda Tagħna, ma jkollu jedd li jkun hekk reġistrat  
 kemm-il darba ma jkollux domicilju f'Malta.

**14.** Ebda bniedem ma jkollu l-jedd li jkun reġistrat bħala elet- **Skwalifika ta'**  
 tur fl-elezzjoni ta' Membri ta' l-Assemblea jekk— **eletturi.**

- (a) ikun gie kundannat minn qorti kompetenti, ikun fejn ikun  
 fid-dominji Tagħna, għal mewt jew għal ħabs (jissey-  
 jah b'liema isem ikun) għal żmien itwal minn sena,  
 jew ikun gie kundannat minn qorti kompetenti f'Malta  
 għal xi kastig li jkun, fuq li nsab hati ta' xi delitt im-  
 semmi fis-Sub-Titlu II tat-Titlu VII tal-Ktieb I tal-  
 Kapitolu 12 ta' l-Edizzjoni Riveduta tal-Liġijiet ta'  
 Malta, 1942, (li għandu x'jaqsam mad-delitti kontra  
 l-paċi u l-onur tal-familji u kontra l-morali) u li jkun  
 ha l-kastig li għalih kien gie kundannat, jew dak il-  
 kastig l-iehor li għalih sata' gie miġdul minn awtorità  
 kompetenti, u lanqas ma tkun ingħatlu maħfra sħiha ;  
 jew
- (b) ikun interdett jew inabilitat minħabba xi mard tal-moħħ  
 jew minħabba l-ħala minn qorti kompetenti f'Malta,  
 jew dwaru kien hareġ ċertifikat, taħt xi liġi li fiż-  
 żmien tkun fis-seħħ f'Malta, li moħhu mhux f'loku ;  
 jew
- (c) bis-saħħa ta' xi liġi li fiż-żmien tkun fis-seħħ f'Malta,  
 ma jkunx jista' jkun hekk reġistrat minħabba li nsab  
 hati ta' htija li jkollha x'taqsam ma' l-elezzjoni ta'  
 Membri ta' l-Assemblea.

**15.—(1)** Bla hsara tad-dispożizzjonijiet ta' dawn il-"Letters **Dispożizzjonijiet**  
 Patent" u ta' kull Proklama magħmula taħt is-sub-artiklu (1) ta' **dwar**  
 l-artiklu 57 ta' dawn il-"Letters Patent", l-elezzjoni ta' Membri ta' **l-elezzjonijiet.**  
 l-Assemblea għandha ssir, u r-reġistrazzjoni ta' l-eletturi fl-elezzjoni  
 ta' Membri għandha tinghamel, skond id-dispożizzjonijiet ta' l-ordi-  
 nanzi msemmijin fit-Tielet Skeda li hemm ma' dawn il-"Letters  
 Patent" u ta' kull regolament magħmul taħt dawk l-ordinanzi, bħal-  
 lik'eku kull tismija li hemm fihom tal-Kunsill tal-Gvern kienet tismija  
 ta' l-Assemblea, jew skond kull liġi jew regolamenti li jbiddu jew li  
 jidhlu flok dawk l-ordinanzi jew regolamenti sew qabel jew wara l-jum  
 maħtur ; u, bla hsara ta' dak li ntqal qabel, id-dispożizzjonijiet kollha  
 ta' l-imsemmijin ordnanzi u regolamenti jkunu jghoddu.

(2) Notwithstanding any difference between the provisions as to qualification and disqualification of voters contained in sections 13 and 14 of these Letters Patent and the provisions as to qualification and disqualification of voters contained in the ordinances mentioned in the Third Schedule to these Letters Patent, the electoral register in force under those ordinances immediately before the appointed day shall, subject to any insertions made therein or deletions made therefrom in accordance with the provisions of those ordinances and to any modifications or adaptations thereof made under the provisions of subsection (1) of section 57 of these Letters Patent, be a valid electoral register for the purpose of the election of Members of the Assembly until a new electoral register is made.

**Vacancies.**

**16.** Whenever a vacancy occurs in the Assembly the Governor shall cause the necessary steps to be taken for filling such vacancy in accordance with the provisions of any law for the time being in force in Malta in that behalf.

**Speaker and Deputy Speaker.**

**17.—(1)** The Assembly shall, before proceeding to the despatch of any other business, at the first meeting after a general election, elect one of its Members to be Speaker, and another to be Deputy Speaker and Chairman of Committees, of the Assembly.

(2) A Member holding office as Speaker or Deputy Speaker shall, unless he earlier resigns his office or ceases to be a Member, vacate his office on the dissolution of the Assembly.

(3) Whenever the office of Speaker or Deputy Speaker becomes vacant otherwise than as the result of a dissolution of the Assembly, the Assembly shall, at its first sitting after the occurrence of the vacancy, elect another Member to be Speaker or Deputy Speaker, as the case may be.

(4) The Speaker, or in his absence the Deputy Speaker, or in the absence of both the Speaker and the Deputy Speaker a Member elected by the Assembly for the sitting, shall preside at sittings of the Assembly.

**Sessions of Assembly.**

**18.—(1)** There shall be a session of the Assembly once at least in every year, so that a period of twelve months shall not intervene between the last sitting of the Assembly in one session and the first sitting thereof in the next session.

(2) The first session shall be held within six months of the appointed day.

**Place and time of sittings.**

**19.** The sittings of the Assembly shall be held in such place as may from time to time be notified by the Governor by Proclamation published in the Gazette and each session shall commence at such time as may be notified as aforesaid.

**Prorogation and dissolution.**

**20.** The Governor, as he shall think fit, may summon, prorogue or dissolve the Assembly by Proclamation published in the Gazette.

**Duration of Assembly.**

**21.** Unless it is sooner dissolved, every Assembly shall continue for four years from the date of its first sitting and no longer, and the expiry of the said period of four years shall operate as a dissolution of such Assembly.

(2) Minkejja xi nuqqas ta' qbil li jista' jkun hemm bejn id-dispożizzjonijiet dwar il-kwalifika u l-iskwalifika ta' eletturi li jinsabu fl-artikli 13 u 14 ta' dawn il-“Letters Patent” u d-dispożizzjonijiet dwar il-kwalifika u l-iskwalifika ta' eletturi li jinsabu fl-ordinanzi msemmijin fit-Tielet Skeda li hemm ma' dawn il-“Letters Patent”, ir-registru elettoral fis-sehh taht dawk l-ordinanzi minnufih qabel il-jum mahtur għandu, bla ħsara ta' xi żidiet jew ta' xi taħsir magħmulin fih skond id-dispożizzjonijiet ta' dawk l-ordinanzi u ta' xi tibdil jew ta' xi qbil tiegħu magħmulin taht id-dispożizzjonijiet tas-sub-artiklu (1) ta' l-artiklu 57 ta' dawn il-“Letters Patent”, ikun ir-registru elettoral siewi għall-ghan ta' l-elezzjoni ta' Membri ta' l-Assemblea sa ma jsir registru elettoral għdid.

16. Kull meta jkun hemm xi btala fl-Assemblea, il-Gvernatur għandu jaħseb sabiex isir dak li jinħtieg għall-mili ta' dik il-btala skond id-dispożizzjonijiet ta' kull liġi li fiż-żmien tkun fis-sehh f'Malta għal dak il-ghan. Btajjel.

17.—(1) Qabel ma tibda tmexxi ebda xogħol ieħor, fl-ewwel laqgħa wara l-elezzjoni ġenerali l-Assemblea għandha tagħzel wieħed minn fost il-Membri tagħha sabiex ikun l-*Speaker*, u ieħor sabiex ikun *Deputy Speaker* u *Chairman* tal-Kumitat, ta' l-Assemblea. Speaker  
u Deputy  
Speaker.

(2) Membru li jkollu l-kariga ta' *Speaker* jew *Deputy Speaker* għandu kemm-il darba huwa ma jkun x qabel telaq mill-kariga tiegħu jew ma jkunx baqa' Membru, jitlaq mill-kariga tiegħu malli l-Assemblea tinhall.

(3) Kull meta l-kariga ta' *Speaker* jew *Deputy Speaker* tibattal xort'oħra milli minhabba li l-Assemblea tkun giet maħlula, l-Assemblea għandha, fl-ewwel laqgħa tagħha wara li ssir il-btala, tagħzel Membru ieħor sabiex ikun l-*Speaker* jew id-*Deputy Speaker* skond kif jaħbat.

(4) L-*Speaker*, jew, meta huwa jonqos li jkun hemm, id-*Deputy Speaker*, jew jekk sew l-*Speaker* kemm id-*Deputy Speaker* jonqos li jkunu hemm, Membru magħżul mill-Assemblea għal dik il-laqgħa, għandu jippresiedi fil-laqgħat ta' l-Assemblea.

18.—(1) Għandu jkun hemm sessjoni ta' l-Assemblea milinqas darba fis-sena, hekk illi ma jgħaddix żmien ta' tnax-il xahar bejn l-aħħar laqgħa ta' l-Assemblea f'sessjoni waħda u l-ewwel laqgħa tagħha fis-sessjoni ta' wara. Sessjonijiet ta'  
l-Assemblea.

(2) L-ewwel sessjoni għandha ssir fi żmien sitt xhur mill-jum mahtur.

19. Il-laqgħat ta' l-Assemblea għandhom isiru f'dak l-imbien illi minn żmien għal ieħor ikun imgharraf mill-Gvernatur bi Proklama li tixxandar fil-Gazzetta u kull sessjoni għandha tibda fiż-żmien li jkun imgharraf kif imsemmi hawn qabel. Fejn u x'hin  
isiru l-laqgħat.

20. Il-Gvernatur, kif jidherlu xieraq, jista' jsejjaħ, jipproroga jew iħoll l-Assemblea bi Proklama mxandra fil-Gazzetta. Proroga u ħall.

21. Kemm-il darba ma tkunx qabel maħlula, kull Assemblea għandha tibqa' għal erba' snin mid-data ta' l-ewwel laqgħa tagħha u minn id-*Speaker*, u l-*Deputy Speaker* ta' dawk l-erba' snin igħodd bħallikieku dik l-Assemblea giet maħlula. Kemm iddum  
l-Assemblea.

## PART III.

*Legislation and procedure in the Legislative Assembly.*

Power to  
make laws.

**22.**—(1) It shall be lawful for Us, by and with the advice and consent of the Assembly, to make laws, to be entitled “Acts”, for the peace, order and good government of Malta.

(2) If provision is made in accordance with section 25 of these Letters Patent for the establishment of a Senate, the power under the preceding subsection to make laws shall be vested in Us by and with the advice and consent of the Senate and Assembly, subject to any provisions made in accordance with the said section 25 limiting or defining the powers of the Senate.

Reserved  
matters.

**23.**—(1) The power under the preceding section to make laws shall not extend to “reserved matters” as defined in subsection (3) of this section.

(2) Any law made in contravention of the limitation specified in sub-section (1) of this section shall, to the extent of such contravention but not otherwise, be void.

(3) For the purposes of these Letters Patent “reserved matters” are matters touching the public safety or defence of Our dominions and the general interests of Our subjects not resident in Malta and in particular and without prejudice to the generality of the foregoing include the following matters, namely—

- (a) the control and discipline of Our naval, military and air forces ;
- (b) the defence of Malta and all other naval, military or air force matters, including the King's Ships of War, Royal Fleet Auxiliaries and Dockyard Craft and all matters directly or indirectly affecting such vessels ;
- (c) the control and regulation of air navigation and aircraft ;
- (d) surveys for naval, military or air force purposes ;
- (e) the compulsory acquisition of land and buildings for naval, military or air force purposes or for any purposes connected with air navigation or aircraft ;
- (f) submarine cables, wireless telegraphy and wireless telephony and all forms of communication connected with, or ancillary to, naval, military or air force operations or air navigation ;

## TAQSIMA III.

*Legislazzjoni u proċedura fl-Assemblea Legislativa.*

22.—(1) Ikun skond il-liġi li Ahna, bil-parir u l-kunsens u fuq il-parir u l-kunsens ta' l-Assemblea, inkunu nisigħu magħmlu liġijiet, li għandhom jissejhu "Attijiet", għall-paċi, ordni u tmexxija tajba tal-gvern ta' Malta. Setgħa  
għall-egħmit  
ta' liġijiet.

(2) Jekk jinhaseb, skond l-artiklu 25 ta' dawn il-"Letters Patent", għat-twaqqif ta' Senat, is-setgħa taht is-sub-artiklu ta' qabel dan għall-egħmit ta' liġijiet tkun mogħtija Lilna bil-parir u l-kunsens u fuq il-parir u l-kunsens tas-Senat u ta' l-Assemblea, bla ħsara ta' xi dispożizzjonijiet magħmulin skond l-imsemmi artiklu 25 li jrażżan jew ifehem is-setgħat tas-Senat.

23.—(1) Is-setgħa taht l-artiklu ta' qabel dan għall-egħmit ta' liġijiet ma tghoddx għall-"materji riservati" kif imfissrin fis-sub-artiklu (3) ta' dan l-artiklu. Materji  
riservati.

(2) Kull liġi magħmula bi ksur tat-tirżina li tinsab fis-sub-artiklu (1) ta' dan l-artiklu tkun, safejn jasal dak il-ksur, imma mhux xort'ohra, bla siwi.

(3) Għall-għanijiet ta' dawn il-"Letters Patent" "materji riservati" huma l-hwejjeġ li għandhom x'jaqsmu mas-sikurizza pubblika jew id-difża tad-dominji Tagħna u l-interess ġenerali tas-sudditi Tagħna li ma joqogħdux Malta u l-iktar, u mingħajr ħsara għall-wisa' ta' dak li ntqal qabel, dawn il-hwejjeġ li ġejjin, jiġifieri :—

(a) il-kontroll u d-dixxiplina tal-forzi Tagħna navali, militari u ta' l-ajru ;

(b) id-difża ta' Malta u l-materji l-oħra kollha navali, militari jew ta' l-ajru, magħdudin il-Bastimenti tal-Gwerra tar-Re, ir-*Royal Fleet Auxiliaries* u d-*Dockyard Craft* u kull ma direttament jew indirettament jista' jolqot lil dawn il-bastimenti ;

(c) il-kontroll u t-tmexxija tan-navigazzjon bl-ajru u ta' l-inġenji ta' l-ajru ;

(d) *surveys* għal għanijiet navali, militari jew tal-forza ta' l-ajru ;

(e) l-akkwist obligatorju ta' art u bini għal għanijiet navali, militari jew tal-forza ta' l-ajru jew għal xi għanijiet li għandhom x'jaqsmu man-navigazzjon bl-ajru jew ma l-inġenji ta' l-ajru ;

(f) gunni tat-telegrafu ta' taht il-baħar, telegrafija *wireless* u telefonija *wireless* u kull għamla ta' kumnikazzjon li jkollha x'taqsam ma' jew taqdi l-operazzjonijiet navali, militari jew tal-forza ta' l-ajru jew tan-navigazzjon bl-ajru ;

- (g) lands, buildings, docks and harbours and other waters, which are used for naval, military or air force purposes or for other purposes connected with any reserved matter, or which are required, in the opinion of the senior officer in Malta commanding Our naval, military or air forces therein (as the case may be) for naval, military or air force purposes or, in the opinion of the Governor, for other purposes connected with any reserved matter ;
- (h) The Magisterial Palace in Valletta, the San Anton Palace, the Verdala Palace and any other buildings which are, on the appointed day, in the official occupation of the Governor and such other lands, buildings and other property as may from time to time be vested in the Governor for the use of the Maltese Imperial Government or in a Secretary of State or any other person or persons for Our use and disposition in Our government of the United Kingdom ;
- (i) the importation of goods (including animals) for the use of Our naval, military or air forces and the imposition of customs or other duties thereon ;
- (j) coinage and currency ;
- (k) immigration ;
- (l) nationality, naturalization and aliens ;
- (m) postal and telegraphic censorship ;
- (n) the issue and visa of passports ;
- (o) the appropriation of any such revenues as may accrue to Us in respect of any reserved matter ;
- (p) treaties and relations with foreign States or Powers, except so far as it may be necessary for laws (not extending to any matter specified in paragraphs (a) to (o) inclusive of this subsection) to be made in Malta to enable effect to be given to any treaty or other agreement entered into by Us and extending to Malta.

Legislation for public services, etc., affecting Imperial property and interests.

#### 24. Any law

- (a) relating to telephones, telegraphs, drainage, the supply of water, electricity or gas, or similar public services within any city, town or other defined area within Malta ; or
- (b) relating to roads, transport or other internal communications within Malta or any part thereof ;

shall not be deemed to affect any reserved matter by reason only that it affects, or may affect, Imperial property and interests in common with other property and interests within such city, town or area, or within Malta or any part thereof, as the case may be.

- (g) artijiet, bini, *docks* u portijiet u ibħra oħra, li huma użati għal għanijiet navali, militari jew tal-forza ta' l-ajru jew għal għanijiet oħrajn li għandhom x'jaqsmu ma' xi materja riservata, jew li, fil-fehma ta' l-uffiċjal anzjan f'Malta li fiha jinkludanda l-forzi Tagħna navali, militari jew ta' l-ajru (kif jaħbat), ikunu meħteġin għal għanijiet navali, militari jew tal-forza ta' l-ajru jew, fil-fehma tal-Gvernatur, għal għanijiet oħra li jkollhom x'jaqsmu ma' xi materja riservata;
- (h) il-Palazz Magisterjali fil-Belt Valletta, il-Palazz ta' San Anton, il-Palazz ta' Verdala u kull bini ieħor illi, fil-jum maħtur, jkun uffiċjalment f'idejn il-Gvernatur u daww k-artijiet, bini u proprjetà oħra illi minn żmien għal ieħor jingħataw f'idejn il-Gvernatur għall-użu tal-Gvern Imperjali Malti jew f'idejn xi Segretarju ta' l-Istat jew f'idejn xi bnedem ieħor jew bnedmin oħrajn għall-użu u dispożizzjon Tagħna fil-gvern Tagħna tas-Saltna Magħquda;
- (i) l-importazzjoni ta' merkanzija (magħdudin il-bhejjem) għall-użu tal-forzi Tagħna navali, militari jew ta' l-ajru u t-tqegħid ta' dazji tad-dwana jew dazji oħra fuq daww il-merkanziji;
- (j) il-flus u l-egħmil tagħhom;
- (k) dhul f'Malta ta' nies minn barra;
- (l) nazzjonalità, naturalizzazzjoni u frustieri;
- (m) ċensura postali u telegrafika;
- (n) il-hruġ u visa tal-passaporti;
- (o) l-appropriazzjoni ta' daww il-flejjes li jidhlu u jmissu Lilna dwar xi materja riservata;
- (p) trattati u relazzjonijiet ma' Stati jew Potenzi Barranin, blief safejn ikun meħtieġ sabiex ligijiet (li ma jmissu ebda baġa msemmija fil-paragrafi minn (a) sa (o) f'dan is-sub-artiklu) isiru f'Malta bil-għan li xi trattat jew ftehim ieħor li jkun sar minn Għandna u li jgħodd għal Malta jkun jista' jseħh.

#### 24. Kull liġi—

- (a) li jkollha x'taqsam mat-telefonijiet, telegrafi, drenagġ, il-fornitura ta' l-ilma, elettricità jew gass, jew servizzi pubbliċi bħal dawn f'xi mdina, belt jew imkien ieħor f'Malta imsemmi sewwa; jew
- (b) dwar it-toroq, it-trasporti jew kummikazzjonijiet oħra ġewwa Malta jew f'xi naħa tagħha;

Legislazzjoni  
għal servizzi  
pubbliċi, eċċ.  
li jmissu  
proprjetà  
u interess  
Imperjali.

ma titqiesx li toqot xi materja riservata minhabba biss illi toqot, jew tista' toqot, proprjetà u interess Imperjali f'inkien ma' proprjetà u interess oħrajn f'dik l-inda, belt jew imkien, jew f'Malta jew f'xi naħa tagħha, kif jaħbat.

Power to  
alter the  
provisions  
of these  
Letters  
Patent or  
of Orders  
in Council.

25.—(1) Subject to the provisions of subsections (2) and (3) of this section, a law made under section 22 of these Letters Patent may—

- (a) repeal or amend any of the provisions of these Letters Patent except—
  - (i) the provisions of this section and of sections 22, 23 and 24 and any other provisions in so far as they relate to reserved matters; and
  - (ii) the provisions of sections 42, 43, 44 and 45 (relating to the Judicature) 32, 33, 46, 47 and 48 and the Fifth Schedule (relating to Language), 52 and the Sixth Schedule (relating to the Reserved Civil List), 53 (relating to Religious Toleration), 59 (relating to Emergency Laws) and 60 (relating to powers reserved to Ourselves);
- (b) establish a second chamber of the legislature to be called the Senate and prescribe the constitution, powers and functions of the Senate and make such amendments of, and additions to, the provisions of these Letters Patent (other than the provisions mentioned in sub-paragraphs (i) and (ii) of paragraph (a) of this subsection) as may be considered necessary or expedient in consequence of the establishment of the Senate;
- (c) repeal or amend any of the provisions of any Order in Our Privy Council (not being an Order made under, or having in Malta the force and effect of, an Act of Parliament) extending to Malta except—
  - (i) provisions affecting any matter to which the provisions of these Letters Patent mentioned in sub-paragraphs (i) and (ii) of paragraph (a) of this subsection relate; and
  - (ii) the provisions of any Order in our Privy Council made under section 59 of these Letters Patent.

(2) (a) No Bill for establishing a second chamber of the legislature shall be introduced in the Assembly within a period of ten years from the appointed day.

(b) No Bill for establishing a second chamber of the legislature shall be presented to the Governor for Our assent unless—

- (i) such Bill shall have been passed by the Assembly; and thereafter
- (ii) the Assembly shall have been dissolved, a general election shall have been held, and, after such election, the presentation of the Bill to the Governor for Our assent shall have been approved by the Assembly before it is again dissolved.



25.—(1) Bla hsara tad-dispożizzjonijiet tas-sub-artikli (2) u (3) ta' dan l-artiklu, liġi magħmula taht l-artiklu 22 ta' dawn il-“Letters Patent” tista'—

Setgħa għat-tibdil tad-dispożizzjonijiet ta' dawn il-“Letters Patent” jew ta' Ordnijiet fil-Kunsill.

(a) tħassar jew tbidel liema tkun mid-dispożizzjonijiet ta' dawn il-“Letters Patent” minbarra—

- (i) id-dispożizzjonijiet ta' dan l-artiklu u ta' l-artikli 22, 23 u 24 u ta' kul dispożizzjoni oħra f'kenm għandha x'taqsam ma' materji riservati; u
- (ii) id-dispożizzjonijiet ta' l-artikli 42, 43, 44 u 45 (dwar l-Imħallfin), 32, 33, 46, 47 u 48 u l-Hames Skeda (dwar l-Ilsien), 52 u s-Sitt Skeda (dwar ir-*Reserved Civil List*), 53 (dwar il-Tolleranza Religjuża), 59 (dwar il-Liġijiet ta' Emerġenza) u 60 (dwar is-setgħat riservati Lillha Nfusna);

(b) twaqqaf tieni kamra tal-leġislatura li tissejjaħ is-Senat u taħseb għall-għamla, setgħat u dmirijiet tas-Senat u tagħmel dak it-tibdil u żidiet fid-dispożizzjonijiet ta' dawn il-“Letters Patent” (hliet id-dispożizzjonijiet imsemmijin fis-sub-paragrafi (i) u (ii) tal-paragrafu (a) ta' dan is-sub-artiklu) kif jitqies li jkun meħtieġ jew xieraq minhabba t-twaqqif tas-Senat;

(c) tħassar jew tbidel liema tkun mid-dispożizzjonijiet ta' xi Ordni fil-Kunsill Privat Tagħna (li ma jkunx Ordni magħmul taht, jew li jkollu f'Malta s-sahha u l-effett ta', Att tal-Parlament) li jghodd ukoll għal Ma'ta hliet—

- (i) dispożizzjonijiet li jolqtu xi haġa li għaliha jghoddu d-dispożizzjonijiet ta' dawn il-“Letters Patent” imsemmija fis-sub-paragrafi (i) u (ii) tal-paragrafu (a) ta' dan is-sub-artiklu; u
- (ii) id-dispożizzjonijiet ta' xi Ordni fil-Kunsill Privat Tagħna magħmul taht l-artiklu 59 ta' dawn il-“Letters Patent”.

(2) (a) Ebdha Abbozz ta' Liġi għat-twaqqif tat-tieni kamra tal-Leġislatura ma għandu jitressaq fl-Assemblea fi żmien għaxar snin mill-jum maħtur.

(b) Ebdha Abbozz ta' Liġi għat-twaqqif tat-tieni kamra tal-leġislatura ma għandu jitressaq quddiem il-Gvernatur għall-kunsens Tagħna kemm-il darba—

- (i) dak l-Abbozz ma jkunx għadda mill-Assemblea; u mbagħad
- (ii) l-Assemblea tkun giet maħlula, ikun saret elezzjoni ġenerali, u, wara dik l-elezzjoni, l-Assemblea, qabel ma tarġa' tkun maħlula, tkun approvat li dak l-Abbozz ta' Liġi jkun imressaq quddiem il-Gvernatur għall-kunsens Tagħna.

(3) No law made under section 22 of these Letters Patent which repeals or amends any of the provisions of these Letters Patent or of any Order in Our Privy Council other than a law establishing a second chamber of the legislature shall be valid unless the votes of not less than two thirds of all the Members of the Assembly shall be cast in favour thereof.

#### PART IV.

##### *Proceedings in the Legislative Assembly.*

Oath.

**26.** No Member of the Assembly shall sit or vote therein until he has taken and subscribed before the Speaker or Deputy Speaker or other Member presiding the Oath of Allegiance in the form set out in the Fourth Schedule to these Letters Patent:

Provided that—

- (a) every person authorised by law to make an affirmation or declaration instead of taking an oath in Our Courts in Malta may, instead of taking the said oath, make an affirmation or declaration in like form; and
- (b) this section shall not prevent the Members of the Assembly from sitting and voting therein for the purpose only of either electing the Speaker or Deputy Speaker or of electing some other Member to preside in the Assembly during the taking and subscription of the said oath.

Voting.

**27.—**(1) Save as otherwise provided in subsection (3) of section 25 of these Letters Patent, all questions proposed for decision in the Assembly shall be determined by a majority of the votes of the Members present and voting.

(2) The Speaker or other Member presiding shall not vote unless the votes of the other Members shall be equally divided, in which case he shall have a casting vote.

(3) If, upon any question before the Assembly, the votes of the other Members are equally divided and the Speaker or other Member presiding does not exercise his casting vote, the motion shall be declared to be lost.

Assembly  
may transact  
business  
notwith-  
standing  
vacancies.

**28.** The Assembly shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the Members thereof, and any proceedings therein shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise took part in the proceedings.

Quorum.

**29.** No business except that of adjournment shall be transacted in the Assembly if objection is taken by any Member present that there are less than fifteen Members present including the Speaker or other Member presiding.

(3) Ebda liġi magħmula taht l-artiklu 22 ta' dawn il-“Letters Patent” li tbaqqar jiw tbiiddel liema tkun mid-dispożizzjonijiet ta' dawn il-“Letters Patent” jew ta' xi Ordni fil-Kunsill Privat Tagħna, minbarra liġi li twaqqaf it-tieni kamra tal-legislatura, ma tkun tghodd kemm-il darba l-voti ta' mhux inqas minn tnejn minn kull tliet Membri, magħdud in il-Membri kollha ta' l-Assemblea ma jkunux ġew mogħtijin favor dik il-liġi.

#### TAQSIMA IV.

##### *Proċedura fl-Assemblea Legislativa.*

26. Ebda Membru ta' l-Assemblea ma għandu joqgħod jew jiv- **Gurament.**  
vita fha sakemta huwa, quddiem l-*Ispeaker* jew id-*Deputy Speaker* jew Membru ieħor li jkun jippresiedi, ma jkunx ha l-Gurament tal-Fedeltà skond il-formula li hemm fir-Raba' Skeda li tinsab ma' dawn il-“Letters Patent” u ma jkunx għamel minn idejh fuqu :

Lzda—

- (a) kull min ikun awtorizzat mil-liġi li jagħmel affermaz-  
zjoni jew dikjarazzjoni minflok ma jiehu ġurament fil-  
Qrati Tagħna f'Malta jista', minflok ma jiehu l-im-  
semmi ġurament, jagħmel affermazzjoni jew dikjaraz-  
zjoni fuq l-istess għamla ; u
- (b) dan l-artiklu ma għandux iġib illi l-Membri ta' l-Assem-  
blea ma għandhomx joqogħdu u jivvotaw fha għall-  
ghan biss jew li jagħzlu l-*Ispeaker* jew id-*Deputy*  
*Speaker* jew sabieħ jagħzlu xi Membru ieħor sabieħ  
jippresiedi fl-Assemblea ma' tul it-tehid ta' l-imsemmi  
ġurament u l-egħmil mill-idejn fuqu.

27.—(1) Hlief kif xort'ohra maħsub fis-sub-artiklu (3) ta' l-arti- **Votazzjoni.**  
klu 25 ta' dawn il-“Letters Patent”, il-kustjonijiet kollha mressqin  
għad-deċiżjoni fl-Assemblea jkunu maqtugħin b'kotra tal-voti tal-Mem-  
bri li jkunu hemm u li jivvotaw.

(2) L-*Ispeaker* jew Membru ieħor li jippresiedi ma jivvutax  
kemm-il darba l-vot tal-Membri l-ohra ma jigix indaqs, u f'dan il-  
każ huwa jkollu vot li jagħleb.

(3) Jekk, fuq xi kustjoni quddiem l-Assemblea, il-voti tal-  
Membri l-ohra jigu ndaqs u l-*Ispeaker* jew Membru ieħor li jippresiedi  
ma jhaddemx il-vot tiegħu li jagħleb, il-mozzjoni titqies li hi mitlufa.

28. L-Assemblea ma tkunx skwalifikata milli tinexxi xogħolha **L-Assemblea**  
minhabba li jkun hemm xi btala jew btajjel fost il-Membri tagħha, u **tista' taħdem**  
kull ma jsir fha jkun jiswa għalkemm wara jinkixef illi xi hadd li ma **għalkemm ikun**  
kellux il-jedd li jagħmel hekk qagħad jew ivvota jew xort'ohra ha **hemm xi**  
sehem fix-xogħol. **btajjel.**

29. Ebda xogħol hlief dak ta' l-aġġornament ma għandu jsir **Quorum.**  
fl-Assemblea jekk xi Membru li jkun hemm iqajjem oġġezzjoni li  
hemm inqas minn hmistax-il Membru preżenti, magħdud l-*Ispeaker*  
jew Membru ieħor li jippresiedi.

Standing  
Orders.

**30.**—(1) Subject to the provisions of these Letters Patent, the Assembly may from time to time make, amend and revoke Standing Orders for the regulation and orderly conduct of its proceedings and the despatch of business, for enabling any function of the Speaker under these Letters Patent to be performed by the Deputy Speaker, and for the passing, intituling and numbering of Bills, and for the presentation of Bills to the Governor for assent.

(2) All such Standing Orders shall be laid before, and shall become binding and of force when approved by, the Governor in Council.

(3) Until other provision is made under this section, the Standing Orders of the Legislative Assembly established by the Malta Constitution Letters Patent, 1921, as in force on the twenty second day of February, 1928, shall be the Standing Orders of the Assembly, subject to such adaptations and modifications as may be made by the Governor by notice published in the Gazette, which notice may either set out the said Standing Orders as so adapted and modified or specify each adaptation and modification so made. The said Standing Orders may be amended or revoked by Standing Orders made under subsection (1) of this section.

Privileges of  
Legislative  
Assembly  
and  
Members.

**31.**—(1) The privileges, immunities and powers of the Assembly and its Members may be determined and regulated by laws made under section 22 of these Letters Patent but no such privileges, immunities or powers shall exceed those of the Commons' House of Parliament of Our United Kingdom or the Members thereof.

(2) Until other provision is made under this section the privileges, immunities and powers of the Assembly and its Members shall be the same as those of the Council of Government constituted by the existing Letters Patent and the Members thereof at the date on which the said Council is last dissolved.

Language  
in debates  
and in  
records.

**32.**—(1) All debates and discussions in the Assembly shall be conducted in the English or Maltese language, and in no other language, and every speech delivered in the Assembly shall be printed in the journals and proceedings of the Assembly in both the English and the Maltese languages.

(2) All journals, entries, minutes and proceedings of the Assembly shall be made and recorded in both the English and the Maltese languages.

Language  
in laws.

**33.** All Bills introduced in the Assembly and all laws made under section 22 of these Letters Patent shall be printed in both the English and the Maltese languages and, if there shall be any conflict between the English and the Maltese texts of any such Bill or law, the English text shall prevail.

**30.**—(1) Bla ħsara tad-dispożizzjonijiet ta' dawn il-“Letters Patent”, l-Assemblea tista' minn żmien għal iehor tagħmel, tbidil u tħassar Ordnijiet Permanenti għat-tmexxija u għall-imgħiba xierqa tal-proċedimenti tagħha u għall-ħidma ta' xogħolha, sabiex xi dmir ta' l-*Ispeaker* taħt dawn il-“Letters Patent” ikun jista' jsir mid-*Deputy Speaker*, u għall-mogħdija, għoti ta' l-isem u numrar ta' l-Abbozzi ta' Liġi, u dwar kif l-Abbozzi jitressqu quddiem il-Gvernatur għall-kunsens tiegħu.

Ordnijiet  
Permanenti.

(2) L-Ordnijiet Permanenti bħal dawn kollha għandhom jit-qiegħdu quddiem il-Gvernatur fil-Kunsill, u jkunu jorbtu u ta' saħħa meta jkunu approvati minnu.

(3) Sa ma jkun hemm oħrajn taħt dan l-artiklu, l-Ordnijiet Permanenti ta' l-Assemblea Legiżlativa mwaqqfa bil-“Letters Patent” ta' l-1921 dwar il-Kostituzzjoni ta' Malta, kif kienu fis-schħ fit-22 ta' Frar, 1928, ikunu l-Ordnijiet Permanenti ta' l-Assemblea, bla ħsara għal dak il-qbil u dak it-tbidil li jista' jkun magħmul mil-Gvernatur b'notifikazzjoni mxandra fil-Gazzetta, u notifikazzjoni bħal din tista' jew turi l-imsemmijin Ordnijiet Permanenti kif hekk imqabblin u mbiddlin jew turi kull qbil u tbidil hekk magħmul. L-imsemmijin Ordnijiet Permanenti jistgħu jkunu mbiddlin jew imħassrin, b'Ordnijiet Permanenti magħmulin taħt is-sub-artiklu (1) ta' dan l-artiklu.

**31.**—(1) Il-privileġġi, immunitajiet u setgħat ta' l-Assemblea u tal-Membri tagħha jistgħu jkunu magħmulin u tmexxijin b'liġijiet magħmulin taħt l-artiklu 22 ta' dawn il-“Letters Patent” imma ebda wieħed minn dawn il-privileġġi, immunitajiet jew setgħat ma għandu jisboq dawk tal-*House of Commons* ta' l-Parlament tas-Saltna Magħquda Tagħna jew tal-Membri ta' dik il-Kamra tal-Parlament.

Privileġġi  
ta' l-Assemblea  
Legiżlativa u  
tal-Membri.

(2) Sa ma jsiru dispożizzjonijiet oħra taħt dan l-artiklu l-privileġġi, immunitajiet u setgħat ta' l-Assemblea u tal-Membri tagħha jkunu l-istess bħal dawk tal-Kunsill tal-Gvern imwaqqaf bil-“Letters Patent” li hemm u tal-Membri tiegħu fid-data li fha l-imsemmi Kunsill ikun għall-aħħar darba mahlul.

**32.**—(1) Id-dibattimenti u diskussjonijiet kollha fl-Assemblea għandhom isiru bil-lsien Inġliż jew Malti, u b'ebda lsien iehor, u kull diskors li jsir fl-Assemblea għandu jiġi mitbugħ fid-djarji u fil-proċedimenti ta' l-Assemblea sew bil-Inġliż kemm bil-Malti.

Isien  
fid-dibattimenti  
u għar-  
registrar.

(2) Id-djarji, registrar, verbali u proċedimenti kollha ta' l-Assemblea għandhom isiru u jkunu registrati sew bil-lsien Inġliż kemm ukoll bil-Malti.

**33.** L-Abbozzi ta' Liġijiet kollha mressqin quddiem l-Assemblea u l-liġijiet kollha magħmulin taħt l-artiklu 22 ta' dawn il-“Letters Patent” għandhom ikunu mitbugħin sew bil-lsien Inġliż kemm bil-lsien Malti u, jekk it-test Inġliż u t-test Malti ta' xi Abbozz jew ta' xi liġi bħal dawk ma jkunux jaqblu bejniethom ikun iġġod it-test Inġliż.

Isien  
fil-liġijiet.

Presentation  
of laws  
for assent.

34. When any Bill has been passed by the Assembly it shall, subject to the provisions of subsection (2) of section 25 of these Letters Patent, be presented for Our assent to the Governor, whereupon the following provisions shall apply—

- (a) If it shall appear to the Governor that it contains any provision in any way relating to, or affecting, any reserved matter, he shall return the Bill for reconsideration by the Assembly.
- (b) If the Assembly shall fail to amend the Bill to the satisfaction of the Governor he shall, if so requested by the Head of the Ministry, submit to a Secretary of State for his decision the question whether such Bill relates to, or affects, any reserved matter, and the decision of the Secretary of State shall for all purposes be final.
- (c) If the Governor shall be satisfied, or the Secretary of State, in pursuance of the preceding paragraph, shall have decided, that the Bill contains no provisions in any way relating to or affecting any reserved matter, the Governor shall declare according to his discretion, but subject to the provisions of these Letters Patent and of any Instructions in that behalf given to him under Our Sign Manual and Signet or through a Secretary of State, that he assents in Our name, or that he withholds assent, or that he reserves the Bill for the signification of Our pleasure.

Reservation  
of Bills.

35. The Governor shall reserve for the signification of Our pleasure any Bill within any of the following classes, unless he shall have previously obtained Our instructions thereon through a Secretary of State or the Bill contains a clause suspending the operation thereof until the signification in Malta of Our pleasure, that is to say—

- (a) any Bill whereby persons not of Maltese birth or descent are, or may be, subjected or made liable to any disabilities or restrictions to which persons of Maltese birth or descent are not also subjected or made liable;
- (b) any Bill of the nature described in section 24 of these Letters Patent which affects, or might affect, Imperial property and interests;
- (c) any Bill which relates to territorial waters, harbours, navigation, shipping, shipyards or quarantine;
- (d) any Bill which directly or indirectly affects any of the following provisions of these Letters Patent, that is to say the provisions of sections 42, 43, 44 and 45 (relating to the Judicature), 32, 33, 46, 47, 48 and the Fifth Schedule (relating to Language), 52 and the Sixth Schedule (relating to the Reserved Civil List) and 53 (relating to Religious Toleration);

34. Meta xi Abbozz ta' Liġi jkun għadda mill-Assemblea huwa għandu, bla hsara tad-dispożizzjonijiet tas-sub-artiklu (2) ta' l-artiklu 25 ta' dawn il-"Letters Patent", ikun imressaq għall-kunsens Tagħna quddiem il-Gvernatur, u meta jsir dan ikunu jgħoddu dawn id-dispożizzjonijiet li ġejjin—

Bidu  
tal-Liġijiet

- (a) Jekk jidher lil-Gvernatur illi jkun fih xi dispożizzjoni li b'xi mod ikollha x'taqsam ma' jew ittiefes, xi materja riservata, huwa għandu jibgħat lura l-Abbozz sabiex l-Assemblea turgħi tikkunsillu.
- (b) Jekk l-Assemblea tongos milli tiddel l-Abbozz hekk li jogħgħob lil-Gvernatur dan għandu, jekk hekk mitlub u jidher Ministru, iqiegħed quddiem Segretarju ta' l-Istat għad-deċiżjoni tiegħu l-kustjoni jekk dak l-Abbozz għandux x'jaqsam ma', jew ittiefes, xi materja riservata, u d-deċiżjoni tas-Segretarju ta' l-Istat għall-għandiet kollha jkun ta' l-ahnen.
- (c) Jekk il-Gvernatur ikun soddisfatt, jew is-Segretarju ta' l-Istat ikun qata' taht il-paragrafu ta' qabel dan illi l-Abbozz ma' fih xi dispożizzjoni li b'xi mod għandha x'taqsam ma', jew ittiefes, xi materja riservata, il-Gvernatur għandu jiddikjara, skond id-dehen tiegħu, imma bla hsara tad-dispożizzjonijiet ta' dawn il-"Letters Patent" u ta' kull Istruzzjoni għal dak il-għan mogħtija lilu taht il-Firma u s-Sigill Tagħna jew b'mezz ta' Segretarju ta' l-Istat, illi hu jagħti l-kunsens tiegħu f'Isimna, jew illi huwa jirofta l-kunsens, jew illi huwa jkonn l-Abbozz sabiex tkun magħrufa r-rieda Tagħna.

35. Il-Gvernatur għandu jkonn għall-għarfien tar-rieda Tagħna kull Abbozz ta' Liġi li jaqa' taht xi waħda minn dawn il-klassijiet li ġejjin. Hema il-oħra ta' dawn ma jkunx minn qabel kiseb l-Istruzzjonijiet Tagħna fuq hekk minn għand Segretarju ta' l-Istat jew jekk l-Abbozz ta' Liġi jkun fih klawsula li twaqqaf it-thaddim tiegħu sakemm jasal f'Malta l-għarfien tar-rieda Tagħna, jiġifieri—

Ruftar  
ta' Liġijiet

- (a) kull Abbozz ta' Liġi li bih nies mhux imweldin f'Malta jew mhux nisel ta' Maltin ikunu, jew jistgħu jkunu, imqiegħdin jew ikunu jistgħu jaqgħu taht xi nuqqas ta' jedd jew xi firzin li għalihom nies imweldin f'Malta jew nisel ta' Maltin ma jkunux ukoll imqiegħdin jew ma jkunux jistgħu jaqgħu tahtem;
- (b) kull Abbozz ta' Liġi tax-xorta msemmija fl-artiklu 24 ta' dawn il-"Letters Patent" li jtiefes, jew li jista' jtiefes, propjeta' u interess Imperjali;
- (c) kull Abbozz ta' Liġi li jkollha lill-oħra territorjali, il-portijiet, in-navigazzjon, il-bastimenti, it-tarznari u l-kwarantina;
- (d) kull Abbozz ta' Liġi illi, direttament jew indirettament, jolqot xi wħud minn dawn id-dispożizzjonijiet li ġejjin ta' dawn il-"Letters Patent", jiġifieri d-dispożizzjonijiet ta' l-artikli 42, 43, 44, u 45 (dwar l-Imhallen), 32, 33, 46, 47, 48 u l-Hames Skeda (dwar l-Isien), 52 u s-Sitt Skeda (dwar ir-Reserved Civil List) u 53 (dwar it-Tolleranza Reijjuza);

- (e) any Bill by which the powers specifically conferred by section 25 of these Letters Patent are exercised or which is in any way repugnant to, or inconsistent with, any provisions of these Letters Patent or of any Order in Our Privy Council.

Commence-  
ment of  
laws.

**36.—**(1) No Bill shall become a law until either the Governor shall have assented thereto in Our name and on Our behalf and shall have signed the same in token of such assent, or until We shall have given Our assent thereto by Order in Our Privy Council or through a Secretary of State.

(2) A law assented to by the Governor shall come into operation on the date on which such assent shall be given, or if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

(3) A Bill reserved for the signification of Our pleasure shall become a law as soon as We shall have given Our assent thereto, either by Order in Our Privy Council or through a Secretary of State, and the Governor shall have signified such assent by Speech or Message to the Assembly or by Proclamation published in the Gazette. The law shall come into operation on the date of such Speech, Message or Proclamation or, if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

Disallowance  
of laws.

**37.—**(1) Any law to which the Governor shall have given his assent may be disallowed by Us through a Secretary of State within one year from the date of the Governor's assent thereto.

(2) Whenever any law has been so disallowed, the Governor shall make known such disallowance by Speech or Message to the Assembly, or by Proclamation published in the Gazette.

(3) Every law so disallowed shall cease to have effect as soon as disallowance shall be made known as aforesaid. Thereafter any enactment repealed or amended by such law shall have effect as if such law had not been made, but, save as aforesaid, the provisions of subsection (2) of section 38 of the Interpretation Act, 1889, shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

52 & 53  
Vict. c. 63.

Record of  
laws, of  
assent to  
Bills  
reserved  
and of  
disallowance.

**38.—**(1) The Clerk to the Assembly shall cause a copy of every law made under section 22 of these Letters Patent to be enrolled on record in the Office of the Registrar of Our Court of Appeal in Malta; such copy shall be in both the English and the Maltese languages and shall be signed by the Governor and, having been enrolled as aforesaid, shall be conclusive evidence of the provisions of such law.

(2) The Governor shall cause every law made under section 22 of these Letters Patent to be printed in the Gazette in both the English and the Maltese languages.



- (e) kull Abbozz ta' Liġi li bih is-setgħat imsemmijin u mogħtijin bl-artiklu 25 ta' dawn il-“Letters Patent” huma mħaddmin jew illi b'xi mod ma jaqbilx ma' xi dispożizzjonijiet ta' dawn il-“Letters Patent” jew ta' xi Ordni fil-Kunsill Privat Tagħna, jew li dawn id-dispożizzjonijiet jistmerruh.

**36.**—(1) Ebda Abbozz ta' liġi ma jsir liġi sakemm jew il-Gvernatur ma jkunx ta l-kunsens għalih f'Isimna u Għalina u ma jkunx iffirmita b'xhieda ta' dak il-kunsens, jew sakemm Ahna ma nkunux tajna l-kunsens Tagħna għalih b'Ordni fil-Kunsill Privat Tagħna jew b'mezz ta' Segretarju ta' l-Istat.

Tressiq ta' liġijiet għall-kunsens.

(2) Liġi li l-Gvernatur ikun ta l-kunsens għaliha tibda ssehh fid-data li fiha dak il-kunsens ikun ingħata, jew jekk ikun hemm inniżżel, sew fil-liġi jew f'xi att ta' liġi ieħor (magħdud kull att ta' liġi fis-sehh fil-jum maħtur), illi tibda tithaddem f'xi data oħra, f'dik id-data.

(3) Abbozz ta' Liġi miżmum għall-għarfien tar-rieda Tagħna jsir liġi malli Ahna nagħtu l-kunsens għalih, sew b'Ordni fil-Kunsill Privat Tagħna jew b'mezz ta' Segretarju ta' l-Istat, u l-Gvernatur ikun għarraf dak il-kunsens b'Diskors jew Messaġġ lill-Assemblea jew bi Proklama mxandra fil-Gazzetta. Il-liġi tibda tithaddem fid-data ta' dak id-Diskors, Messaġġ jew Proklama jew, jekk ikun hemm inniżżel, sew fil-liġi jew f'xi att ta' liġi ieħor (magħdud kull att ta' liġi fis-sehh fil-jum maħtur), illi għandha tithaddem f'xi data oħra, f'dik id-data.

**37.**—(1) Kull liġi li għaliha l-Gvernatur jkun ta l-kunsens tiegħu tista' tkun ruftata Minna b'mezz ta' Segretarju ta' l-Istat fi żmien sena mid-data li fiha l-Gvernatur ikun ta l-kunsens tiegħu għaliha.

Riżmim ta' Abbozzi ta' Liġijiet.

(2) Kull meta xi liġi tkun ġiet hekk ruftata, il-Gvernatur għandu, b'Diskors jew b'Messaġġ lill-Assemblea, jew bi Proklama mxandra fil-Gazzetta, igħarraf b'dan ir-ruftar.

(3) Kull liġi hekk ruftata tiegħaf mis-sehh tagħha minnu-fih malli r-ruftar jiġi mgharraf kif intqal hawn qabel. Minn dak il-hin kull att ta' liġi imħassar jew imbiddel b'dik il-liġi jkollu sehh daqs li kieku dik il-liġi ma saretx, imma, bla ħsara ta' dak li ntqal qabel, id-dispożizzjonijiet tas-sub-artiklu (2) ta' l-artiklu 38 ta' l-“Interpretation Act, 1889”, ikunu jgħoddu għal dak ir-ruftar bħal ma jgħoddu għat-taħsir ta' Att tal-Parlament.

52 & 53 Viet. k. 63.

**38.**—(1) L-Iskrivan ta' l-Assemblea għandu jgħiegħel illi kopja ta' kull liġi magħmula taħt l-artiklu 22 ta' dawn il-“Letters Patent” tiġi merfugħa u irreġistrata fl-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta; dik il-kopja għandha tkun bil-lsien Inġliż u bil-lsien Malti u għandha tkun iffirmita mill-Gvernatur u, wara li tiġi merfugħa kif imsemmi hawn qabel, tkun xhieda aħħarija tad-dispożizzjonijiet ta' dik il-liġi.

Registrar ta' Liġijiet, tal-kunsens għal Abbozzi riżervati ta' Liġijiet u ta' ruftar.

(2) Il-Gvernatur għandu jgħiegħel illi kull liġi magħmula taħt l-artiklu 22 ta' dawn il-“Letters Patent” tiġi mitbugħa fil-Gazzetta bil-lsien Inġliż u bil-lsien Malti.

(3) Whenever the Governor has signified, either by Speech or Message to the Assembly or by Proclamation published in the Gazette, that We have been pleased to assent to any Bill which has been reserved for the signification of Our pleasure, an entry shall be made in the journals of the Assembly of such Speech, Message or Proclamation, and a duplicate of such entry, duly attested, shall be delivered and enrolled in the office of the Registrar of Our Court of Appeal in Malta.

(4) Whenever any law has been disallowed under Section 37 of these Letters Patent, the Governor shall certify such disallowance by instrument under the Public Seal and shall cause such instrument to be enrolled in the Office of the Registrar of Our Court of Appeal in Malta.

(5) The validity or operation of any law, or of Our assent to, or disallowance of, any law shall not be affected by reason only that any of the foregoing provisions of this section have not been complied with.

Validity of laws.

**39.** The validity of any law made under section 22 of these Letters Patent or of any provision of any such law shall not be questioned in any legal proceedings commenced after the expiration of one year from the date on which the law comes into operation, except on the ground that the law or provision, as the case may be, deals with a matter with respect to which the Assembly has no power to make laws.

**PART V.**

*The Ministry.*

Appointment and tenure.

**40.—(1)** The Governor may appoint Ministers, not exceeding eight in number, from among the Members of the Assembly, one of whom he shall designate as Head of the Ministry.

(2) Appointments to the Office of Minister shall be made by the Governor in Our name and such Office shall be held during Our pleasure.

(3) No person shall continue to hold the Office of Minister after his seat in the Assembly has become vacant for any cause other than the dissolution of the Assembly.

Functions of Ministers.

**41.—(1)** The Ministers shall respectively be charged with the administration of such departments and subjects and the performance of such other functions as may be assigned by the Governor after consultation with the Head of the Ministry:

Provided that such departments shall include the Department of Justice and the Department of Finance.

(2) The Head of the Ministry shall be the official channel for communication between the Governor and the Ministry.

(3) Kull meta l-Gvernatur ikun għarraf, sew b'Diskors jew b'Messaġġ lill-Assemblea jew bi Proklama mxandra fil-Gazzetta, illi Ahna għoġobna nagħtu l-kunsens Tagħna għal xi Abbozz ta' Liġi li kien ġie miżmum għall-għarfien tar-rieda Tagħna, għandu jitniżżel notament fid-djarju ta' l-Assemblea ta' dak id-Diskors, Messaġġ jew Proklama, u kopja ta' dak in-notament, awtentikata kif jixraq, għandha tkun ikkunsinnata u merfugħa fl-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta.

(4) Kull meta xi liġi tkun ġiet ruftata taħt l-Artiklu 37 ta' dawn il-"Letters Patent", il-Gvernatur għandu jċertifika dak ir-rufftar b'dokument taħt is-Sigill Pubbliku u għandu jordna sabiex dak id-dokument jiġi merfugħ fl-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta.

(5) Is-siwi jew it-tħaddim ta' xi liġi, jew tal-kunsens jew ruftar Tagħna għal xi liġi, ma jkunux imtiefsa minhabba biss illi xi wħud mid-dispożizzjonijiet ta' hawn qabel f'dan l-artiklu ma jkunux ġew imħarsin.

**39.** Is-siwi ta' xi liġi magħmula taħt l-artiklu 22 ta' dawn il-"Letters Patent" jew ta' xi dispożizzjoni ta' xi liġi bħal dik ma għandu jitqanqal f'ebda procediment legali li jibda wara li tagħlaq sena mid-data li fiha l-liġi tibda tithaddem, hliet fuq ir-raġuni illi l-liġi jew dispożizzjoni, kif jaħbat, ittiefes xi materja li dwarha l-Assemblea ma għandhiex is-setgħa li tagħmel liġijiet.

Siwi  
tal-Liġijiet.

## TAQSIMA V.

### *Il-Ministeru.*

**40.**—(1). Il-Gvernatur jista' jahtar Ministri, li ma jkunux iżjed minn tmienja b'kollox, minn fost il-Membri ta' l-Assemblea, li wiehed minnhom huwa jsejjah bħala Prim Ministru.

Hatra u żmien.

(2) Hatriet għall-kariga ta' Ministru jsiru mill-Gvernatur f'Isimna u dik il-Kariga ddum sakemm joghġob Lilna.

(3) Hadd ma jkun jista' jibqa' fil-kariga ta' Ministru wara li l-post tiegħu fl-Assemblea jitbattal għal xi raġuni li ma tkunx dik li l-Assemblea ġiet mahlula.

**41.**—(1) Il-Ministri jkunu kull wiehed minnhom inkarigati mill-amministrazzjoni ta' dawk id-dipartimenti u affarijiet u mill-egħmil ta' dawk ix-xogħlijiet l-oħra li jkunu mqassmin mill-Gvernatur wara ftehim mal-Prim Ministru :

Xogħol  
il-Ministri.

Iżda fost dawk id-dipartimenti għandu jkun hemm id-Dipartiment tal-Haqq u d-Dipartiment tal-Finanzi.

(2) Il-Prim Ministru jkun il-mezz uffiċjali ta' kumnikazzjoni bejn il-Gvernatur u l-Ministeru.

## PART VI.

*The Judicature.*

Number  
and  
appointment  
of judges.

42.—(1) The judges of Our Superior Courts in Malta shall be—

- (a) a Chief Justice and
- (b) six other judges or such greater number as may be provided by any law for the time being in force in Malta.

(2) The judges of the said Courts shall be appointed by the Governor in Council.

(3) Nothing in subsection (2) of this section shall invalidate or otherwise affect the appointment of any judge appointed before the appointed day.

Qualification.

43.—(1) No person shall be qualified to be appointed a judge of the said Courts unless, for a period of, or periods amounting in the aggregate to, not less than twelve years, he has either practised at the Bar in Malta or served as a Magistrate in Malta, or has partly so practised and partly so served.

22 & 23  
Geo. 5 c. 43.

(2) The provisions of subsection (1) of this section shall not apply to any judge appointed before the commencement of the Malta Constitution Act, 1932.

Remuneration.

44. The Chief Justice shall be paid a salary of one thousand four hundred pounds per annum and every other judge of the said Courts shall be paid a salary of nine hundred and fifty pounds per annum or such greater sum, in either case, as may be provided for by any law for the time being in force in Malta:

Provided that the salary of a judge, whether appointed before, on or after the appointed day, shall not be reduced during his tenure of office.

Tenure of  
Office.

45.—(1) Every judge of the said Courts shall vacate his office on his attaining the age of sixty-five years.

(2) No judge of the said Courts appointed before the appointed day shall be removed from office except by Us on the ground of proved misbehaviour or incapacity.

(3) No judge of the said Courts appointed after the appointed day shall be removed from office except by the Governor in Council on an address from the Assembly praying for such removal on the ground of proved misbehaviour or incapacity.

## PART VII.

*Language.*

Official  
Languages.

46.—(1) The English language and the Maltese language shall be the official languages of Malta.

(2) All official records, and all notices and other documents issued by the Maltese Government for public information shall be in both the English and the Maltese languages.

## TAQSIMA VI.

*L-Imħallfin.*

- 42.**—(1) L-imħallfin tal-Qrati Superjuri Tagħna f'Malta jkunu— Numru u  
hatra ta'  
l-imħallfin.
- (a) Prim Imħallef u
- (b) sitt imħallfin oħra jew dak il-ghadd akbar kif ikun prov-  
dut b'xi l'gi li fiż-żmien tkun fis-seħh f'Malta.
- (2) L-imħallfin ta' l-imsemmijin Qrati jkunu maħturin mill-  
Gvernatur fil-Kunsill.
- (3) Ebda haġa fis-sub-artiklu (2) ta' dan l-artiklu ma tħassar  
jew xort'oħra ttiefes il-hatra ta' xi mħallef maħtur qabel il-jum maħtur.

**43.**—(1) Hadd ma jkun kwalifikat li jkun maħtur imħallef ta' Kwalifika.  
l-imsemmijin Qrati kemm-il darba, għal żmien ta', jew għal żmeni-  
jiet li flimkien iġibu, mhux inqas minn tnax-il sena, huwa ma jkunx  
jew hadem ta' avukat f'Malta jew serva ta' Magistrat f'Malta, jew  
għal sehem minn dak iż-żmien hekk hadem u għal sehem ieħor hekk  
serva.

(2) Id-dispożizzjonijiet tas-sub-artiklu (1) ta' dan l-artiklu 22 & 23  
ma jkunu jgħoddu għal ebda mħallef maħtur qabel ma beda l-Att ta' Geo. 5 k. 43.  
l-1932 dwar il-Kostituzzjoni ta' Malta.

**44.** Lill-Prim Imħallef għandu jithallas salarju ta' elf u erba' Hlas.  
mitt lira fis-sena u lil kull imħallef ieħor ta' l-imsemmijin Qrati jithallas  
salarju ta' disa' mija u hamsin lira fis-sena jew dik is-somma ikbar li,  
f'kull każ, tista' tkun provduta għalhekk b'xi liġi li fiż-żmien tkun fis-  
seħh f'Malta:

Iżda s-salarju ta' mħallef, sew jekk maħtur qabel il-jum maħtur,  
f'dak il-jum jew warajh, ma għandux jitnaqqas sakemm idum fil-kariga.

**45.**—(1) Kull imħallef ta' l-imsemmijin Qrati għandu jitlaq mill-  
kariga tiegħu malli jagħlaq il-ghomor ta' hamsa u sittin sena. Dewmien  
fil-kariga.

(2) Ebda mħallef ta' l-imsemmijin Qrati maħtur qabel il-jum  
maħtur ma għandu jitneħħa mill-kariga hlief Minna fuq li jkunu ġew  
pruvati l-imġiba hażina jew in-nuqqas ta' hila tiegħu.

(3) Ebda mħallef ta' l-imsemmijin Qrati maħtur wara l-jum  
maħtur ma għandu jitneħħa mill-kariga hlief mill-Gvernatur fil-Kunsill  
fuq indirizz mill-Assemblea fejn jintalab għal dik it-tneħħija fuq li jkunu  
ġew provati l-imġiba hażina jew in-nuqqas ta' hila tiegħu.

## TAQSIMA VII.

*Ilsien.*

**46.**—(1) L-ilsien Inġliż u l-ilsien Malti jkunu l-ilsna uffiċjali ta' Hlsna  
uffiċjali.  
Malta.

(2) Kull regjistrazzjoni uffiċjali, it-tagħrifiet kollha u kull  
dokument ieħor maħruġin mill-Gvern Malti għat-tagħrif tan-nies għand-  
hom ikunu bil-ilsien Inġliż u bil-ilsien Malti.

(3) Save as otherwise provided by these Letters Patent, nothing shall be done by way of legislation or of administrative action which shall diminish, or detract from, the position of the English or the Maltese language as an official language or tend to restrict its use in the public service.

**Language of Instruction.**

47. No alteration shall, without Our prior consent obtained through a Secretary of State, be made, either by legislation or by administrative action, in the law, regulations or practice from time to time in force regarding the use, as a medium of education or instruction, or the teaching, of any language in any University, school or other educational institution in Malta.

**Language of the Courts.**

48. The provisions of the Fifth Schedule to these Letters Patent shall apply for determining the language or languages which shall be used in, or in connection with, judicial or quasi-judicial proceedings in Malta.

PART VIII.

*Finance.*

**Consolidated Fund.**

49. All taxes, imposts, rates and duties, and all territorial, casual and other revenues of the Crown (including royalties) from whatever source arising within Malta over which the Assembly has power of appropriation, shall form one Consolidated Revenue Fund to be appropriated to the Public Service of Malta in the manner, and subject to the charges, hereinafter mentioned.

**Costs of management, etc.**

50.—(1) All the costs, charges and expenses of, and incident to, the management of the Consolidated Fund and the collection and receipt of the monies and revenues thereof shall be permanently charged on the Consolidated Fund.

(2) All such costs, charges and expenses shall be reviewed and audited in such manner as may be provided by any law for the time being in force in Malta.

**Appropriation of Consolidated Fund.**

51.—(1) The Assembly shall not proceed upon any Bill, motion or amendment which would dispose of or charge any part of the Consolidated Fund or revoke or alter any disposition thereof or charge thereon or impose, alter or repeal any tax, impost, rate or duty, unless such Bill, motion or amendment shall first have been recommended to the Assembly by Message of the Governor during the session in which it is proposed.

(2) No monies shall be paid out of the Consolidated Fund except in pursuance of a warrant under the hand of the Governor directed to the Treasurer.

(3) Bla hsara ta' dak li hu provdut xort'oħra f'dawn il- "Letters Patent", xejn ma għandu jsir sew b'leġislazzjoni jew b'egħmil amministrattiv li jekken, jew inaqqas mill-pożizzjoni tal-lsien Inġliż jew tal-lsien Malti bħala lsien uffiċjali jew illi jittanta sabiex irażżan l-użu tiegħu fis-servizz pubbliku.

47. Ebda tibdil ma għandu jsir, mingħajr qabel ma jkun ittiehed il-kunsens Tagħna b'mezz ta' Segretarju ta' l-Istat, sew b'leġislazzjoni jew b'egħmil amministrattiv, fil-liġi, regolamenti jew drawwa, minn żmien għal ieħor fis-seħħ, dwar l-użu bħala mezz ta' edukazzjoni jew istruzzjoni, jew dwar it-tagħlim ta' xi lsien f'xi Università, skola jew istituzzjoni oħra ta' tagħlim f'Malta. Ilsien  
tat-Tagħlim.

48. Id-dispożizzjonijiet fil-Hames Skeda li tinsab ma' dawn il- "Letters Patent" għandhom iġhoddu sabiex ikun magħruf liema lsien jew ilsna għandhom ikunu użati fi proċeuri ġudizzjarji jew kważi-ġudizzjarji f'Malta jew dwarhom. Ilsien  
tal-Qrati.

#### TAQSIMA VIII.

##### *Finanzi.*

49. Kollha kemm huma t-taxxi, ħaraġ, taxxi municipali u d-dazji, u d-dħn! L-ieħor kollu favur il-Kuruna minn artijiet jew ta' min xi daqqiet jew flejjes oħra (magħdudin ir-royalties), jiġu minn fejn jiġu f'Malta, li fuqhom l-Assemblea għandha s-setgħa ta' approprjazzjoni, flimkien għandhom jingemgħu f'Fond Konsolidat ta' Dħul wiehed li jkun approprijat għas-Servizz Pubbliku ta' Malta bil-mod, u b'dawk il-ħtiġiet, kif hawn iżjed 'il quddiem jintqal. Fond  
Konsolidat.

50.—(1) L-ispejjeż, ħtiġiet u nefqat, kollha kemm huma, ta' u dwar it-tmexxija tal-Fond Konsolidat u l-ġbir u dħul tal-flejjes u renti li jagħmlu minnu huma piż għal dejjem tal-Fond Konsolidat. Spejjeż ta'  
tmexxija, eċċ.

(2) Dawk l-ispejjeż, ħtiġiet u nefqat kollha għandhom ikunu miflijin u iċċikkjati hekk kif ikun maħsub b'xi liġi li fiż-żmien tkun fis-seħħ f'Malta.

51.—(1) L-Assemblea ma għandhiex tittratta dwar xi Abbozz ta' Liġi, mozzjoni jew emenda li jueħħu xi sehem tal-Fond Konsolidat jew iqiegħdu xi ħtieġa fuqu, jew tħassar jew tbidel xi hlas minnu jew xi ħtieġa li għandu jew tqiegħed, tbidel jew tħassar xi taxa, ħaraġ, taxa municipali jew dazju, kemm-il darba dak l-Abbozz ta' Liġi, mozzjoni jew emenda ma jkunux l-ewwei ġew rikmandati lill-Assemblea b'Messaġġ tal-Gvernatur waqt is-sessjoni li fiha jkunu ġew imressqin quddiem l-Assemblea. Approprijazzjoni  
tal-Fond  
Konsolidat.

(2) Ebda flejjes ma għandhom jithallsu mill-Fond Konsolidat ħlief fuq warrant minn idejn il-Gvernatur mibgħut lit-Teżorier.

Reserved  
Civil List.

**52.**—(1) There shall be payable to Us in every year out of the Consolidated Fund

- (a) the sums specified in the Sixth Schedule to these Letters Patent for defraying the expenses set out in the said Schedule; and
- (b) any other sum which the Governor shall approve and notify by message to the Assembly for defraying any expenses, not otherwise provided for, which may be entailed in connection with any reserved matter or in connection with any law, rule, regulation, order or other instrument made under the provisions of section 59 of these Letters Patent.

(2) The said several sums shall be issued by the Treasurer upon such warrants as shall from time to time be directed to him under the hand of the Governor.

#### PART IX.

##### *Miscellaneous provisions and savings.*

Religious  
Toleration.

**53.**—(1) All persons in Malta shall have full liberty of conscience and enjoy the free exercise of their respective modes of religious worship.

(2) No person shall be subjected to any disability, or be excluded from holding any office, by reason of his religious profession.

Appointments  
in the public  
service.

**54.**—(1) The appointment to, and removal from, all public offices under the Maltese Government (save those of Ministers) which are or become vacant, or are created, on or after the appointed day shall, subject to the provisions of any law for the time being in force in Malta, be vested in the Governor in Council.

(2) No person who, immediately before the commencement of these Letters Patent, holds any office in Our service in Our Government of Malta shall be removed from such office or have his emoluments in respect thereof reduced save in accordance with the law, regulations or other conditions in force immediately before the appointed day.

Pensions and  
gratuities.

**55.**—(1) Every pension, gratuity or other like allowance in respect of employment in Our service in Our Government of Malta, which has been or may be granted to any person who has been in such employment before the appointed day or to any widow, child or dependant of such persons shall, whether such person shall have ceased to be in such employment before, on or after the appointed day, be governed by the law, regulations or other conditions in force immediately before the appointed day.

Provided that nothing in this subsection shall affect any right which has been, or may be, conferred on any such person as aforesaid, or on any widow, child or dependant of any such person, to elect to have such pension, gratuity or other allowance governed by any law, regulations or conditions other than those aforesaid.



52.—(1) Lilna għandhom jithallsu ta' kull sena l-flejjes li ġejjin mill-Fond Konsolidat— *Reserved Civil List.*

- (a) is-somom imsemmijin fis-Sitt Skeda li hemm ma' dawn il-“Letters Patent” sabiex jithallsu l-ispejjeż li hemm imniżżil in fl-imsemmija Skeda; u
- (b) kull somma oħra illi l-Gvernatur japprova u jgħarraf biha b'messagġ lill-Assemblea sabiex jithallsu xi spejjeż, li ma jkunx xort'oħra maħsub għall-ħlas tagħhom, li jistgħu jsiru dwar xi materja riservata jew dwar xi liġi, regolament, ordni jew dokument ieħor magħmulin bis-saħħa tad-dispożizzjonijiet ta' l-artiklu 59 ta' dawn il-“Letters Patent”.

(2) L-imsemmijin somom kollha kemm huma għandhom jin-harġu mit-Teżorier fuq dawk il-*warrants* illi, minn żmien għal ieħor, ikunu mibgħutin lil minn idejn il-Gvernatur.

#### TAQSIMA IX.

##### *Dispożizzjonijiet Imħalltin u Tirżin.*

53.—(1) In-nies kollha f'Malta jkollhom il-liberta' shiħa tal-kuxjenza u jgawdu l-eżerċizzju hieles tad-din li huma jħarsu. *Tolleranza Religjuża.*

(2) Hadd ma għandu jbati xi nuqqas ta' jeddijiet, jew ma jkunx imħolli li jkolli xi kariga, minħabba d-din li huwa jħares.

54.—(1) Il-ħatra għal, u tneħħija minn, kull kariga pubblika taħt il-Gvern Malti (minbarra dik ta' Ministri) li hija jew għad tkun bat-tala, jew li tinholoq, fil-jum maħtur jew warajh, għandha, bla ħsara tad-dispożizzjonijiet ta' kull liġi fiż-żmien fis-seħħ f'Malta, tkun f'idejn il-Gvernatur fil-Kunsill. *Hatriet fis-servizz pubbliku.*

(2) Ebda bniedem illi, minnufih qabel ma jibdew isehħu dawn il-“Letters Patent”, ikollu kariga fis-Servizz Tagħna fil-Gvern Tagħna ta' Malta ma għandu jitneħħa minn dik il-kariga jew ma għandu jkollu l-ħlas tiegħu dwar dik il-kariga mnaqqs, hief skond il-liġi, regolamenti jew kondizzjonijiet oħrajn fis-seħħ minnufih qabel il-jum maħtur.

55.—(1) Kull pensjoni, gratifikazzjoni jew ħlas ieħor ta' dik ix-xorta dwar impieg fis-servizz Tagħna fil-Gvern Tagħna ta' Malta, li tkun ġiet mogħtija jew li tista' tingħata lil xi hadd li kien f'dak l-impieg minn qabel il-jum maħtur jew lil xi armla, wild jew dipendent ta' bniedem bħal dak, għandha, sew jekk dak il-bniedem waqaf li jkun f'dak l-impieg qabel jew fil-jum maħtur jew warajh, għandha titmexxa fuq il-liġi, regolamenti jew kondizzjonijiet oħrajn fis-seħħ minnufih qabel il-jum maħtur: *Pensjonijiet u gratifikazzjonijiet.*

Iżda ebda haġa f'dan is-sub-artiklu ma għandha ttiefes xi jedd illi kien, jew jista' jkun, mogħti lil xi bniedem bħal dak kif imsemmi hawn qabel, jew lil xi armla, wild jew dipendent ta' bniedem bħal dak, sabiex jagħzel li jkollu dik il-pensjoni, gratifikazzjoni jew ħlas ieħor ta' dik ix-xorta minn fuq xi liġi, regolamenti jew kondizzjonijiet li m'humix dawk imsemmijin hawn qabel.

(2) There shall be charged on, and paid out of, the Consolidated Fund all pensions, gratuities and other like allowances referred to in subsection (1) of this section and all other pensions, gratuities and other like allowances which may be granted in respect of employment in Our service in Our Government of Malta.

Construction  
of existing  
laws.

**56.**—(1) Subject to the provisions of any Proclamation made under section 57 of these Letters Patent, or of any law made under section 22 of these Letters Patent or by other lawful authority—

- (a) every reference in any law in force in Malta, on the date of the first sitting of the Assembly under these Letters Patent, to the Council of Government shall, on and after that date, be read and construed, in respect of matters other than reserved matters, as a reference to the Assembly and, in respect of reserved matters, as a reference to the Governor;
- (b) every reference in any law in force in Malta, on the date on which the first Ministers appointed under these Letters Patent assume charge of their functions, to the Governor in Council shall, on and after that date, be read and construed, in respect of reserved matters, as a reference to the Governor;
- (c) every reference in any such law as is mentioned in paragraph (b) of this subsection to the Lieutenant Governor shall, on and after the date referred to in that paragraph, be read and construed, in respect of matters other than reserved matters, as a reference to the Governor in Council and, in respect of reserved matters, as a reference to the Governor.

(2) If any question shall arise, in relation to the preceding subsection, as to whether any matter is a reserved matter the Governor may, and shall if so requested by the Head of the Ministry, submit such question to a Secretary of State for his decision and the decision of the Secretary of State shall for all purposes be final.

Adaptation  
of existing  
laws.

**57.**—(1) The Governor may, by Proclamation published in the Gazette, at any time before the first sitting of the Assembly, make such provision as appears to him to be necessary or expedient, in consequence of the provisions of these Letters Patent, for modifying, adding to or adapting the provisions of any law or other instrument in force in Malta or otherwise for giving effect to the provisions of these Letters Patent.

(2) Where, under any law of the nature described in section 24 of these Letters Patent which is in force in Malta on the appointed day, any power or function is exercisable with regard to Imperial property and interests, such power or function shall be so exercisable subject to the concurrence of the Governor.

(3) Every Proclamation under subsection (1) of this section shall have the force of law and may be amended, added to or revoked by further Proclamation within the period specified in that subsection.

(4) This section shall come into operation forthwith.

(2) Għandhom jittieħdu u jithallsu mill-Fond Konsolidat kollha kemm huma l-pensjonijiet, gratifikazzjonijiet u hlasijiet oħrajn ta' dik ix-xorta msemmijin fis-sub-artiklu (1) ta' dan l-artiklu u pensjonijiet l-oħra kollha, il-gratifikazzjonijiet l-oħra kollha, u l-hlasijiet l-oħra ta' dik ix-xorta kollha li għad jistgħu jingħataw dwar impieg fis-servizz Tagħna fil-Gvern Tagħna ta' Malta.

**56.**—(1) Bla ħsara tad-dispożizzjonijiet ta' kull Proklama maħruġa taħt l-artiklu 57 ta' dawn il-“Letters Patent” jew ta' kull liġi magħmula taħt l-artiklu 22 ta' dawn il-“Letters Patent” jew b'xi setgħa oħra kif tgħid il-liġi—

- Tifsir tal-Liġijiet li hemm.
- (a) kull tismija f'xi liġi fis-seħħ f'Malta, fid-data ta' l-ewwel laqgħa ta' l-Assemblea taħt dawn il-“Letters Patent”, tal-Kunsill tal-Gvern għandha, f'dik id-data u warajha, tingara u tiftiehem, dwar kull haġa li mhix materja riservata, bħala tismija ta' l-Assemblea u, dwar materji riservati, bħala tismija tal-Gvernatur;
  - (b) kull tismija f'xi liġi fis-seħħ f'Malta, fid-data li fiha l-ewwel Ministri maħturin taħt dawn il-“Letters Patent” jieħdu f'idejhom il-qadi ta' dmirijiethom, għall-Gvernatur fil-Kunsill għandha, f'dik id-data u warajha, tingara u tiftiehem, dwar materji riservati, bħala tismija tal-Gvernatur;
  - (c) Kull tismija f'kull liġi minn dawk imsemmijin fil-paragrafu (b) ta' dan is-sub-artiklu tal-Logutenent-Gvernatur għandha, fid-data msemmija f'dak il-paragrafu u warajha, tingara u tiftiehem, dwar kull haġa li mhix materja riservata, bħala tismija tal-Gvernatur fil-Kunsill u, dwar materji riservati, bħala tismija tal-Gvernatur.

(2) Jekk tingala' xi kustjoni, fuq li hemm fis-sub-artiklu ta' qabel dan, dwar jekk xi haġa hix materja riservata l-Gvernatur jista', u jekk hekk mitlub mill-Prim Ministru għandu, iqiegħed dik il-kustjoni quddiem Segretarju ta' l-Istat għad-deċiżjoni tiegħu u d-deċiżjoni tas-Segretarju ta' l-Istat tkun għal-għanijiet kollha ta' l-aħħar.

**57.**—(1) Il-Gvernatur jista', bi Proklama mxandra fil-Gazzetta f'kull żmien qabel l-ewwel laqgħa ta' l-Assemblea, jagħmel dawk id-dispożizzjonijiet li lili jidhru meħtieġa jew li jaqblu, minhabba d-dispożizzjonijiet ta' dawn il-“Letters Patent”, sabiex ibiddel, iżid fi jew iqabbel id-dispożizzjonijiet ta' xi liġi jew att ieħor fis-seħħ f'Malta jew sabiex xort'oħra jieħdu seħħ id-dispożizzjonijiet ta' dawn il-“Letters Patent”.

(2) Meta taħt xi liġi tax-xorta msemmija fl-artiklu 24 ta' dawn il-“Letters Patent” li tkun fis-seħħ f'Malta fil-jum maħtur, ikun hemm xi setgħa jew dmir li jistgħu jithaddmu dwar proprjetà u interess Imperjali, dik is-setgħa jew dak id-dmir għandhom hekk jithaddmu bi ftehim mal-Gvernatur.

(3) Kull Proklama taħt is-sub-artiklu (1) ta' dan l-artiklu jkollha s-saħħa ta' liġi u tista' titbiddel, tizdied jew titħassar bi Proklama oħra fiż-żmien imsemmi f'dak is-sub-artiklu.

(4) Dan l-artiklu jibda jseħħ minnufih.

Power to  
amend by  
Proclamation.

58. The Governor, with Our approval previously signified to him through a Secretary of State, may, by Proclamation published in the Gazette, at any time within one year from the appointed day—

- (a) vary, annul or add to any of the provisions of these Letters Patent in order to carry out the purposes thereof; and
- (b) provide for any other matter necessary in order to carry into effect the said provisions.

Emergency  
laws.

59.—(1) We hereby reserve to Ourselves full power from time to time, by Order in Our Privy Council, to make such laws as may appear to Us to be necessary for securing and maintaining public safety and order and supplies and services if a Secretary of State is satisfied that a public emergency exists and to amend and revoke such laws.

(2) Any law made in pursuance of the provisions of subsection (1) of this section may contain such provision for the making of rules, regulations, orders and other instruments and such incidental and supplementary provisions as appear to Us in Our Privy Council to be necessary or expedient for the purposes of the law.

Power  
reserved to  
His Majesty.

60.—(1) We do hereby reserve to Ourselves full power from time to time to revoke, alter or amend, as to Us shall seem fit, the following provisions of these Letters Patent, that is to say, sections 23, 24, 25 and all other provisions in so far as they relate to reserved matters, 42, 43, 44 and 45 (relating to the Judicature), 32, 33, 46, 47 and 48 and the Fifth Schedule (relating to Language), 52 and the Sixth Schedule (relating to the Reserved Civil List), 53 (relating to Religious Toleration) and 59 (relating to Emergency Laws):

Provided that no alteration or amendment of the said section 23 shall add as a reserved matter any matter not of the same nature as a matter mentioned in that section.

(2) We do hereby reserve to Ourselves full power to revoke, alter or amend section 22 of these Letters Patent and this section with the concurrence of the Head of the Ministry.

In Witness whereof We have caused these Our Letters to be made Patent, Witness Ourselves at Westminster this fifth day of September, 1947, in the Eleventh Year of Our Reign.

By Warrant under The King's Sign Manual.

NAPIER.

58. Il-Gvernatur, bil-kunsens Tagħna mogħti lilu minn qabel b'mezz ta' Segretarju ta' l-Istat, jista', bi Proklama mxandra fil-Gaz-zetta, f'kull żmien fis-sena mill-jum maħtur—

Setgħa  
li jsir tibdil  
bi Proklama.

- (a) ibiddel, iħassar jew iżid f'kull dispożizzjoni ta' dawn il-  
"Letters Patent" sabiex imexxi l-għanijiet tagħhom; u
- (b) jaħseb għal kull haġ'ohra meħtieġa sabiex iġib fis-seħħ  
l-imsemmijin dispożizzjonijiet.

59.—(1) Hawnhekk Ahna nżommu Għalina Nfusna s-setgħa sħiħa li, minn żmien għal ieħor, b'Ordni fil-Kunsill Privat Takħna nagħmlu dawk il-liġijiet li jkun jidhrilna li huma meħteġin għas-sigurizza u l-ordni u l-provvisti u s-servizzi pubbliċi jekk Segretarju ta' l-Istat jara illi hemm emerġenza pubblika, u li Nbiddu u Nħassru dawk il-liġijiet.

Ligijiet  
ta' emerġenza.

(2) Kull liġi magħmula taħt id-dispożizzjonijiet tas-sub-artiklu (1) ta' dan l-artiklu jista' jkun fiha dawk id-dispożizzjonijiet għall-egħmil ta' reguli, regolamenti, ordnijiet u attijiet ohra u dawk id-dispożizzjonijiet li jimxu ma', u jgħaqqdu, l-ohrajn li jidhrilna fil-Kunsill Privat Tagħna li huma meħteġin jew li jaqbel li jsiru għall-għanijiet ta' liġi.

60.—(1) Ahna hawnhekk inżommu Għalina Nfusna s-setgħa kollha li, minn żmien għal ieħor, inħassru, inqallbu jew inbiddu, kif ikun jidhrilna xieraq, dawn id-dispożizzjonijiet li ġejjin ta' dawn il-"Letters Patent", jiġifieri: l-artikli 23, 24, 25 u d-dispożizzjonijiet l-oħra kollha ta' "ejn tħandhem x'inqas ma' materji riservati, 42 4", 44 u 45 (dwar l-Imballen), 32, 33 46 47 u 48 u l-Fames Skeda (dwar l-Ilsien), 52 u s-Sitt Skeda (dwar ir-Reserved Civil List) 53 (dwar it-Tolleranza Keliġjuza) u 59 (dwar il-Ligijiet ta' Emerġenza).

Setgħa miżmuma  
għall-Maestà  
Tiegħu.

Iżda ebda taqlib jew tibdil ta' l-imsemmi artiklu 23 ma jżid bħala materja riservata xi haġa li ma tkunx ta' l-istess xorta bħal materja msemmija f'dak l-artiklu.

(2) Ahna hawnhekk inżommu Għalina Nfusna s-setgħa kollha li nħassru, inqallbu jew inbiddu l-artiklu 22 ta' dawn il-"Letters Patent" u dan l-artiklu bi ftehim mal-Prim Ministru.

B'Xieħda ta' dana Ahna gaghhalna li dawn l-Ittri Tagħna jsiru "Letters Patent". B'Xhud ta' dan Ahna Nfusna f'Westminster, il-lum, il-ħamsa ta' Settembru, 1947, fil-Idax-il Sena tas-Saltna Tagħna.

B'Warrant taħt il-Firma mn'Idejn ir-Re.

NAPIER.

## Section I.

## FIRST SCHEDULE.

*Existing Letters Patent.*

- (a) The Malta Letters Patent, 1939.  
 (b) Letters Patent dated the twenty-third day of July, 1943,  
 amending the Malta Letters Patent, 1939.  
 (c) The Malta (Elected Members) Letters Patent, 1946.

## Section II

## SECOND SCHEDULE.

*Electoral Divisions.*

## DIVISION 1.

Valletta  
 Floriana  
 Marsa

Pietà—namely the area enclosed by a line extending from the north-western side of Dock Street, the southern side of Quarries Square (Msida), Ghosts' Alley, Our Lady of Sorrows Street, Pietà Wharf, Msida Wharf up to Dock Street.

## DIVISION 2.

Cospicua  
 Kalkara  
 Senglea  
 Vittoriosa

Żabbar  
 Paola  
 Tarxien.

## DIVISION 3.

Birżebbuġa  
 Għaxaq  
 Gudja  
 Marsaskala  
 Marsaxlokk  
 Żejtun

Zurrieq  
 Safi  
 Qrendi  
 Mqabba  
 Kirkop.

## DIVISION 4.

Rabat  
 Attard  
 Mdina  
 Dingli

Żebbuġ  
 Siggiewi  
 Balzan  
 Lija.

## DIVISION 5.

Sliema  
 St. Julians  
 Gżira

Msida—namely that part of the parish which is not included under Pietà.

## L-EWWEL SKEDA.

Artiklu I.

*“Letters Patent” li hemm.*

- (a) Il-“Letters Patent” ta’ l-1939 għal Malta.  
 (b) Il-“Letters Patent” tal-jum tlieta u għoxrin ta’ Lulju, 1943, li jbiċċu l-“Letters Patent” ta’ l-1939 għal Malta.  
 (c) Il-“Letters Patent” ta’ l-1946 għal Malta dwar il-Membri Magħżulin.

## IT-TIENI SKEDA.

Artiklu II.

*Taqsimiet Elettorali.*

## TAQSIMA 1.

Il-Belt Valletta  
 Il-Furjana  
 Il-Marsa

Tal-Pietà — jgħifiri l-wesgħa ta’ art imdawra b’linja li tgħaddi min-naħa tal-majjistral ta’ Triq il-Baċil, in-naħa tan-nofs in-nhar ta’ Misraħ il-Barrieri (l-Imsida) Sqaq il-Fatati, Triq id-Duluri, il-Moll tal-Pietà, il-Moll ta’ l-Imsida sa Triq il-Baċil.

## TAQSIMA 2.

Bormla  
 Il-Kalkara  
 L-Isla  
 Il-Birgu

Haż-Żabbar  
 Raħal Ġdid  
 Haħ Tarxien.

## TAQSIMA 3.

Birżebbuġa  
 Haħ Għaxaq  
 Il-Gudja  
 Wied il-Għajn  
 Marsaxlokk  
 Iż-Żejtun

Iż-Żurrieq  
 Haħ Safi  
 Il-Qrendi  
 L-Imqabba  
 Haħ Kirkop.

## TAQSIMA 4.

Ir-Rabat  
 H’A’tard  
 L-Imdina  
 Haħ-Dingli

Haż-Żebbuġ  
 Is-Sigġiewi  
 Haħ Balzan  
 Haħ Lija.

## TAQSIMA 5.

Tas-Sliema  
 San Ġiljan  
 Il-Gżira

L-Imsida—jgħifiri dik il-biċċa tal-parroċċa li m’hix imdaħħla taħt tal-Pietà.

## DIVISION 6.

Hamrun  
Sta. Venera

Qormi  
Luqa.

## DIVISION 7.

Birkirkara  
Mosta  
Naxxar  
St. Paul's Bay.

Mġarr  
Mellieħa  
Għargħur.

## DIVISION 8.

Gozo.

The boundaries of the places comprised in each of the eight divisions (except as otherwise stated in the cases of Msida and Pietà) shall be the limits of the parishes of such places.

Section 15.

## THIRD SCHEDULE.

*Ordinances relating to elections.*

Cap. 157, Laws  
of Malta  
(Revised Edition)  
1942.  
No. I of 1945.  
No. V of 1947.  
No. XIX of 1947.

The Electoral (Franchise, Method of Election and Registration of Voters) Ordinance, 1939, as amended by the Electoral (Franchise, Method of Election and Registration of Voters) (Amendment) Ordinance, 1945, the Electoral (Franchise, Method of Election and Registration of Voters) (Amendment) Ordinance, 1947, and the Electoral (Franchise, Method of Election and Registration of Voters) (Amendment) (No. 2) Ordinance, 1947.

Cap. 163, Laws  
of Malta  
(Revised Edition)  
1942.  
No. II of 1945.  
No. IV of 1947.

The Electoral (Polling) Ordinance, 1939, as amended by the Electoral (Polling) (Amendment) Ordinance, 1945, and the Electoral (Polling) (Amendment) Ordinance, 1947.

Section 26.

## FOURTH SCHEDULE.

I.....do swear that I will be faithful and bear true allegiance to His Majesty King George VI, His Heirs and Successors, according to Law. So help me God.



## TAQSIMA 6.

Il-Hamrun  
Santa Venra

Hal Qormi  
Hal Luqa.

## TAQSIMA 7.

Birkirkara  
Il-Mosta  
In-Naxxar  
San Pawl il-Baħar

L-Imġarr  
Il-Mellieħa  
Hal Għargħur.

## TAQSIMA 8.

## Għawdex.

L-irjieħ tal-postijiet imdahħlin f'kull waħda mit-tmien taqsimiet (barra minn kif intqal xort'ohra fil-kazijiet ta' l-Imsida u Tal-Pietà) jkunu l-limti tal-parroċci ta' dawk il-postijiet.

## IT-TIELET SKEDA.

Artiklu 15.

*Ordinanzi dwar l-elezzjonijiet.*

Liġi Elettorali ta' l-1939 dwar il-Jedd tal-Vot, il-Metodu ta' l-Elezzjoni u r-Registrazzjoni ta' l-Eletturi kif imbidla bl-Ordinanza ta' l-1945 li tbiddel il-Liġi Elettorali dwar il-Jedd tal-Vot, il-Metodu ta' l-Elezzjoni u r-Registrazzjoni ta' l-Eletturi, bl-Ordinanza ta' l-1947 li tbiddel il-Liġi Elettorali dwar il-Jedd tal-Vot, il-Metodu ta' l-Elezzjoni u r-Registrazzjoni ta' l-Eletturi, u l-Ordinanza (2) ta' l-1947 li tbiddel il-Liġi Elettorali dwar il-Jedd tal-Vot, il-Metodu ta' l-Elezzjoni u r-Registrazzjoni ta' l-Eletturi.

Kap. 157  
Liġijiet  
ta' Malta.  
(Edizzjoni  
Riveduta) 1942;  
I ta' l-1945;  
V ta' l-1947;  
XIX ta' l-1947.

Il-Liġi Elettorali ta' l-1939 dwar il-Votazzjoni, kif imbidla bl-Ordinanza ta' l-1945 li tbiddel il-Liġi Elettorali dwar il-Votazzjoni, u bl-Ordinanza ta' l-1947 li tbiddel il-Liġi Elettorali dwar il-Votazzjoni.

Kap. 163, Liġijiet  
ta' Malta  
(Edizzjoni  
Riveduta) 1942;  
Nru. II ta'  
l-1945;  
Nru. IV ta'  
l-1947.

## IR-RABA' SKEDA.

Artiklu 26.

Jien..... nahlef li nkun fidil u li ngħib tassew lealtà lill-Maestà Tiegħu r-Re Ġorġ VI, il-Werrieta u Suċċessuri Tiegħu, skond il-liġi. Hekk Alla jgħinni.

## FIFTH SCHEDULE.

*Language of the Courts.*

1.—(1) Subject to the provisions of this Schedule, the Maltese language shall be the official language of the Courts of Justice of Civil and of Criminal jurisdiction and all the proceedings therein shall be conducted in that language.

(2) For the purposes of paragraph 2 of this Schedule every person shall be deemed to be Maltese-speaking unless the Court shall be satisfied to the contrary.

2.—(1) In a court of civil jurisdiction—

(a) where all the parties are English-speaking persons, the Court shall order that the proceedings shall be conducted in the English language ;

(b) where any one of the parties is a Maltese-speaking person and any one of the parties is an English-speaking person, the proceedings shall be conducted in the Maltese language or in the English language as the Court shall order ;

(c) where any one of the parties is an English-speaking person and none of the parties is a Maltese-speaking person, the Court shall order that the proceedings shall be conducted in the English language ;

(d) where none of the parties is either a Maltese-speaking person or an English-speaking person, the proceedings shall be conducted in the Maltese language or in the English language as the Court shall order ;

(e) where any party concerned does not understand the language in which the proceedings are conducted, they shall be interpreted to him either by the Court or by a sworn interpreter.

(2) In a court of criminal jurisdiction—

(a) where all the persons charged are English-speaking, the Court shall order that the proceedings shall be conducted in the English language ;

(b) where of two or more persons charged together one or more is or are Maltese-speaking and one or more is or are English-speaking, the proceedings shall be conducted in the Maltese language or in the English language as the Court shall order ;

(c) where of two or more persons charged together one or more is or are English-speaking and none of the others is Maltese-speaking, the Court shall order that the proceedings shall be conducted in the English language ;

(d) where no person charged is either Maltese-speaking or English-speaking, the proceedings shall be conducted in the Maltese language or in the English language as the Court shall order ;

## IL-HAMES SKEDA.

Artiklu 48.

*Ilsien tal-Qrati.*

1.—(1) Bla hsara tad-dispożizzjonijiet ta' din l-Iskeda, il-Lsien Malti jkun il-lsien uffiċjali tal-Qrati tal-Haqq ta' ġurisdizzjon Ċivili u Kriminali u l-proċeduri kollha li jsiru fihom għandhom isiru b'dak il-lsien.

(2) Għall-għanijiet tal-paragrafu 2 ta' din l-Iskeda kulhadd jitqies li hu bniedem li jitkellem bil-Malti kemm-il darba l-Qorti ma tarax li m'hux hekk.

2.—(1) F'Qorti ta' ġurisdizzjon ċivili—

(a) meta l-partijiet kollha jkunu nies li jitkellmu bl-Ingliż, il-Qorti għandha tordna illi l-proċeduri għandhom isiru bil-lsien Ingliż ;

(b) meta xi waħda mill-partijiet ikun bniedem li jitkellem bil-Malti u xi waħda mill-partijiet ikun bniedem li jitkellem bl-Ingliż, il-proċeduri għandhom isiru bil-lsien Malti jew bil-lsien Ingliż kif il-Qorti tordna ;

(c) meta xi waħda mill-partijiet ikun bniedem li jitkellem bl-Ingliż u ebda waħda mill-partijiet ma jkun bniedem li jitkellem bil-Malti, il-Qorti għandha tordna illi l-proċeduri għandhom isiru bil-lsien Ingliż ;

(d) meta ebda waħda mill-partijiet ma jkun la bniedem li jitkellem bil-Malti u lanqas bniedem li jitkellem bl-Ingliż, il-proċeduri għandhom isiru bil-lsien Malti jew bil-lsien Ingliż kif il-Qorti tordna ;

(e) meta xi parti interessata ma tifhemx bil-lsien li bih il-proċeduri jkunu qegħdin isiru, dawn il-proċeduri jiġu mfissrin lil dik il-parti jew mill-Qorti inkella minn interpretu mahluq.

(2) F'Qorti ta' ġurisdizzjon kriminali—

(a) meta n-nies kollha akkużati jkunu jitkellmu bl-Ingliż, il-Qorti għandha tordna illi l-proċeduri għandhom isiru bil-lsien Ingliż ;

(b) meta minn tnejn jew iżjed min-nies akkużati flimkien wiehed jew iżjed minnhom ikun jitkellem, jew ikunu jitkellmu, bil-Malti u wiehed jew iżjed minnhom ikun jitkellem, jew ikunu jitkellmu, bl-Ingliż, il-proċeduri għandhom isiru bil-lsien Malti jew bil-lsien Ingliż kif il-Qorti tordna ;

(c) meta minn tnejn jew iżjed min-nies akkużati flimkien wiehed jew iżjed minnhom ikun jitkellem, jew ikunu jitkellmu, bl-Ingliż u hadd mill-oħrajn ma jkun jitkellem bil-Malti, il-Qorti għandha tordna illi l-proċeduri għandhom isiru bil-lsien Ingliż ;

(d) meta ebda akkużat ma jkun jitkellem la bil-Malti u lanqas bl-Ingliż, il-proċeduri għandhom isiru bil-lsien Malti jew bil-lsien Ingliż kif il-Qorti tordna ;

(e) where any person charged does not understand the language in which the proceedings are conducted, they shall be interpreted to him either by the Court or by a sworn interpreter.

3. In all cases the decision or decree of the Court shall be registered in the language in which it is delivered, together with a translation into English or Maltese, as the case may be, where any of the parties to civil proceedings or any of the persons charged in criminal proceedings applies for such a translation and satisfies the Registrar that he does not understand the language in which such decision or decree has been delivered.

4.—(1) Where any act commencing, or incident to, proceedings, is to be served on any person whom the Registrar has reason to believe to be English-speaking, the Registrar shall cause a translation thereof to be made in the English language and service shall be effected by delivering a copy of the original and its translation; such translation shall be made by an officer of the Registry.

(2) If, from any cause whatsoever, the translation into English of any such act is not served on an English-speaking person, such person may make in the Registry, or forward to the Registrar, in any manner, a declaration to the effect that he is an English-speaking person and apply for an English translation of the act served upon him.

(3) Upon any such application, the Registrar shall cause a translation of the act to be made as aforesaid and delivered to the applicant forthwith; and, if in any such case the said application is made within three clear days from the date of service of the copy of the original act, any period fixed by law shall be deemed to commence to run from the date of delivery of the translation.

(4) If it is proved that the said declaration was not made in good faith, the applicant shall be liable to proceedings for contempt of Court.

(5) A copy in the English language of the provisions of subparagraphs (1) to (4), inclusive, of this paragraph shall be annexed to every copy of any act commencing, or incident to, proceedings.

5. All judicial or quasi-judicial proceedings not specifically provided for in the preceding paragraphs of this Schedule shall be conducted, as regards language, in accordance with the principles set out in those paragraphs and any rules made under the next succeeding paragraph of this Schedule.

6.—(1) The Chief Justice and any two Judges of the Superior Courts in Malta appointed for the purpose by the Governor shall have power to make rules, with the approval of the Governor, for carrying into effect the provisions of this Schedule.

(2) Such rules shall not have effect until they shall have been approved by the Governor and when so approved shall be published in the Gazette.

(c) meta xi akkużat ma jifhemx bil-lsien li bih il-proċeduri jkunu qegħdin isiru, dawn il-proċeduri għandhom jiġu mfissrin lilu jew mill-Qorti jew inkella minn interpretu maħluf.

3. Fil-każijiet kollha, id-deċiżjoni jew digriet tal-Qorti għandhom jiġu registrati bil-lsien li bih ikunu ngħataw, flimkien ma' traduzzjoni bl-Ingliż jew bil-Malti, kif jabbat, meta xi wahda mill-partijiet fi proċeduri ċivili jew xi hadd milli-akkużati fi proċeduri kriminali jitlob għalbiex issir dik it-traduzzjoni u juri lir-Registatur hekk li jogħgħob lil dan illi huwa ma jifhemx bil-lsien li bih dik id-deċiżjoni jew dak id-digriet ġew mogħtijin.

4.—(1) Meta xi att li jagħti bidu għal proċeduri jew ikollu x'jaqsam ma' proċeduri, għandu jiġi notifikat lil xi hadd illi r-Registatur għandu għalfejn jahseb li jitkellem bl-Ingliż, ir-Registatur għandu jordna li ssir traduzzjoni ta' dak l-att bil-lsien Ingliż u n-notifika għandha ssir billi tiġi ikkunsinnata kopja ta' l-oriġinal u tat-traduzzjoni tiegħu; dik it-traduzzjoni għandha ssir minn funzjonarju tar-Registru.

(2) Jekk, għal xi raġuni li tkun, it-traduzzjoni bl-Ingliż ta' xi att bħal dak ma tkunx giet notifikata lil bniedem li jitkellem bl-Ingliż, dak il-bniedem jista' jagħmel fir-Registru, jew jibgħat lir-Registatur b'kull mod dikjarazzjoni fis-sens illi huwa bniedem li jitkellem bl-Ingliż u jitlob għal traduzzjoni bl-Ingliż ta' l-att li jkun gie notifikat lilu.

(3) Meta ssir talba bħal dik, ir-Registatur għandu jordna li ssir kif imsemmi qabel traduzzjoni ta' l-att u li din it-traduzzjoni tkun ikkunsinnata minnufih lil min ikun talabha; u, jekk f'xi każ bħal dan l-imsemmija talba ssir fi żmien tlitt ijiem sbaħ mid-data tan-notifika tal-kopja ta' l-att oriġinali, kull żmien mogħti mill-liġi għandu jitqies li jibda jgħodd mid-data tal-kunsinna tat-traduzzjoni.

(4) Jekk jiġi ippruvat illi l-imsemmija dikjarazzjoni ma saretx bil-bona fide, min ikun għamilha jkun sugġett għal proċeduri għal disprezz tal-Qorti.

(5) Kopja bl-Ingliż tad-dispożizzjonijiet tas-sub-paragrafi (1) sa (4), it-tnejn magħdudin, ta' dan il-paragrafu għandha tkun mhemuża ma' kull kopja ta' kull att li jagħti bidu għal proċeduri jew għandu x'jaqsam ma' proċeduri.

5. Il-proċeduri kollha ġudizzjarji jew kważi-ġudizzjarji mhux imsemmijin għalihom fil-paragrafi ta' qabel dan f'din l-Iskeda għandhom isiru, għal dak li hu lsien, skond il-prinċipji murijin f'dawk il-paragrafi u f'xi reguli magħmulin taħt il-paragrafu li jabbat sew sew wara dan f'din l-Iskeda.

6.—(1) Il-Prim Imħallef u tnejn minn fost l-Imħallfin tal-Qrati Superjuri f'Malta maħturin għall-għan mill-Gvernatur ikollhom is-setgħa li jagħmlu reguli, bl-approvazzjoni tal-Gvernatur, sabiex jitmexxew id-dispożizzjonijiet ta' din l-Iskeda.

(2) Reguli bħal dawk ma jkollhomx seħħ qabel ma jkunu approvati mill-Gvernatur u, meta jkunu hekk approvati, għandhom jixxandru fil-Gazzetta.

7. For the purposes of this Schedule—

(a) a Maltese-speaking person is a person who speaks Maltese as the principal language to which he is accustomed;

(b) an English-speaking person is a person who does not speak Maltese as the principal language to which he is accustomed and who has a sufficient knowledge of the English language fully to understand and follow all the proceedings if conducted in that language; and

(c) any reference to an act commencing, or incident to, proceedings shall be construed as including any judicial letter, protest, subpoena, warrant or other order of the Court or any schedule of deposit.

Section 52.

#### SIXTH SCHEDULE.

##### *Reserved Civil List.*

#### I. MALTESE IMPERIAL GOVERNMENT.

Governor's salary and duty allowance	...	...	£ 5,500
Lieutenant-Governor's salary	...	...	£ 2,000
Legal Secretary's salary	...	...	£ 1,400
Salary of Secretary to the Maltese Imperial Government and Clerk of Councils	...	...	£ 800
Establishment	...	...	£10,500
Contingencies	...	...	£ 600

#### II. THE JUDICIARY.

Chief Justice	...	...	£ 1,400
Each Puisne Judge	...	...	£ 950

## 7. Għall-għanijiet ta' din l-Iskeda—

(a) bniedem li jitkellem bil-Malti huwa bniedem li jitkellem bil-Malti bħala l-lsien ewlieni li bih huwa mdorri jitkellem;

(b) bniedem li jitkellem bl-Ingliż huwa bniedem li ma jittellemx bil-Malti bħala l-lsien ewlieni li bih huwa mdorri jitkellem u li jkollu tagħriġ biżżejjed tal-lsien Ingliż sabiex jifhem sewwa u jsegwi l-proċeduri kollha jekk isiru b'dak il-lsien; u

(c) kull riferenza għal att li jagħti bidu għal proċeduri jew għandu x'jaqsam ma' proċeduri għandha tiftiehem bħala tghodd ukoll għal kull ittra uffiċjali, protest, taħrika ta' xhud, mandat jew ordni ieħor tal-Qorti jew ċedula ta' depożtu.

## IS-SITT SKEDA.

Artiklu 52.

*Reserved Civil List.*

## I. GVERN IMPERJALI MALTI.

Salarju u allowance għas-servizz tal-Gvernatur ...	£ 5,500
Salarju tal-Logutenent-Gvernatur ... ..	£ 2,000
Salarju tas-Segretarju Legali ... ..	£ 1,400
Salarju tas-Segretarju tal-Gvern Imperjali Malti u Skrivan tal-Kunsilli ... ..	£ 800
Salarji ... ..	£10,500
Spejjeż oħra ... ..	£ 600

## II. IL-QRATI.

Prim Imħallef ... ..	£ 1,400
Kull wiehed mill-Imħallfin l-oħra ... ..	£ 950

## M A L T A

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**LETTERS PATENT** passed under the Great Seal of the Realm constituting the Office of Governor and Commander-in-Chief of Malta and making certain provisions for the Government thereof.

Dated 5th September, 1947.

**GEORGE THE SIXTH**, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith.

To all to whom these presents shall come, Greeting!

WHEREAS by the Malta Letters Patent, 1939, the Office of Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies was constituted and provision was made for the Government thereof:

AND WHEREAS by Letters Patent of even date herewith, entitled "The Malta (Constitution) Letters Patent, 1947," provision is made for the constitution of responsible government in the said Island and its Dependencies and the Malta Letters Patent, 1939, are revoked:

AND WHEREAS We are minded to make further provision for the constitution of the Office of Governor and Commander-in-Chief in and over the said Island and its Dependencies:

NOW KNOW YE that We do declare Our will and pleasure as follows—

Interpretation.

1.—(1) In these Letters Patent, unless the context otherwise requires—

“the appointed day” means the day appointed under Section 2 of the Malta (Constitution) Letters Patent, 1947;

“the Gazette” means the Malta Government Gazette;

“the Governor” means the Governor and Commander-in-Chief of Malta, and includes the Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorized to act, that Deputy;

“the Head of the Ministry” means the person designated as Head of the Ministry in accordance with the provisions of the Malta (Constitution) Letters Patent, 1947;

“Malta” means the Island of Malta and its Dependencies including the territorial waters thereof;

“Minister” means any Minister appointed in accordance with the provisions of the Malta (Constitution) Letters Patent, 1947;



## M A L T A

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**“LETTERS PATENT”** mghoddijin taht il-Kbir Sigill tas-Saltna li jistabbilixxu l-Kariga ta’ Gvernatur u Kap Kmandant ta’ Malta u li jagħmlu xi dispożizzjonijiet għall-Gvern tagħha.

Data tal-5 ta’ Settembru, 1947.

**GORG SITTA**, għall-Grazzja ta’ Alla tal-Britannja l-Kbira, l-Irlanda u d-Dominji Ingliżi ‘l hemm mill-Ibhra Re, Difensur tal-Fidi.

Lil dawk kollha li jaqraw dawn l-Ittri, Sliem!

BILLI bil-“Letters Patent” ta’ l-1939 għal Malta, il-Kariga ta’ Gvernatur u Kap Kmandant tal-Gżira ta’ Malta u l-Gżejjer li jagħmlu magħha kienet giet imwaqqfa u gie maħsub għall-Gvern tagħhom :

U BILLI b’ “Letters Patent” tal-lum stess, insejhin “il-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni)” hemm maħsub għat-twaqqif ta’ gvern responsabbli fl-imsemmija Gżira u fil-Gżejjer li jagħmlu magħha u l-“Letters Patent” ta’ l-1939 għal Malta huma mbassrin :

U BILLI Ahna bil-hsieb li nagħmlu provdiment ieħor għat-twaqqif tal-Kariga ta’ Gvernatur u Kap Kmandant fil- u għall-Gżira ta’ Malta u l-Gżejjer li jagħmlu magħha :

ISSA KUNU AFU illi Ahna niddikjaraw illi Rridu u Jogħgobna dan li ġej—

**1.—(1)** F’dawn il-“Letters Patent”, kemm-il darba r-rabta tas-Tifsir, sens fit-test ma tiġlobx tifsira oħra—

“il-jum maħtur” ifisser il-jum maħtur taht l-Artiklu 2 tal-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni);

“il-Gazzetta” jfisser il-Gazzetta tal-Gvern ta’ Malta;

“il-Gvernatur” ifisser il-Gvernatur u Kap Kmandant ta’ Malta, u jgħodd ukoll għall-Funzjonarju li, għaž-żmien li jkun, ikun qiegħed jamministra l-Gvern u, sa’ejn Deputat tal-Gvernatur għandu setgħa li jagħmel, dak id-Deputat;

“Prim Ministru” jfisser il-bniedem maħtur bhala Kap tal-Ministeru skond id-dispożizzjonijiet tal-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni);

“Malta” jfisser il-Gżira ta’ Malta u l-Gżejjer li jagħmlu magħha magħdudin l-ibhra territorjali tagħhom;

“Ministru” jfisser kull Ministru maħtur skond id-dispożizzjonijiet tal-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni);

“Ordinance” means an Ordinance made by the Governor under these Letters Patent;

“the Public Seal” means the Public Seal of Malta;

“reserved matter” means a reserved matter as defined in subsection (3) of Section 23 of the Malta (Constitution) Letters Patent, 1947.

52 & 53  
Vict. c. 63.

(2) The Interpretation Act, 1889, shall apply for the interpretation of these Letters Patent as it applies for the interpretation of an Act of Parliament.

Short title  
and com-  
mencement.

2. These Letters Patent may be cited as “The Malta (Office of Governor) Letters Patent, 1947”. They shall be published within Malta in such manner as the Governor shall think fit and shall come into operation on the appointed day.

Office of  
Governor  
constituted.

3. There shall be a Governor and Commander-in-Chief in and over Malta, and appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

Governor’s  
powers and  
authorities.

4. We do hereby authorize, empower and command the Governor to do all things belonging to his Office in accordance with these and any other Letters Patent having effect in Malta, such Commission as aforesaid, and such Instructions as may from time to time be given to him by Us under Our Sign Manual and Signet or through a Secretary of State, and in accordance with such Orders in Our Privy Council and other laws as may from time to time be in force in Malta.

Publication of  
Governor’s  
Commission  
and taking  
of oaths.

5. Every person appointed to fill the Office of Governor shall, with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published in the presence of the Chief Justice or, in his absence, of some other Judge of Our Superior Courts of Malta, and of such Ministers as can conveniently attend; and shall thereupon take before them the Oath of Allegiance and the Oath for the due execution of the the Office of Governor, in the forms set out in the Schedule to these Letters Patent, which oaths the said Chief Justice or Judge is hereby required to administer.

Succession  
to Government.

6.— (1) Whenever—

- (a) the Office of Governor becomes vacant; or
- (b) the Governor is absent from Malta; or
- (c) the Governor is from any other cause prevented from, or incapable of, performing the duties of his office;

such person as We may appoint under Our Sign Manual and Signet or, if there is no such person in Malta so appointed and capable of discharging the duties of administration, the person who is the senior Member of the Nominated Council then in Malta and so capable, shall, during Our pleasure, administer the Government of Malta.

“Ordinanza” jfisser Ordinanza magħmula mill-Gvernatur taħt dawn il-“Letters Patent”;

“is-Sigill Pubbliku” jfisser is-Sigill Pubbliku ta’ Malta;

“materja riservata” jfisser materja riservata kif infisser fis-sub-artiklu (3) ta’ l-Artiklu 23 tal-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni).

(2) L-“*Interpretation Act, 1889*”, ikun iġġod għat-tifsir ta’ dawn il-“Letters Patent” bħalma jġġod għat-tifsir ta’ Att tal-Parlament. 52 & 53  
Vict. k. 63.

2. Dawn il-“Letters Patent” jistgħu jissejġu “l-‘Letters Patent’ ta’ l-1947 għal Malta (Kariga ta’ Gvernatur)”. Huma għandhom jixxandru f’Malta b’dak il-mod li bih il-Gvernatur jidhirlu xieraq u jibdeu isehħu fil-jum maħtur. Isem fil-qosor  
u bidu.

3. Għandu jkun hemm Gvernatur u Kap Kmandant għal Malta u f’Malta, u l-hatriet għal din il-kariga għandhom isiru b’Kummissjoni taħt il-Firma u s-Sigill Tagħna. Twaqqif tal-  
kariga ta’  
Gvernatur.

4. Ahna hawnhekk nawtorizzaw, nagħtu s-setgħa u nikkmandaw lill-Gvernatur li jagħmel dak kollu li jagħmel sehem mill-kariga tiegħu skond dawn il-“Letters Patent” u kull “Letters Patent” oħrajn li jkollhom sehħ f’Malta, skond il-Kummissjoni bħal dik imsemmija hawn qabel, u skond dawk l-Istruzzjonijiet illi minn żmien għal ieħor jingħataw lil Minna taħt il-Firma u s-Sigill Tagħna jew b’mezz ta’ Segretarju ta’ l-Istat, u skond dawk l-Ordinijiet fil-Kunsill Privat Tagħna u liġijiet oħra illi minn żmien għal ieħor ikunu fis-sehħ f’Malta. Setgħat u awtori-  
taziet tal-  
Gvernatur.

5. Kull min ikun maħtur għall-Kariga ta’ Gvernatur għandu, bis-solennità kollha li tixraq, qabel ma jidhol għad-dmirijiet tal-Kariga tiegħu, iġiegħel illi l-Kummissjoni li taħtru biex ikun Gvernatur tingara u tixxandar quddiem il-Prim Imħallef jew, jekk dana ma jkunx hemm, quddiem xi Mħallef ieħor tal-Qrati Superjuri Tagħna f’Malta u quddiem dawk il-Ministri illi jkunu jistgħu jkunu hemm; u wara li jagħmel dan huwa għandu minnufih jieħu quddiemhom il-Ġurament ta’ Fedeltà u l-Ġurament għal-esekuzzjoni xierqa tal-Kariga ta’ Gvernatur, fuq il-formuli li jidhru fl-Iskeda li tinsab ma’ dawn il-“Letters Patent”. Il-Prim Imħallef jew Imħallef ieħor huwa hawnhekk ordnat li jagħti dawn il-ġuramenti. Xandir tal-  
Kummissjoni  
tal-Gvernatur  
u teħid ta’  
ġuramenti.

6.—(1) Kull meta—

(a) il-Kariga ta’ Gvernatur titbattal; jew

(b) il-Gvernatur ikun barra minn Malta; jew

(c) il-Gvernatur għal xi raġuni oħra jkun miżmum milli, jew ma jkunx jista’, jaqdi d-dmirijiet tal-Kariga tiegħu;

dak il-bniedem illi Ahna nistgħu naħtru taħt il-Firma u s-Sigill Tagħna jew, jekk ma jkunx hemm bniedem bħal dak f’Malta hekk maħtur u li jista’ jaqdi d-dmirijiet ta’ l-amministrazzjoni, il-bniedem li jkun il-Membru anzjan tal-Kunsill Nominativ li f’dak iż-żmien ikun f’Malta u jista’ jaqdi dawk id-dmirijiet, għandu, sakemm joghġobna, jamministra l-Gvern ta’ Malta. Suċċessjoni  
fil-Gvern.

(2) Before assuming the administration of the Government any such person shall take, in the manner in these Letters Patent prescribed, the oaths directed by these Letters Patent to be taken by the Governor; which being done, We do hereby authorize, empower and command such person, subject, if he is appointed as aforesaid under Our Sign Manual and Signet, to the terms of his appointment, during Our pleasure, to do all things that belong to the Office of Governor as provided in these Letters Patent.

(3) Any such person as aforesaid shall not continue to administer the Government after the Governor, or some other person having a prior right to administer the Government, has notified him that he is about to assume or resume the administration.

(4) The Governor or any other person as aforesaid shall not be regarded as absent from Malta or prevented from, or incapable of, performing the duties of his Office for the purposes of this section during his passage from one part of Malta to another, or when there is a subsisting appointment of a Deputy under the next succeeding section of these Letters Patent.

Appointment  
of Deputy  
to Governor.

7.—(1) Whenever the Governor—

- (a) has occasion to be absent from Malta for a period which he has reason to believe will be of short duration; or
- (b) by reason of illness, which he has reason to believe will be of short duration, considers it desirable so to do;

he may, by instrument under the Public Seal, appoint any person in Malta to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such functions of the Governor as shall be specified in such instrument.

(2) By the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than as We may at any time hereafter think proper to direct, and every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance.

(3) Any appointment under this section may at any time be revoked by the Governor or by a Secretary of State and, in case of absence as aforesaid, shall cease and determine upon the return of the Governor to Malta.

Office of  
Lieutenant-  
Governor  
constituted.

8.—(1) There shall be a Lieutenant-Governor in and over Malta, and appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

(2) The Lieutenant-Governor shall do, during Our pleasure, all things belonging to his Office in accordance with these and any other Letters Patent having effect in Malta, such Commission aforesaid and such Instructions as may from time to time be given to him

(2) Qabel ma jiehu f'idejh l-amministrazzjoni tal-Gvern kull bniedem bħal dak għandu jiehu, kif jingħad f'dawn il-“Letters Patent”, il-guramenti ordnati f'dawn il-“Letters Patent” li għandhom jittieħdu mill-Gvernatur, u wara li jsir dan, Ahna hawnhekk nawtorizzaw, nagħtu s-setgħa u nikkmandaw lil dak il-bniedem, bla ħsara, jekk ikun maħtur kif imsemmi hawn qabel taħt il-Firma u s-Sigill Tagħna, tal-kondizzjonijiet tal-ħatra tiegħu, sakemm Jogħgobna, li jagħmel dak kollu li jagħmel sehem mill-Kariga ta' Gvernatur kif maħsub f'dawn il-“Letters Patent”.

(3) Kull bniedem bħal dak hawn qabel imsemmi ma għandux jibqa' jamministra l-Gvern wara li l-Gvernatur, jew xi haddieħor li jkollu jedd aqwa li jamministra l-Gvern, ikun għarrfu illi huwa sejjer jiehu jew jarga' jiehu f'idejh l-amministrazzjoni.

(4) Il-Gvernatur jew kull bniedem ieħor kif hawn qabel imsemmi ma għandux jitqies li jkun barra minn Malta jew li jkun miżmun milli, jew ma jkunx jista', jaqdi d-dmirijiet tal-Kariga tiegħu għall-għanijiet ta' dan l-artiklu dment li jkun għaddej minn naħa ta' Malta għal oħra, jew meta jkun hemm fis-seħħ ħatra ta' Deputat taħt l-artiklu li ġej sew sew wara dan f'dawn il-“Letters Patent”.

7.—(1) Kull meta l-Gvernatur—

- (a) ikollu għalfejn ikun barra minn Malta għal żmien li huwa għandu għalfejn jaħseb li jkun qasir; jew
- (b) minhabba mard li huwa għandu għalfejn jaħseb li jkun ta' żmien qasir, jidhirlu xieraq li jagħmel hekk;

Ħatra ta'  
Deputat tal-  
Gvernatur.

huwa jista', b'att taħt is-Sigill Pubbliku, jahtar xi bniedem f'Malta sabiex ikun id-Deputat tiegħu sakemm idum hekk imsiefer jew marid, u sabiex bħala Deputat ihaddem u jagħmel, għal u f'isem il-Gvernatur sakemm dan idum hekk imsiefer jew marid, dawk id-dmirijiet kollha tal-Gvernatur illi jkunu msemmijin f'dak l-att.

(2) Bil-ħatra ta' Deputat kif imsemmi hawn qabel, is-setgħa u l-awtorità tal-Gvernatur ma jitnaqqasux, ma jitbiddlux, u lanqas b'ebda mod ma jittiefsu xort'oħra blief kif Ahna f'xi żmien għal quddiem jista' jidhirlu xieraq li nordnaw, u kull Deputat bħal dak għandu jħares u joqgħod għal dawk l-Istruzzjonijiet kollha illi l-Gvernatur minn żmien għal ieħor jagħtih sabiex jimxi fuqhom.

(3) Kull ħatra taħt dan l-artiklu tista' f'kull żmien tithassar mill-Gvernatur jew minn Segretarju ta' l-Istat u, fil-każ ta' safar kif imsemmi hawn qabel, għandha tiegħ u tintemm malli l-Gvernatur jarga' lura lejn Malta.

8.—(1) Għandu jkun hemm Logutenent-Gvernatur f'Malta u għal Malta, u l-ħatriet għal din il-Kariga għandhom isiru b'Kummissjoni taħt il-Firma u s-Sigill Tagħna.

Twaqqif ta'  
Kariga ta'  
Logutenent-  
Gvernatur.

(2) Il-Logutenent-Gvernatur għandu jagħmel, sakemm jogħgobna, dak kollu li jagħmel sehem mill-Kariga tiegħu skond dawn il-“Letters Patent” u kull “Letters Patent” oħrajn li jkollhom seħħ f'Malta, skond il-Kummissjoni bħal dik imsemmija hawn qabel u skond

by Us, under Our Sign Manual and Signet, or through a Secretary of State, and in accordance with such Orders in Our Privy Council and other laws as may from time to time be in force in Malta.

Acting  
Lieutenant-  
Governor.

9.—(1) Whenever—

- (a) the Office of Lieutenant-Governor becomes vacant; or
- (b) the Lieutenant-Governor is administering the Government of Malta; or
- (c) the Lieutenant-Governor is absent from Malta; or
- (d) the Lieutenant-Governor is from any other cause prevented from, or incapable of, performing the duties of his Office;

the Governor may appoint some person in Malta to act as Lieutenant-Governor and any person so appointed shall do, during Our pleasure, all things belonging to the Office of Lieutenant-Governor as provided in these Letters Patent.

(2) Any such appointment shall cease to have effect if another person is appointed by the Governor to act as Lieutenant-Governor or (as the case may be) as soon as—

- (a) We shall have appointed a person to the Office of Lieutenant-Governor and such person shall have assumed the duties of that Office; or
- (b) the Lieutenant-Governor shall have ceased to administer the Government of Malta; or
- (c) the Lieutenant-Governor shall have returned to Malta; or
- (d) the Governor shall have informed the person acting as Lieutenant-Governor that the Lieutenant-Governor is about to resume the performance of the duties of his Office.

Executive  
Council.

10.—(1) There shall be an Executive Council in and for Malta, which shall consist of such persons being Ministers as the Governor shall, from time to time in Our name and on Our behalf, appoint by instrument under the Public Seal to be Members thereof.

(2) The Members of the Executive Council shall hold office during Our pleasure.

(3) The seat of a Member of the Executive Council shall become vacant—

- (a) if he shall cease to be a Minister; or
- (b) if he shall, by writing under his hand addressed to the Governor, resign his seat in the Executive Council.

dawk l-Istruzzjonijiet illi minn żmien għal iehor jinghataw lilu Minna taht il-Firma u s-Sigill Tagħna, jew b'mezz ta' Segretarju ta' l-Istat, u skond dawk l-Ordnijiet fil-Kunsill Privat Tagħna u ligijiet ohra illi minn żmien għal iehor ikunu fis-sehħ f'Malta.

**9.—(1) Kull meta—**

Agent Logutenent-Gvernatur.

- (a) il-Kariga ta' Logutenent-Gvernatur titbattal; jew
- (b) il-Logutenent-Gvernatur ikun qed jamministra l-Gvern ta' Malta; jew
- (c) il-Logutenent-Gvernatur ikun barra minn Malta; jew
- (d) il-Logutenent-Gvernatur minhabba xi raġuni ohra jkun miżmum milli, jew ma jkunx jista', jaqdi d-dmirijiet tal-Kariga tiegħu;

il-Gvernatur jista' jahtar lil xi bniedem f'Malta sabiex jagħmilha ta' Logutenent-Gvernatur u kull bniedem hekk maħtur għandu, sakemm Joghġobna, jagħmel dak kollu li jagħmel sehem mill-Kariga ta' Logutenent-Gvernatur kif maħsub f'dawn il-“Letters Patent”.

(2) Kull hatra bħal din tiegħa mis-sehħ tagħha jekk bniedem iehor jinħatar mill-Gvernatur sabiex jagħmilha ta' Logutenent-Gvernatur jew (kif jaħbat) malli—

- (a) Aħna nkunu htarna bniedem għall-Kariga ta' Logutenent-Gvernatur u dan il-bniedem ikun beđa jaqdi d-dmirijiet ta' dik il-Kariga; jew
- (b) il-Logutenent-Gvernatur ikun waqaf mill-amministrazzjoni tal-Gvern ta' Malta; jew
- (c) il-Logutenent-Gvernatur ikun raġa' lura lejn Malta; jew
- (d) il-Gvernatur ikun għarraf lill-bniedem li jkun qed jagħmilha ta' Logutenent-Gvernatur ili l-Logutenent-Gvernatur wasal biex jarġa' jiehru f'idejh il-qadi tad-dmirijiet tal-Kariga tiegħu.

**10.—(1) Għandu jkun hemm Kunsill Eżekuttiv f'Malta u għal Malta li jkun magħmul minn dawk in-nies, li jkunu Ministri, illi l-Gvernatur ikun, minn żmien għal iehor, ħatar f'Isimna u Għalina b'att taht is-Sigill Pubbliku sabiex ikunu Membri ta' dak il-Kunsill.** Kunsill Eżekuttiv.

(2) Il-Membri tal-Kunsill Eżekuttiv jibqgħu fil-kariga sakemm jogħġobna.

(3) Il-post ta' Membru tal-Kunsill Eżekuttiv jibattal—

- (a) jekk huwa ma jibqax Ministru; jew
- (b) jekk huwa, b'kitba minn idejh, mibghuta lill-Gvernatur, jiddimetti mill-post tiegħu fil-Kunsill Eżekuttiv.

Nominated  
Council.

**11.**—(1) There shall be a Nominated Council in and for Malta, which shall consist of the persons for the time being lawfully discharging the functions of the Offices of Lieutenant-Governor and Legal Secretary (hereinafter called *ex-officio* members) together with such officer of Our Royal Navy, such officer of Our Regular Military Forces and such officer of Our Royal Air Force (hereinafter called appointed members) as may from time to time be appointed by Us under Our Sign Manual and Signet or by the Governor by instrument under the Public Seal.

(2) The Governor shall forthwith report every such appointment to Us through a Secretary of State. Any such appointment may (without prejudice to anything done by virtue thereof) be disallowed by Us through a Secretary of State or revoked by the Governor by instrument under the Public Seal.

Tenure of  
Office in  
Nominated  
Council.

**12.**—(1) Every Member of the Nominated Council shall hold his seat in the said Council during Our pleasure.

(2) The seat of an appointed Member of the Nominated Council shall become vacant—

(a) upon his death; or

(b) if he shall, by writing under his hand addressed to the Governor, resign his seat in the Nominated Council.

(3) The Governor may, by instrument under the Public Seal, suspend any Member from the exercise of his functions as a Member of the Nominated Council. Every such suspension shall forthwith be reported by the Governor to Us through a Secretary of State and shall remain in force until it shall be removed by the Governor by instrument under the Public Seal, or by Us through a Secretary of State, or the person suspended ceases to be a Member of the Nominated Council.

(4) The Governor may, by instrument under the Public Seal, declare any Member to be incapable of discharging his functions as a Member of the Nominated Council, and thereupon such Member shall not sit or vote in the said Council until he is declared, in manner aforesaid, to be again capable of discharging his said functions.

Temporary  
appointments.

**13.**—(1) Whenever there shall be a vacancy in the number of persons sitting in the Nominated Council by reason of the fact that—

(a) a Member is administering the Government of Malta;  
or

(b) one person is lawfully discharging the functions of both the Offices specified in Section 11 of these Letters Patent; or

(c) no person is lawfully discharging the duties of one of these Offices; or

(d) a Member is suspended from the exercise of his functions as a Member; or



11.—(1) Għandu jkun hemm Kunsill Nominativ f'Malta u għal Malta, li jkun magħmul min-nies li f'dak iż-żmien ikunu skond il-liġi jaqdu d-dmirijiet tal-Karigi ta' Loguġenent-Gvernatur u ta' Segretarju Legali (hawnhekk iżjed 'il quddiem imsejhin membri *ex officio*) flimkien ma' dak l-uffiċjal tar-*Royal Navy* Tagħna, dak l-uffiċjal tal-Forza Militari Regulari Tagħna u dak l-uffiċjal tal-Forza Rjali ta' l-Ajru Tagħna (hawnhekk iżjed 'il quddiem imsejhin membri mahturin) illi minn żmien għal ieħor ikunu mahturin Minna taht il-Firma u s-Sigill Tagħna jew mill-Gvernatur b'att taht is-Sigill Pubbliku.

Kunsill  
Nominativ.

(2) Il-Gvernatur għandu minnufih jirrapporta kull hatra bħal dik Lilna b'mezz ta' Segretarju ta' l-Istat. Kull hatra bħal dik tista' (minghajr hsara ta' dak li jkun sar bis-saħha tagħha) ma tkunx imwettqa Minna b'mezz ta' Segretarju ta' l-Istat, jew tkun imhassra mill-Gvernatur b'att taht is-Sigill Pubbliku.

12.—(1) Kull Membru tal-Kunsill Nominativ għandu jzomm il-post tiegħu fl-imsemmi Kunsill sakemm Joghgobna.

Zmien ta'  
Kariga fil-  
Kunsill  
Nominativ.

(2) Il-post ta' Membru mahtur tal-Kunsill Nominativ jitbattal—

(a) meta jinut; jew

(b) jekk huwa, b'kitba minn idejh u mibgħuta lill-Gvernatur, jiddimetti mill-post tiegħu fil-Kunsill Nominativ.

(3) Il-Gvernatur jista', b'att taht is-Sigill Pubbliku, jissospendi lil kull Membru mill-hidna ta' dmirijietu bħala Membru tal-Kunsill Nominativ. Kull sospensjoni bħal dik għandha minnufih tiġi mgħarrfa mill-Gvernatur Lilna b'mezz ta' Segretarju ta' l-Istat, u għandha tibqa' fis-seħh sakemm tiġnehha mill-Gvernatur b'att taht is-Sigill Pubbliku jew Minna b'mezz ta' Segretarju ta' l-Istat, jew sakemm il-bniedem sospiż jispicċa minn Membru tal-Kunsill Nominativ.

(4) Il-Gvernatur jista', b'att taht is-Sigill Pubbliku, jiddikjara li xi Membru ma jistax jaqdi dmirijietu bħala Membru tal-Kunsill Nominativ, u fuq hekk dak il-Membru ma għandux joqgħod jew jivvota fl-imsemmi Kunsill sakemm ma jiġix, bil-mod imsemmi hawn qabel, dikjarat li huwa raġa' sar jista' jaqdi dawk id-dmirijiet tiegħu.

13.—(1) Kull meta jkun hemm btala fil-għadd tan-nies li joqogħdu fil-Kunsill Nominativ minhabba illi—

Hatriet  
għal xi żmien

(a) xi Membru minnhom qiegħed jamministra l-Gvern ta' Malta; jew

(b) bniedem wieħed ikun skond il-liġi qiegħed jaqdi d-dmirijiet taż-żewġ Karigi msemmijin fl-Artiklu 11 ta' dawn il-“Letters Patent”; jew

(c) hadd ma jkun qiegħed jaqdi d-dmirijiet ta' waħda minn dawn il-Karigi; jew

(d) xi Membru huwa sospiż milli jaqdi dmirijietu bħala Membru; jew

- (e) the seat of a Member is vacant for any cause; or
- (f) a Member is unable to sit or vote in the said Council in consequence of a declaration by the Governor, as provided in Section 12 of these Letters Patent, that he is incapable of discharging his functions as a Member; or
- (g) a Member is absent from Malta;

a person may be appointed by the Governor by instrument under the Public Seal to be a temporary Member for the period of such vacancy.

(2) Subject to the provisions of this section, the provisions of Section 12 of these Letters Patent shall apply to every person so appointed as long as his appointment shall subsist.

(3) The Governor shall forthwith report every such temporary appointment to Us through a Secretary of State. Any such appointment may (without prejudice to anything done by virtue thereof) be disallowed by Us through a Secretary of State or revoked by the Governor by instrument under the Public Seal.

(4) A temporary appointment shall cease to have effect on notification by the Governor to the person appointed of disallowance by Us or of revocation by the Governor, or on supersession of the appointment by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

Privy Council and Joint Committee thereof.

**14.**—(1) There shall be a Privy Council in and for Malta, which shall consist of the Members of the Executive Council and the Members of the Nominated Council.

(2) The Governor shall summon the Privy Council, whenever he shall think fit, for the consideration of such matters as may be specified in any Instructions under Our Sign Manual and Signet, or, subject to any such Instructions, such other matters, not being matters which he is satisfied are exclusively within the responsibility of the Executive Council, as it appears to him expedient to refer to the Privy Council.

(3) The Governor may from time to time, as occasion may require, appoint a Joint Committee of the Privy Council, consisting of three Members of the Executive Council nominated by the Head of the Ministry and three Members of the Nominated Council selected by himself, for the consideration, either specially or generally, of any such matter as aforesaid.

Executive, Nominated and Privy Councils and Joint Committee may transact business notwithstanding vacancies.

**15.** Neither the Executive Council, the Nominated Council, the Privy Council, nor any Joint Committee of the Privy Council appointed under the provisions of subsection (3) of Section 14 of these Letters Patent, shall be disqualified for the transaction of business by reason of any vacancy or vacancies among the Members thereof, and any proceedings therein shall be valid notwithstanding that it is discovered subsequently that some person, who was not entitled so to do, sat or voted or otherwise took part in the proceedings.

- (e) il-post ta' Membru jkun battal għal kull raġuni li tista' tkun; jew
- (f) xi Membru ma jistax joqgħod jew jivvota fl-imsemmi Kunsill minhabba dikjarazzjoni tal-Gvernatur, kif maħsub fl-Artiklu 12 ta' dawn il-“Letters Patent”, illi huwa ma jistax jaqdi dmirijietu bħala Membru; jew
- (g) xi Membru jkun barra minn Malta;

xi bniedem jista' jkun mahtur mill-Gvernatur b'att taht is-Sigill Pubbliku sabiex ikun Membru għaż-żmien sakemm iddum dik l-btala.

(2) Bla hsara tad-dispożizzjonijiet ta' dan l-artiklu, id-dispożizzjonijiet ta' l-Artiklu 12 ta' dawn il-“Letters Patent” ikunu jghoddu għal kull min ikun hekk mahtur sakemm il-hatra tiegħu tibqa' tghodd.

(3) Il-Gvernatur għandu minnufih iġharrafna, b'mezz ta' Segretarju ta' l-Istat, b'kull hatra għal xi żmien bħal dik. Kull hatra bħal dik tista' (mingħajr hsara ta' dak li jkun sar bis-saħha tagħha) ma tkunx imwettqa Minna b'mezz ta' Segretarju ta' l-Istat, jew tkun imħassra mill-Gvernatur b'att taht is-Sigill Pubbliku.

(4) Hatra għal xi żmien tiegħ mis-seħħ malli l-Gvernatur iġharraf lill-bniedem mahtur illi Ahna ma wettaqniex il-hatra tiegħu jew illi l-Gvernatur hassarha, jew illi l-hatra tiegħu tkun waqgħet billi xi hadd ġie mahtur sabiex jinla l-btala mhux biss għal xi żmien, jew meta xort'ohra l-btala tkun waqfiet.

**14.**—(1) Għandu jkun hemm Kunsill Privat f'Malta u għal Malta, li jkun magħmul mill-Membri tal-Kunsill Eżekuttiv u mill-Membri tal-Kunsill Nominativ. Kunsill Privat u Kumitat Mgħaqqad.

(2) Il-Gvernatur għandu jsejjah 'il-Kunsill Privat, kull meta jidhirlu xieraq, sabiex jikkunsidra dawk il-hwejjeġ li jistgħu jkunu msemmijin f'xi Istruzzjonijiet taht il-Firma u s-Sigill Tagħna, jew, bla hsara ta' Istruzzjonijiet bħal dawk, dawk il-hwejjeġ l-oħra, li ma jkunux hwejjeġ li lilu jidher sewwa li huma fi hsieb il-Kunsill Eżekuttiv wahdu, u li jidhirlu li jaqbel li jibgħathom quddiem il-Kunsill Privat.

(3) Il-Gvernatur jista', minn żmien għal ieħor, meta tinqala' l-okkażjoni, jahtar Kumitat Mgħaqqad tal-Kunsill Privat, li jkun magħmul minn tliet Membri tal-Kunsill Eżekuttiv mahturin mill-Prim Ministru u minn tliet Membri tal-Kunsill Nominativ magħżulin minnu mfisu, sabiex jikkunsidra, sew għaliha jew b'mod ġenerali, kull haġa kif imsemmi hawn qabel.

**15.** La l-Kunsill Eżekuttiv, la l-Kunsill Nominativ, la l-Kunsill Privat, u lanqas xi Kumitat Mgħaqqad tal-Kunsill Privat mahtur taht id-dispożizzjonijiet tas-sub-artiklu (3) ta' l-Artiklu 14 ta' dawn il-“Letters Patent”, ma jkun skwalifikat milli jmexxi xogħlu minhabba li jkun hemm xi btala jew btajjel fost il-Membri tagħhom, u kull ma jsir fihom ikun jiswa għalkemm wara jinkixef illi xi hadd li ma kelux il-jedd jagħmel hekk qagħad jew ivvota jew xort'ohra ha sehem fix-xogħol. Il-Kunsill Eżekuttiv, in-Nominativ u l-Privat u l-Kumitat Mgħaqqad jistgħu jmexxu xogħolhom għalkemm ikun hemm btajjel.

Governor's  
legislative  
power.

**16.**—(1) The Governor may make laws (to be called Ordinances) for the peace, order and good government of Malta with regard to reserved matters and may thereby amend, add to or repeal any law or other instrument in force immediately before the appointed day so far as such law or instrument deals with any reserved matter.

(2) Any Ordinance enabling land or buildings to be compulsorily acquired for naval, military or air force purposes or for any purpose connected with air navigation or aircraft shall provide, in accordance with any Instructions under Our Sign Manual and Signet, for the payment of compensation, assessed in such manner and on such basis as may be prescribed by or under the Ordinance.

(3) Every Ordinance shall be enacted in both the English and the Maltese languages and, if there shall be any conflict between the English and the Maltese texts of any Ordinance, the English text shall prevail.

Disallowance  
of Ordinances.

**17.**—(1) Any Ordinance may be disallowed by Us through a Secretary of State.

(2) Whenever any Ordinance has been so disallowed, the Governor shall make known such disallowance by Proclamation published in the Gazette.

(3) Every Ordinance so disallowed shall cease to have effect as soon as such disallowance shall be made known as aforesaid. Thereafter any enactment repealed or amended by such Ordinance shall have effect as if such Ordinance had not been made, but, save as aforesaid, the provisions of sub-section (2) of Section 38 of the Interpretation Act, 1889, shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

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Vict. c. 63.

Commencement  
of Ordinances  
and record  
of Ordinances  
and of  
disallowance.

**18.**—(1) The Governor shall cause a copy of every Ordinance to be enrolled on record in the Office of the Registrar of Our Court of Appeal in Malta. Such copy shall be in both the English and the Maltese languages and shall be signed by the Governor and, having been enrolled as aforesaid, shall be conclusive evidence of the provisions of such Ordinance.

(2) The Governor shall cause every Ordinance to be printed in the Gazette in both the English and the Maltese languages and every Ordinance shall come into operation on the date on which it is so published, or, if it shall be enacted in the Ordinance or in some other enactment, including any enactment in force on the appointed day, that it shall come into operation on some other date, on that date.

(3) Whenever any Ordinance has been disallowed under Section 16 of these Letters Patent, the Governor shall certify such disallowance by instrument under the Public Seal and shall cause such instrument to be enrolled in the Office of the Registrar of Our Court of Appeal in Malta.

(4) The validity or operation of any Ordinance, or of our disallowance of any Ordinance, shall not be affected by reason only that any of the foregoing provisions of this section have not been complied with.

16.—(1) Il-Gvernatur jista' jagħmel liġijiet (li jissejħu Ordinanza) għall-paċi, ordni u gvern tajjeb ta' Malta dwar materji riservati, u jista' bihom ibiddel, iżid fi, jew iħassar kull liġi jew att ieħor li kienu fis-seħħ minnufih qabel il-jum mahtur f'kemm dik il-liġi jew dak l-att jolqtu xi materja riservata.

Setgħa tal-Gvernatur li jagħmel liġijiet.

(2) Kull Ordinanza li tagħti setgħa għall-akkwist obligatorju ta' art jew bini għal għanijiet navali, militari jew tal-forza ta' l-ajru jew għal xi għan li jkollu x'jaqsam man-navigazzjon bl-ajru jew ma' inġenji ta' l-ajru, għandha taħseb, skond kull Istruzzjoni taħt il-Firma u s-Siġill Tagħna, għall-ħlas ta' kumpens, magħdud b'dak il-mod u fuq dik il-mieta illi jkunu msemmin fl-Ordinanza jew taħtha.

(3) Kull Ordinanza għandha ssir sew bil-lsien Inġliż kemm bil-lsien Malti u, jekk f'xi Ordinanza ż-żewġ testi ma jkunux jaqblu bejniethom, ikun iġħodd it-test Inġliż.

17.—(1) Kull Ordinanza tista' tkun ruftata Minna b'mezz ta' Segretarju ta' l-Istat.

Ruftar ta' Ordinanza.

(2) Kull meta xi Ordinanza tkun giet hekk ruftata, il-Gvernatur għandu, bi Proklama mxandra fil-Gazzetta, iġharraf b'dak ir-ruftar.

(3) Kull Ordinanza hekk ruftata tiegħ mis-seħħ tagħha, malli dak ir-ruftar jiġi mġharraf kif intqal hawn qabel. Minn dak il-ħin kull att ta' liġi mħassar jew imbidel b'dik l-Ordinanza jkollu seħħ daqs li kieku dik l-Ordinanza ma saretx, imma, bla ħsara ta' dak li ntqal qabel, id-dispożizzjonijiet tas-sub-artiklu (2) ta' l-Artiklu 38 ta' l-"Interpretation Act, 1889", ikunu jgħoddu għal dak ir-ruftar bħalma jgħoddu għat-tahsir ta' Att tal-Parlament.

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Vict. k. 63.

18.—(1) Il-Gvernatur għandu jġieghel illi kopja ta' kull Ordinanza tiġi merfugħa u irreġistrata fl-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta. Dik il-kopja għandha tkun bil-lsien Inġliż u bil-lsien Malti u għandha tkun iffirmata mill-Gvernatur u, wara li tiġi merfugħa kif imsemmi hawn qabel, tkun xhieda deċiżiva tad-dispożizzjonijiet ta' dik l-Ordinanza.

Bidu ta' l-Ordinanza u reġistrar ta' Ordinanza u ta' ruftar.

(2) Il-Gvernatur għandu jġieghel li kull Ordinanza tiġi mitbugħa fil-Gazzetta bil-lsien Inġliż u bil-lsien Malti u kull Ordinanza tibda sseħħ fid-data li fiha tkun giet hekk imxandra, jew, jekk ikun hemm imniżżel fl-Ordinanza jew f'xi att ieħor ta' liġi, magħdud kull att ta' liġi fis-seħħ fil-jum mahtur, illi tibda tithaddem f'xi data oħra, f'dik id-data.

(3) Kull meta xi Ordinanza tkun giet ruftata taħt l-Artiklu 16 ta' dawn il-"Letters Patent", il-Gvernatur għandu jċerċifika dak ir-ruftar b'att taħt is-Siġill Pubbliku u għandu jġieghel li dak l-att jiġi merfugħ fl-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta.

(4) Is-sivi jew it-tħaddim ta' xi Ordinanza, jew tar-ruftar Tagħna għal xi Ordinanza, ma jkunux intiefsa minħabba biss illi xi whud mid-dispożizzjonijiet ta' hawn qabel f'dan l-artiklu ma jkunux ġew mħarsin.

Power reserved to legislate by Order in Council.

**19.**—(1) We do hereby reserve to Ourselves the right from time to time by Order in Our Privy Council to make laws for the peace, order and good government of Malta with regard to any reserved matter.

(2) The Governor shall cause a copy of every such Order to be enrolled on record in the Office of the Registrar of Our Court of Appeal in Malta together with a translation thereof in the Maltese language.

(3) The Governor shall cause every such Order to be published in the Gazette together with a translation thereof in the Maltese language.

Appointment of Officers.

**20.** The Governor may constitute and appoint in Our name and on Our behalf all such officers in Malta as may be lawfully constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

Discipline of public officers.

**21.** The Governor may, subject to the provisions of the Malta (Constitution) Letters Patent, 1947, and to such instructions as may from time to time be given to him by Us through a Secretary of State, upon sufficient cause to him appearing, dismiss or suspend from the exercise of his office any person holding any public office in Malta except the Office of Lieutenant-Governor or Judge of Our Superior Courts, or, subject as aforesaid, may take such other disciplinary action as may seem to him desirable.

Pardon.

**22.** When any offence has been committed for which the offender may be tried within Malta, the Governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such offence who shall give such information as shall lead to the conviction of the principal offender, or any one of such offenders if more than one; and further may grant to any offender convicted of any such offence in any Court within Malta a pardon, either free or subject to lawful conditions, or any respite, either indefinite or for such period as the Governor may think fit, of the execution of any sentence passed on such offender, and may remit the whole or any part of such sentence or of any penalties or forfeitures otherwise due to Us.

Grant of lands.

**23.** Subject to the provisions of any law for the time being in force in Malta and to any Instructions given to him by Us under Our Sign Manual and Signet or through a Secretary of State, the Governor may, in Our name and on Our behalf, make and execute, under the Public Seal, grants and dispositions of any lands or other immovable property within Malta which may be lawfully granted or disposed of by Us.

Public Seal.

**24.** The Governor shall keep and use the Public Seal for sealing all things whatsoever that shall pass the said Seal.

**19.**—(1) Ahna hawnhekk inżommu Għalina Nfusna l-jedd li, minn Setgħa miżmuma għall-ħruġ ta' żmien għal ieħor, b'Ordni fil-Kunsill Privat Tagħna, nagħmlu ligijiet ligijiet b'Ordni għail-paċi, ordni u gvern tajjeb ta' Malta dwar kull materja riservata. fil-Kunsill.

(2) Il-Gvernatur għandu jgħiegħel illi kopja ta' kull Ordni bħal dan tiġi meriġgħa u irreġistrata fi-Uffiċċju tar-Registatur tal-Qorti Tagħna ta' l-Appell f'Malta flimkien ma' traduzzjoni tiegħu bil-Isien Malti.

(3) Il-Gvernatur għandu jgħiegħel illi kull Ordni bħal dak jixxandar fi-Gazzetta flimkien ma' traduzzjoni tiegħu bil-Isien Malti.

**20.** Il-Gvernatur jista' jagħmel u jahtar f'Isimna u Għalina daww **Hatra ta' Funzjonarji.** il-funzjonarji kollha f'Malta illi skond il-liġi jistgħu jsiru u jinhatru Minna, u dawn kollha kemm huma, kemm-il darba ma jkunx maħsub xort'oħra bil-liġi, iżommu l-karigi tagħhom sakemm jogħgħob Lilna.

**21.** Il-Gvernatur jista', bla hsara tad-dispożizzjonijiet tal-“Letters **Kontroll ta' Funzjonarji Pubbliċi.** Patent” ta' l-1947 għal Malta (Kostituzzjoni) u taħt daww l-istruzzjonijiet li, minn żmien għal ieħor, jistgħu jingħataw lilu minn Għandna b'mezz ta' Segretarju ta' l-Istat, meta jidhirlu li hemm biżżejjed għalfajn, inehhi mill-kariga tiegħu jew iwaqqaf mill-ħidma tal-kariga tiegħu kull bniedem li jkollu xi kariga pubblika f'Malta ħlief il-Kariga ta' Logutenent-Gvernatur jew ta' Mhallel tal-Qrati Superjuri Tagħna, jew, bla hsara ta' dak li ntqal hawn qabel, jista' jieħu daww il-passi i-oħra ta' dixxiplina li lilu jidhru xerqin.

**22.** Meta jkun sar xi reat li għalih il-ħati jista' jingħeb quddiem **Mahfra.** qorti f'Malta, il-Gvernatur ikun jista', skond ma jidhirlu meħtieġ, f'Isimna u Għalina jagħti l-mahfra lil kull kompliċi f'dak ir-reat li jagħti tagħrif li jwassal sab'ix bih il-ħati ewlieni jkun jista' jinsab ħati, jew xi weħed minn daww il-ħatjin jekk iktar minn wieħed; u barra dan jista' jagħti, lil kull min jinsab ħati ta' reat bħal dak f'xi qorti f'Malta, mahfra, sew shiħa jew suġġetta għal kondizzjonijiet legittimi, jew itawwal iż-żmien, sew mingħajr ma jsemmi għal kemm żmien jew għal dak iż-żmien illi l-Gvernatur jidhirlu xieraq, għall-esekuzzjoni ta' xi kundanna mgħoddija fuq il-ħati, u jista' jaħfer — kollha kemm huma jew sehem minnhom — dik il-kundanna jew xi pjeni ta' flus jew konfiski li xort'oħra jkunu ta' jedd Tagħna.

**23.** Bla hsara tad-dispożizzjonijiet ta' kull liġi li fiż-żmien tkun **Għoti ta' artijiet.** fis-seħħ f'Malta u għal kull Istruzzjoni mogħtija lilu Minna bil-Firma u s-Sigill Tagħna jew b'mezz ta' Segretarju ta' l-Istat, il-Gvernatur jista', f'Isimna u Għalina, taħt is-Sigill Pubbliku, jagħmel u jwettaq skond il-liġi għoti u tras'erimenti ta' artijiet jew ġid immobbli oħra f'Malta li skond il-liġi Ahna nistgħu nagħtuhom jew niddisponu minnhom.

**24.** Il-Gvernatur għandu jżomm u juża s-Sigill Pubbliku sab'ix **Sigill Pubbliku.** bih jissigilla kull haġa illi tkun mgħoddija mill-imsemmi Sigill.

Officers and others to obey the Governor.

25. We do hereby require and command all Our Officers and Ministers, Civil and Military, and all other the inhabitants of Malta to be obedient, aiding and assisting unto the Governor.

Power reserved to His Majesty to revoke, alter or amend Letters Patent.

26. And We do hereby reserve to Ourselves full power and authority from time to time to revoke, add to, or amend these Letters Patent, as to Us shall seem fit.

In Witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster this fifth day of September, 1947, in the Eleventh Year of Our Reign.

By Warrant under The King's Sign Manual.

NAPIER.



Section 5.

SCHEDULE.

OATH OF ALLEGIANCE.

I, ..... do swear that I will be faithful and bear true allegiance to His Majesty King George VI, His Heirs and Successors, according to Law. So help me God.

OATH FOR THE DUE EXECUTION OF THE OFFICE OF GOVERNOR.

I, ..... swear that I will well and truly serve His Majesty King George VI, His Heirs and Successors, in the Office of Governor. So help me God.





25. Ahna hawnhekk nordnaw u nikkmandaw lill-Funzjonarji u lill-Ministri kollha Tagħna, Ċivili u Militari, u lin-nies kollha f'Malta biex jisimgħu mill-Gvernatur u jagħtuh għajnuna u assistenza.

Il-Funzjonarji u kulhadd għandu jisma' mill-Gvernatur.

26. U hawnhekk Ahna nżommu Għalina Nfusna s-setgħa sħiħa u l-awtorità kollha li minn żmien għal ieħor inħassru, inżidu fi, jew inbiddu dawn il-“Letters Patent”, kif Lilna jkun jidher xieraq.

Riserva ta' setgħa lill-Maestà Tiegħu li jirrevoka, iqalleb jew iħiddel il-“Letters Patent”

B'Xieħda ta' dana Ahna gāghalna li dawn l-Ittri Tagħna jsiru “Letters Patent”. B'Xhud ta' dan Ahna nfusna f'Westminster, il-lum il-ħamsa ta' Settembru, 1947, fil-ħdax-il Sena tas-Saltna Tagħna.

B'“Warrant” taħt il-Firma mn'Idejn ir-Re.

NAPIER.

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SKEDA.

Artiklu 5.

ĠURAMENT TAL-FEDELTA'.

Jiena, ..... nahlef li nkun fidil u li ngib tassew lealtà lill-Maestà Tiegħu r-Re Ġorġ VI, lill-Werrieta u Suċċessuri Tiegħu, skond il-liġi. Hekk Alla jgħinni.

ĠURAMENT GHAT-THADDIM XIERAQ TAL-KARIGA TA' GVERNATUR.

Jiena, ..... nahlef illi Jiena naqdi tajjeb u tassew lill-Maestà Tiegħu r-Re Ġorġ VI, lill-Werrieta u Suċċessuri Tiegħu, fil-Kariga ta' Gvernatur. Hekk Alla jgħinni.

## M A L T A

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### INSTRUCTIONS passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of Malta.

Dated 5th September, 1947.

**GEORGE R.**

### INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Island of Malta and its Dependencies or to any other Officer for the time being administering the Government thereof.

Recites  
Letters  
Patent  
constituting  
the Office of  
Governor.

WHEREAS by Letters Patent of even date herewith, entitled the Malta (Office of Governor) Letters Patent, 1947, we have ordered that there shall be a Governor and Commander-in-Chief (hereinafter called "the Governor") in and over Our Island of Malta and its Dependencies (hereinafter called "Malta") :

AND WHEREAS We have thereby authorized, empowered, and commanded the Governor to do and execute all things that belong to his Office in accordance with such Instructions as may from time to time be given to him by Us under Our Sign Manual and Signet :

Recites  
Instructions,  
dated 25th  
July, 1939.

AND WHEREAS We did, under Our Sign Manual and Signet, issue to the Governor of Malta certain Instructions dated the twenty-fifth day of July, 1939, and it is expedient to revoke and replace the said Instructions :

Revokes  
Instructions,  
dated 25th  
July, 1939.

NOW, THEREFORE, as from the commencement of the Malta (Office of Governor) Letters Patent, 1947. We do hereby revoke the Instructions dated the twenty-fifth day of July, 1939, but without prejudice to anything lawfully done thereunder, and instead thereof We do hereby direct and enjoin and declare Our will and pleasure as follows :

Interpretation.

**1.—(1)** In these Instructions, unless the context otherwise requires—

"Executive Council", "Nominated Council" and "Privy Council" mean, respectively, the Executive Council, the Nominated Council and the Privy Council established by the Malta (Office of Governor) Letters Patent, 1947 ;

"the Governor" includes every person for the time being administering the Government of Malta ;

"Joint Committee" means a committee of the Privy Council appointed under the provisions of subsection (3) of section 14 of the Malta (Office of Governor) Letters Patent, 1947 ;

"Legislative Assembly" means the Legislative Assembly established by the Malta (Constitution) Letters Patent, 1947 ;

## M A L T A

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**ISTRUZZJONIJIET imghoddijin bil-Firma u s-Sigill tar-Re lill-Gvernatur u Kap Kmandant ta' Malta.**

Data tal-5 ta' Settembru, 1947.

**GEORGE R.**

**ISTRUZZJONIJIET lill-Gvernatur Taghna u Kap Kmandant ghal u fil-Gzira Taghna ta' Malta u l-Gzejjer li jaghmlu maghha jew lil kull Funzjonarju iehor li fiz-żmien ikun qieghed jamministra l-Gvern taghhom.**

BILLI b' "Letters Patent" tal-lum stess, imsejhin il- "Letters Patent" ta' l-1947 ghal Malta (Kariga ta' Gvernatur), Ahna ordnajna li ghandu jkun hemm Gvernatur u Kap Kmandant (hawnhekk iżjed 'il quddiem imsejjah "il-Gvernatur") ghal u fil-Gzira Taghna ta' Malta u l-Gzejjer li jaghmlu maghha (hawnhekk iżjed 'il quddiem imsejhin "Malta") :

Isemmi l- "Letters Patent" li jistabbilixxu l-Kariga ta' Gvernatur.

U BILLI Ahna bihom awtorizzajna, tajna s-setgħa, u ikkmandajna lill-Gvernatur li jaghmel u jmexxi dak kollu li jaghmel sehem mill-Kariga Tiegħu skond dawk l-Istruzzjonijiet illi minn żmien ghal iehor jingħataw lilu Minna taht il-Firma u s-Sigill Taghna :

U BILLI Ahna hriġna, bil-Firma u s-Sigill Taghna, għall-Gvernatur ta' Malta xi Istruzzjonijiet bid-data tal-jum hamsa u ghoxrin ta' Lulju, 1939, u billi jaqbel li dawk l-Istruzzjonijiet jigu mhassrin sabiex jidhlu ohrajn minflokhom :

Isemmi l-Istruzzjonijiet tal-25 ta' Lulju, 1939.

ISSA, GHALHEKK, malii jibdew isehhu l- "Letters Patent" ta' l-1947 ghal Malta (Kariga ta' Gvernatur) Ahna hawnhekk inħassru l-Istruzzjonijiet bid-data tal-jum hamsa u ghoxrin ta' Lulju, 1939, imma mingħajr h̄sara ta' kull ma jkun sar skond il-ligi tahtom, u minflokhom Ahna hawnhekk nordnaw u nikkmandaw u niddikjaraw illi Ahna rridu u jogħgobna dan li ġej :

Ihassar l-Istruzzjonijiet tal-25 ta' Lulju, 1939.

1.—(1) F'dawn l-Istruzzjonijiet, kemm-il darba r-rabta tas-sens Tifsir. tat-test ma tridx tifsira ohra :—

"Kunsill Eżekuttiv", "Kunsill Nominativ", u "Kunsill Privat", ifissru, kull wiehed għalih, il-Kunsill Eżekuttiv, il-Kunsill Nominativ u l-Kunsill Privat imwaqqfin bil- "Letters Patent" ta' l-1947 ghal Malta (Kariga ta' Gvernatur) ;

"il-Gvernatur" ifisser ukoll kull bniedem li fiz-żmien ikun qed jamministra l-Gvern ta' Malta ;

"Kumitat Mgħaqqad" ifisser kumitat tal-Kunsill Privat maħtur taht id-dispożizzjonijiet tas-sub-artiklu (3) ta' l-artiklu 14 tal- "Letters Patent" ta' l-1947 ghal Malta (Kariga ta' Gvernatur) ;

"Assemblea Legislativa" jfisser l-Assemblea Legislativa mwaqqfa bil- "Letters Patent" ta' l-1947 ghal Malta (Kostituzzjoni) ;

“Maltese Government” means the Government constituted by the Malta (Constitution) Letters Patent, 1947, for the exercise of any power, jurisdiction or authority in Malta with regard to all matters other than reserved matters;

“Ordinance” means an Ordinance made by the Governor in accordance with the provisions of the Malta (Office of Governor) Letters Patent, 1947;

“Secretary of State” means one of Our Principal Secretaries of State.

(2) All references in these Instructions to Our dominions shall be construed as including references to all territories under Our protection or in which We have for the time being jurisdiction.

52 & 53  
Vict. c. 63.

(3) Save as is in these Instructions otherwise provided, or required by the context, the Interpretation Act, 1889, shall apply for the interpretation of these Instructions as it applies for the interpretation of an Act of Parliament.

(4) Whenever there is a subsisting appointment of a Deputy to the Governor under the Malta (Office of Governor) Letters Patent, 1947, these Instructions, so far as they apply to any matter or thing to be done, or any functions to be performed, by such Deputy, shall be deemed to be addressed to, and shall be observed by, such Deputy.

Governor to  
administer  
oaths.

2. The Governor may, whenever he thinks fit, require any person in the public service of Malta to take the Oath of Allegiance in the form prescribed by the Malta (Office of Governor) Letters Patent, 1947, together with such other oath or oaths as may from time to time be prescribed by any laws in force in Malta. The Governor may administer such oaths or cause them to be administered by some public officer of Malta.

Rules for  
enactment  
of Ordinances.

3. In the enactment of Ordinances the Governor shall, as far as practicable, observe the following rules:

- (1) The words of enactment shall be “enacted by the Governor of Malta”.
- (2) All Ordinances shall be distinguished by titles, and shall be divided into successive sections consecutively numbered, and to every section there shall be annexed in the margin an indication of its contents. The Ordinances of each year shall be distinguished by consecutive numbers commencing in each year with the number one.
- (3) Matters having no proper relation to each other shall not be provided for by the same Ordinance; no Ordinance shall contain anything foreign to what the title of the Ordinance imports; and no provision having indefinite duration shall be included in any Ordinance expressed to have limited duration.

“Gvern Malti” jfisser il-Gvern imwaqqaf bil-“Letters Patent” ta’ l-1947 għal Malta (Kostituzzjoni) għat-tħaddim ta’ kull setgħa, ġurisdizzjon jew awtorità f’Malta dwar kull materja minbarra materji riservati;

“Ordinanza” jfisser Ordinanza magħmula mill-Gvernatur skond id-dispożizzjonijiet tal-“Letters Patent” ta’ l-1947 għal Malta (Kariga ta’ Gvernatur);

“Segretarju ta’ l-Istat” ifisser wiehed mis-Segretarji Ewlenin Tagħna ta’ l-Istat.

(2) Kull tismija f’dawn l-Istruzzjonijiet għad-dominji Tagħna għandha tiftiehem li tħaddan tismija ta’ l-artijiet kollha taħt il-Protezzjon Tagħna jew li fihom Aħna jkollna ġurisdizzjon f’dak iż-żmien.

(3) Hlief fejn xort’ohra maħsub f’dawn l-Istruzzjonijiet, jew meħtieġ mis-sens tat-test, l-“Interpretation Act, 1889”, ikun iġġod għat-tifsir ta’ dawn l-Istruzzjonijiet bħalma jġġod għat-tifsir ta’ Att tal-Parlament. 52 & 53  
Vict. k. 63.

(4) Kull meta tkun għadha tġġod haħra ta’ Deputat tal-Gvernatur li tkun sareħ taħt il-“Letters Patent” ta’ l-1947 għal Malta (Kariga ta’ Gvernatur), dawn l-Istruzzjonijiet, safejn iġġoddu għal xi materja jew haġa li għandha ssir jew għal xi għemil li għandu jkun moqdi minn dak id-Deputat, għandhom jitqiesu li huma mibgħutin lil, u għandhom ikunu mħarsin minn, dak id-Deputat.

**2.** Il-Gvernatur jista’, kull meta jidhirlu xieraq, iġieghel lil xi hadd li jkun fis-servizz pubbliku ta’ Malta li jieħu l-Ġurament tal-Fedelità fuq il-formula meħtieġa skond il-“Letters Patent” ta’ l-1947 għal Malta (Kariga ta’ Gvernatur), flimkien ma’ dak il-ġurament l-ieħor jew ġuramenti oħrajn illi, minn żmien għal ieħor, jistgħu jkunu meħteġin b’xi liġijiet fis-seħħ f’Malta. Il-Gvernatur jista’ jagħti dawk il-ġuramenti jew iġieghel li jkunu mogħtija minn xi funzjonarju pubbliku ta’ Malta. Il-Gvernatur  
jagħti  
l-ġurament.

**3.** Fil-ħruġ ta’ Ordinanza l-Gvernatur għandu, safejn jista’ jkun, iħares dawn ir-reguli li ġejjin:— Reguli għall-ħruġ  
ta’ Ordinanza.

- (1) Il-kelmiet għall-ħruġ ta’ liġi għandhom ikunu “mahruġa b’liġi mill-Gvernatur ta’ Malta”.
- (2) Kull Ordinanza għandha tingħażel b’isem, u għandha tkun imqassma f’artikli li jġibu n-numri ta’ wara xulxin, u ma’ kull artiklu għandu jkun hemm fil-ġenb tifsir fil-qosor ta’ dak li fih. L-Ordinanza ta’ kull sena għandhom jingħażlu b’numri wiehed wara l-ieħor li jibdeu f’kull sena bin-numru wiehed.
- (3) Il-materji li tabilhaqq ma jkollhomx x’jaqsmu waħda ma’ l-oħra ma għandhomx jithalltu fl-istess Ordinanza; ebda Ordinanza ma għandu jkollha fih xi haġa barranija għal dak li l-isem ta’ l-Ordinanza juri li fih; u ebda dispożizzjoni li jkollha sseħħ għal żmien mhux imsemmi ma għandha tinzel f’xi Ordinanza li tkun imfissra li għandha sseħħ għal żmien imsemmi.

- (4) Every proposal for the compulsory acquisition of land or buildings for naval, military or air force purposes or for any purpose connected with air navigation or aircraft shall be referred by the Governor to the Privy Council and, if a majority of the Privy Council do not concur in the proposal and request that it be referred to a Secretary of State, it shall be referred accordingly, and the Governor shall act in the matter as the Secretary of State shall direct.
- (5) Any Ordinance enabling land or buildings to be compulsorily acquired for naval, military or air force purposes or for any purpose connected with air navigation or aircraft shall provide for compensation for such land or buildings to be assessed in such manner, and on such basis, as is prescribed by any law for the time being in force in Malta making provision in respect of land or buildings (as the case may be) compulsorily acquired for any purposes of the Maltese Government, subject to such adaptations and modifications of such law as the Governor is satisfied are necessary for the purposes of the Ordinance:

Provided that, if it shall appear to the Governor that the manner or basis of assessment prescribed by the law making provision as aforesaid would, if applied to any such Ordinance, be inequitable, the Ordinance may, instead, provide for the assessment of such compensation by a board appointed by the Governor and consisting of a chairman and not less than two other members (of whom not less than half, excluding the chairman, shall be persons appointed to represent the inhabitants of Malta).

(6) No Ordinance shall be enacted unless a draft thereof shall have been made public for at the least one month before the enactment thereof, unless earlier enactment shall, in the judgment of the Governor, be indispensably necessary for the security of Malta, or the welfare of Our subjects or others residing therein.

**Certain Ordinances not to be promulgated without permission.**

4. The Governor shall not, without having previously obtained Our instructions thereon through a Secretary of State, enact any Ordinance which falls within any of the following classes, unless such Ordinance contains a clause suspending the operation thereof until the signification in Malta of Our pleasure, that is to say:

- (1) any Ordinance whereby any grant of land or money or other donation may be made to himself;
- (2) any Ordinance affecting the coinage or currency of Malta or relating to the issue of Bank Notes;
- (3) any Ordinance providing for the naturalization of aliens;

- (4) Kull proposta għall-akkwist obligatorju ta' art jew bini għal għanijiet navali, militari jew tal-forza ta' l-ajru jew għal xi għan li jkollu x'jaqsam man-navigazzjon bl-ajru jew ma' l-inġenji ta' l-ajru għandha tkun mibgħuta mill-Gvernatur quddiem il-Kunsill Privat u, jekk il-kotra tal-Kunsill Privat ma taqbelx fil-proposta u titlob li l-proposta tinbagħat quddiem Segretarju ta' l-Istat, għandha tinbagħat lil dan, u l-Gveernatur ikollu jimxi fuq il-haġa skond ma jgħidlu s-Segretarju ta' l-Istat.
- (5) Kull Ordinanza li tagħti setgħa għall-akkwist obligatorju ta' art għal għanijiet navali, militari jew tal-forza ta' l-ajru jew għal xi għan li jkollu x'jaqsam man-navigazzjon bl-ajru jew ma' inġenji ta' l-ajru għandha taħseb għal kumpens għal dik l-art jew bini, magħdud b'dak il-mod u fuq dik il-mieta, kif ikun imniżżel f'xi liġi li fiż-żmien tkun fis-seħħ f'Malta li taħseb dwar art jew bini (kif jaħbat) akkwistati obligatorjament għal xi għanijiet tal-Gvern Malti, bla hsara ta' dak it-taqbil u tibdil ta' dik il-liġi illi l-Gvernatur ikun soddisfatt li huma meħtieġa għall-għanijiet ta' l-Ordinanza :

Iżda, jekk il-Gvernatur jidher li illi l-mod jew il-mieta tal-għadd tal-kumpens imniżżlin fil-liġi li taħseb kif ingħad hawn qabel ma jkunux, jekk magħmulin iġhoddu għal xi Ordinanza bħal dik, kif ikun xieraq għall-każ, l-Ordinanza tista', minflok, taħseb għall-għadd ta' dak il-kumpens minn bord maħtur mill-Gvernatur u li jkun magħmul minn *chairman* u minn m'hux inqas minn żewġ Membri oħra (li minnhom mhux inqas minn nofs, bla ma jingħadd iĉ-*chairman*, għandhom ikunu nies maħturin sabiex jidhru għan-nies li jgħixu f'Malta).

(6) Edda Ordinanza ma għandha toħroġ b'liġi kemm-il darba ma jiġix imxandar lill-pubbliku abbozz tagħha millinqas xahar qabel ma toħroġ b'liġi, blief jekk il-ħruġ b'liġi qabel il-mogħdija ta' dak iż-żmien ikun, fil-fehma tal-Gvernatur, meħtieġ, mingħajr ma jista' jsir xort'oħra, għas-sikurizza ta' Malta jew għall-ġid tas-sudditi Tagħna jew oħrajn li jgħixu hemm.

4. Il-Gvernatur ma għandu joħroġ b'liġi, mingħajr qabel ma jkun kiseb fuq hekk l-Istruzzjonijiet Tagħna b'mezz ta' Segretarju ta' l-Istat, ebda Ordinanza li taqa' taħt xi waħda minn dawn ix-xorta li ġejjin, kemm-il darba dik l-Ordinanza ma jkunx fiha klawsula li żżomm it-tħaddim tagħha sa ma jiġi magħruf f'Malta dak li Aħna jogħgobna jiġifieri :

Xi Ordinanze  
ma johorġux  
b'liġi mingħajr  
sensja.

- (1) kull Ordinanza li biha xi għoti ta' art jew ta' flus jew donazzjoni oħra tista' ssir lilu nnifsu ;
- (2) kull Ordinanza li tolqot il-kors legali tal-flus f'Malta jew l-egħmil tagħhom jew li tkun dwar il-ħruġ ta' *Bank Notes* ;
- (3) kull Ordinanza li taħseb għan-naturalizzazzjoni ta' frustieri ;

- (4) any Ordinance the provisions of which shall appear to him to be inconsistent with obligations imposed upon Us by Treaty;
- (5) any Ordinance interfering with the discipline or control of Our naval, military or air forces;
- (6) any Ordinance of an extraordinary nature and importance whereby Our prerogative or the rights or property of Our subjects not residing in Malta, or the trade, transport or communications of any part of Our dominions other than Malta may be prejudiced;
- (7) any Ordinance containing provisions to which Our assent has been once refused, or which have been disallowed by Us :

Provided that the Governor may, without such instructions as aforesaid and although the Ordinance contains no such clause as aforesaid, enact any Ordinance within any of the classes described in this clause (except an Ordinance falling within the class mentioned in paragraph (4) of this clause) if he shall have satisfied himself that an urgent necessity exists for so doing; but in any such case he shall forthwith transmit to Us the Ordinance which he has enacted together with his reasons for so enacting it.

Ordinances to be transmitted through a Secretary of State.

5. When any Ordinance shall have been enacted by the Governor, he shall, at the earliest opportunity, transmit to Us through a Secretary of State, for the signification of Our pleasure, a transcript thereof in duplicate duly authenticated under the Public Seal and by his own signature. The transcript shall be accompanied by an explanation of the reasons and occasion for the enactment of the Ordinance.

Collection of Ordinance to be published annually.

6. As early as practicable at the commencement of each year, the Governor shall cause to be published a complete collection of all Ordinances enacted during the preceding year.

Governor to communicate Instructions to Executive and Nominated Councils.

7. The Governor shall communicate to the Executive Council and the Nominated Council these Instructions, and all others which he shall from time to time find convenient for Our service to impart to them.

Summoning and quorum of Executive and Nominated Councils.

8.—(1) Neither the Executive Council nor the Nominated Council shall be summoned except by the authority of the Governor.

(2) No business except that of adjournment shall be transacted in the Executive Council or in the Nominated Council if objection is taken by any Member present that there are less than three Members present besides the Governor or Member presiding.

Presiding in Executive and Nominated Councils.

9. The Governor shall, so far as is practicable, attend and preside at the meetings of the Executive Council and of the Nominated Council, and in his absence such Member of the Council as may be appointed by him in that behalf, or, in default of such appointment or in the absence of the Member so appointed, the Member present who stands first in order of precedence shall preside.



- (4) kull Ordinanza li d-dispożizzjonijiet tagħha jidhirlu li ma jaqblux ma' dak li Aħna nkunu ntrabatna għalih bis-saħħa ta' Trattat;
- (5) kull Ordinanza li tindaxhal fid-dixxiplina jew il-kontroll tal-forzi Tagħna navali, militari jew ta' l-ajru;
- (6) kull Ordinanza ta' xorta u importanza m'hux solti li biha jistgħu jittiefsu l-prorogativa Tagħna jew il-proprjetà tas-sudditi Tagħna li ma jgħammrux f'Malta, jew il-kummerċ, trasport jew kumunikazzjonijiet ta' xi mkien fid-dominji Tagħna barra minn Malta;
- (7) kull Ordinanza li jkun fiha dispożizzjonijiet li għalihom il-kunsens Tagħna għie xi darba ruftat, jew illi ma kenux għew approvati minn Għandna;

Izda l-Gvernatur jista', mingħajr dawk l-istruzzjonijiet kif intqal hawn qabel u għalkemm l-Ordinanza ma jkunx fiha klawsula bħalma msemmi qabel, johroġ b'liġi kul Ordinanza tax-xorta msemmija f'din il-klawsula (minbarra Ordinanza li jkun tax-xorta msemmija fil-paragrafu (4) ta' din il-klawsula) jekk huwa jkun sgura ruħu illi hemm hteġa urġenti biex jagħmel dan; imma f'kull każ bħal dan huwa għandu minnufih jibagħtilna l-Ordinanza li jkun hareġ b'liġi, flimkien mar-raġunijiet tiegħu għaliex hariġha hekk.

5. Meta xi Ordinanza tkun hareġ b'liġi mill-Gvernatur, huwa għandu, ma' l-ewwel okkażjoni, jibagħtilna b'mezz ta' Segretarju ta' l-Istat, sabiex ingħarrfu dak li Jogħgobna, traskrizzjoni mtennija tagħha, awtentikata kif jixraq taht is-Sigill Pubbliku u bil-firma tiegħu minfu. Mat-traskrizzjoni għandu jkun hemm tifsira tar-raġunijiet u tal-hteġa tal-hruġ b'liġi ta' din l-Ordinanza.

L-Ordinanzi  
jinbagħtu  
ta' kull sena  
Segretarju  
ta' l-Istat.

6. Minnufih malli jista' jkun fil-bidu ta' kull sena, il-Gvernatur għandu jgħieghel li tixxandar gabra shiha ta' l-Ordinanzi kollha li jkunu hareġu b'liġi ma' tul is-sena ta' qabel.

Għandha  
tixxandar  
ta' kull sena  
gabra ta'  
l-Ordinanzi.

7. Il-Gvernatur għandu jgħarraf lill-Kunsill Eżekuttiv u lill-Kunsill Nominativ b'dawn l-istruzzjonijiet, u dawk l-ohrajn kollha illi huwa, minn żmien għal ieħor, jidhirlu li jaqbel għas-servizz Tagħna li jgħarrafhom bihom.

Il-Gvernatur  
igħarraf  
il-Kunsill  
Eżekuttiv u  
Nominativ  
bl-istruzzjonijiet.

8.—(1) La l-Kunsill Eżekuttiv u lanqas il-Kunsill Nominativ ma għandhom jissejbu hliet bl-awtorità tal-Gvernatur.

Sejha u quorum  
tal-Kunsill  
Eżekuttiv u  
tan-Nominativ.

(2) Ebda xogħol hliet dak ta' l-aġġornament ma għandu jsir fil-Kunsill Eżekuttiv jew fil-Kunsill Nominativ jekk xi Membru li jkun hemm iqajjem oġġezzjoni li hemm inqas minn tliet Membri prezenti minbarra l-Gvernatur jew il-Membru li jkun jippresiedi.

9. Il-Gvernatur għandu, safejn jista' jkun, imur għal u jippresiedi fil-laqgħat tal-Kunsill Eżekuttiv u tal-Kunsill Nominativ, u jekk ma jkunx hemm, dak il-Membru tal-Kunsill li jkun maħtur minnu għal hekk, jew jekk hadd ma jkun għie maħtur għal hekk jew jekk ma jkunx hemm il-Membru hekk maħtur, il-Membru li jkun hemm, l-ewwel fl-ordni tal-preċedenza, għandu jippresiedi.

Min jippresiedi  
fil-Kunsill  
Eżekuttiv u  
fil-Kunsill  
Nominativ.

Precedence in Executive Council and Nominated Council.

10.—(1) The Members of the Executive Council shall take precedence among themselves as the Governor may assign.

(2) The Members of the Nominated Council shall take such precedence among themselves as We may specially assign, and if, or in so far as, precedence shall not be so assigned, first the ex officio Members in the order in which their respective offices are mentioned in the Malta (Office of Governor) Letters Patent, 1947, and thereafter the appointed Members according to the priority of their respective appointments, or, if appointed by the same Instrument, according to the order in which they are named therein.

Governor to take advice of Executive Council.

11. In the execution of the powers and authorities vested in him, the Governor shall, subject to the provisions of Clause 24 of these Instructions, be guided by the advice of the Executive Council with regard to all matters within the jurisdiction of the Legislative Assembly under the provisions of the Malta (Constitution) Letters Patent, 1947:

Provided that, if in any case he shall see sufficient cause to dissent from the opinion of the Council, he may act in the exercise of the said powers and authorities in opposition to the opinion of the Council, reporting the matter to Us without delay, with the reasons for his so acting; and in any such case any Member of the Council shall have the right to require that there be recorded upon the Minutes of the Council the grounds of any advice or opinion that he may give upon the question at issue.

Governor to consult with Nominated Council, but may act in opposition to Council.

12.—(1) In the execution of the powers and authorities vested in him the Governor shall consult with the Nominated Council with regard to all matters which are not within the jurisdiction of the Legislative Assembly under the provisions of the Malta (Constitution) Letters Patent, 1947, except in cases when, in his judgment:

- (a) Our service would sustain material prejudice by consulting the Council thereupon; or
- (b) the matters to be decided are too unimportant to require their advice; or
- (c) the matters to be decided are too urgent to admit of their advice being given by the time within which it may be necessary for him to act.

In every case falling within paragraph (c) of this clause, he shall, as soon as practicable, communicate to the Council the measures which he shall have adopted with the reasons therefor.

(2) The Governor may act in opposition to the advice given to him by Members of the Nominated Council if he shall in any case consider it right so to do; but in any such case he shall fully report the matter to Us at the first convenient opportunity with the reasons for his action; and any Member of the Council shall have the right to require that there shall be recorded at length on the Minutes the grounds of any advice or opinion that he may give upon the question at issue.

10.—(1) Il-Membri tal-Kunsill Eżekuttiv għandhom jiehdu pre-  
cedenza bejniethom kif il-Gvernatur jagħtthom.

Preċedenza  
fil-Kunsill  
Eżekuttiv u  
fil-Kunsill  
Nominativ.

(2) Il-Membri tal-Kunsill Nominativ għandhom jiehdu dik  
il-preċedenza bejniethom kif Alma b'mod speċjali nagħtuhom, u jekk,  
jew safejn, ma tingħatax preċedenza hekk, l-ewwel il-Membri  
*ex officio* kif misshom skond l-ordni li bih il-kariga ta' kull wiehed  
minnhom hija msemmija fil-“Letters Patent” ta' l-1947 għal Malta  
(Kariga ta' Gvernatur), u wara l-Membri maħturin skond kif kull  
wiehed gie maħtur qabel oħrajn, jew, jekk maħturin bl-istess Att, skond  
l-ordni li bih huma msemmijin fih.

11. Fit-thaddim tas-setgħat u awtoritajiet mogħtija lilu, il-Gverna-  
tur għandu, bla ħsara tad-dispożizzjonijiet tal-Klawsula 24 ta' dawn  
l-Istruzzjonijiet, jimxi fuq il-parir tal-Kunsill Eżekuttiv dwar kull haġa  
li taqa' fil-gurisdizzjon ta' l-Assemblea Legislativa taħt id-dispożiz-  
zjonijiet tal-“Letters Patent” ta' l-1947 għal Malta (Kostituzzjoni) :

Il-Gvernatur  
jiegħu l-parir  
tal-Kunsill  
Eżekuttiv.

Iżda, jekk jiġri illi huwa jara li hemm raġuni biżżejjed biex ma  
jaqbelx mal-fehma tal-Kunsill, huwa jista' jimxi fil-hidma ta' l-imsem-  
mijin setgħat u awtoritajiet kontra l-fehma tal-Kunsill, billi jgħarrafna,  
mingħajr dewmien, bir-raġunijiet talli huwa għamel hekk; u f'kull każ  
bħal dan kull Membru tal-Kunsill ikollu l-jedd li jgiegħel li jkunu  
mnizzlin fil-Minuti tal-Kunsill ir-raġunijiet ta' kull parir jew fehma illi  
huwa jista' jagħti dwar dik il-kustjoni.

12.—(1) Fit-thaddim tas-setgħat u awtoritajiet mogħtija lilu  
il-Gvernatur għandu jikkonsulta ruħu mal-Kunsill Nominativ dwar il-  
hwejjeġ kollha li ma jaqgħux fil-gurisdizzjon ta' l-Assemblea Legisla-  
tiva taħt id-dispożizzjonijiet tal-“Letters Patent” ta' l-1947 għal Malta  
(Kostituzzjoni), hliel f'każijiet meta fid-dehen tiegħu :

Il-Gvernatur  
jikkonsulta ruħu  
mal-Kunsill  
Nominativ  
imma jista'  
jagħmel kontra  
l-parir tiegħu.

- (a) is-servizz Tagħna jista' jbati ħsara sewwa jekk jikkonsulta  
ruħu mal-Kunsill fuq dik il-haġa; jew
- (b) il-kustjonijiet li għandhom ikunu maqtuġhin ikunu ta'  
importanza wisq żgħira sabiex jinhtieg il-parir tal-  
Kunsill; jew
- (c) il-kustjonijiet li għandhom ikunu maqtuġhin ikunu ta'  
għaġla kbira wisq biex jingħata l-parir tal-Kunsill fiż-  
zmien li fih ikun meħtieġ li l-Gvernatur jagħmel li  
għandu jsir.

F'kull każ li jabbat taħt il-paragrafu (c) ta' din il-klawsula, huwa  
għandu, minnufih malli jista' jkun, iġharraf lill-Kunsill bil-provdimenti  
li huwa jkun ha flimkien bir-raġunijiet għalihom.

(2) Il-Gvernatur jista' jmur kontra l-parir mogħti lilu  
mill-Membri tal-Kunsill Nominativ jekk huwa f'xi każ jidhirlu li hu  
xieraq li jagħmel hekk; imma f'kull każ bħal dak huwa għandu  
jgħarraf b'kolloz Talna ma' l-ewwel opportunità li jkollu bir-raġunijiet  
għall-egħmil tiegħu; u kull Membru tal-Kunsill ikollu l-jedd li jgiegħel  
illi jkunu mnizzlin fit-tul fuq il-Minuti r-raġunijiet ta' kull parir jew  
fehma illi huwa jista' jagħti dwar dik il-kustjoni.

Governor to propose questions to Nominated Council.

**13.** The Governor alone shall be entitled to submit questions to the Nominated Council; but if the Governor shall decline to submit any question to the said Council when requested in writing by any Member so to do, such Member shall have the right to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor thereto.

Minutes of Nominated Council.

**14.** Minutes shall be kept of all the proceedings of the Nominated Council. At every meeting of each Council the Minutes of the last preceding meeting shall be confirmed, with or without amendment as the case may require, before the Council proceeds to the despatch of any other business. Twice in each year a full transcript of all Minutes of the Nominated Council for the preceding half-year shall be transmitted to Us through a Secretary of State.

Summoning and quorum of Privy Council and Joint Committee.

**15.—(1)** Neither the Privy Council nor any Joint Committee shall be summoned except by the authority of the Governor.

(2) No business except that of adjournment shall be transacted in the Privy Council or in any Joint Committee if objection is taken by any Member present that there are, in the case of the Privy Council, less than six, and, in the case of any such Committee, less than three, Members present besides the Governor or Member presiding.

Presiding in Privy Council and Joint Committee.

**16.** The Governor shall, so far as is practicable, attend and preside at the meetings of the Privy Council and of any Joint Committee and in his absence such Member of the Council or of the Committee (as the case may be) as may be appointed by the Governor in that behalf, or in default of such appointment or in the absence of the Member so appointed, the Member present who stands first in order of precedence shall preside.

Precedence in Privy Council.

**17.** The Members of the Privy Council shall take precedence among themselves as the Governor may assign.

Governor to propose questions in, and may act in opposition to advice of, Privy Council and Joint Committee.

**18.—(1)** The Governor alone shall be entitled to submit questions to the Privy Council or to any Joint Committee but he shall in all cases consult with the Privy Council or such a Committee before returning any Bill for reconsideration by the Legislative Assembly under section 34 of the Malta (Constitution) Letters Patent, 1947.

(2) The Governor may act in opposition to the advice given to him by Members of the Privy Council or of any Joint Committee if he shall in any case consider it right so to do; but in any such case he shall fully report the matter to Us at the first convenient opportunity with the reasons for his action and any Member of the Council or of the Committee (as the case may be) shall have the right to require that there be recorded at length on the Minutes the grounds of any advice or opinion that he may give upon the question at issue.

13. Il-Gvernatur biss ikollu l-jedd li jressaq kustjonijiet quddiem il-Kunsill Nominativ; imma jekk il-Gvernatur jirrofta li jressaq xi kustjoni quddiem l-imsemmi Kunsill meta mitlub bil-miktub minn xi Membru sabiex jagħmel hekk, dak il-Membru jkollu l-jedd li jgħiegħel illi fuq il-Minuti titniżze! it-talba tiegħu, bil-miktub, flimkien mat-twegiba mogħtija mill-Gvernatur għal dik it-talba.

Il-Gvernatur  
jipproponi  
kustjonijiet  
lill-Kunsill  
Nominativ.

14. Għandhom jinżammu Minuti tal-proċedimenti kollha tal-Kunsill Nominativ. F'kull laqgħa ta' kull Kunsill il-Minuti ta' l-aħħar laqgħa ta' qabel għandhom ikunu mwettqin kif ikunu jew b'xi tibdil skond il-htieġa tal-każ qabel ma l-Kunsill jibda jmexxi xi xogħol iehor. Darbtejn kull sena għandha tinbagħat Lilna b'mezz ta' Segretarju ta' l-Istat traskrizzjoni sħiħa tal-Minuti kollha tal-Kunsill Nominativ għas-sitt xhur ta' qabel.

Minuti  
tal-Kunsill  
Nominativ.

15.—(1) La l-Kunsill Privat u lanqas il-Kumitat Imgħaqqad ma għandhom jissejġu hliet bl-awtorità tal-Gvernatur.

Sejha u quorum  
tal-Kunsill  
Privat u  
tal-Kumitat  
Mgħaqqad.

(2) Ebda xogħol hliet dak ta' l-aġġornament ma għandu jsir fil-Kunsill Privat jew f'xi Kumitat Imgħaqqad jekk xi Membru li jkun hemm iqajjem oġġezzjoni li hemm, minbarra l-Gvernatur jew il-Membru li jippresiedi, fil-każ tal-Kunsill Privat inqas minn sitt Membri preżenti u, fil-każ ta' dak il-Kumitat, inqas minn tlieta.

16. Il-Gvernatur għandu, safejn jista' jkun, imur għal u jippresiedi fil-laqgħat tal-Kunsill Privat u ta' kull Kumitat Imgħaqqad u jekk ma jkunx hemm, dak il-Membru ta' l-Kunsill jew tal-Kumitat (kif jaħbat) li jkun maħtur mill-Gvernatur għal dak il-għan, jew jekk hadd ma jkun għe maħtur għal hekk jew jekk ma jkunx hemm il-Membru hekk maħtur, il-Membru li jkun hemm, l-ewwel fl-ordni tal-preċedenza, għandu jippresiedi.

Min jippresiedi  
fil-Kunsill  
Privat u  
fil-Kumitat  
Mgħaqqad.

17. Il-Membri tal-Kunsill Privat għandhom jieħdu preċedenza bejniethom kif il-Gvernatur jagħtihom.

Preċedenza  
fil-Kunsill  
Privat.

18.—(1) Il-Gvernatur biss ikollu l-jedd li jressaq kustjonijiet quddiem il-Kunsill Privat jew xi Kumitat Imgħaqqad imma huwa għandu dejjem jikkonsulta ruħu mal-Kunsill Privat jew ma' Kumitat bħal dak qabel ma jibgħat lura xi Abbozz sabiex l-Assemblea Legi-slativa targa' tikkunsidrah taħt l-artiklu 34 tal-“Letters Patent” ta' l-1947 għal Malta (Kostituzzjoni).

Il-Gvernatur  
jipproponi  
kustjonijiet  
fil-Kunsill  
Privat u  
fil-Kumitat  
Mgħaqqad  
u jista' jmur  
kontra l-parir  
tagħhom.

(2) Il-Gvernatur jista' jmur kontra l-parir mogħti lilo minn Membri tal-Kunsill Privat jew ta' xi Kumitat Imgħaqqad jekk huwa f'xi każ jidhirlu li huwa xieraq li jagħmel hekk; imma f'kull każ bħal dak huwa għandu jgħarraf b'kollox Lilna ma' l-ewwel opportunità li jkollu bir-raġunijiet għall-egħmil tiegħu u kull Membru tal-Kunsill jew tal-Kumitat (kif jaħbat) ikollu l-jedd li jgħiegħel illi jkun mniżżlin fit-tul fuq il-Minuti r-raġunijiet ta' kull parir jew fehma illi huwa jista' jagħti dwar dik il-kustjoni.

Minutes of the  
Privy Council  
and Joint  
Committee.

19. Minutes shall be kept of all proceedings of the Privy Council and of any Joint Committee thereof. At every meeting of the Council or of any such Committee the Minutes of the last preceding meeting shall be confirmed, with or without amendment as the case may require, before the Council or Committee proceeds to the despatch of any other business. Twice in each year a full transcript of all Minutes of the Council and of any such Committee for the preceding half-year shall be transmitted to Us through a Secretary of State.

Certain Bills not  
to be assented  
to without  
instructions.

20. The Governor shall not, without having previously obtained Our instructions thereon through a Secretary of State, assent to any Bill passed by the Legislative Assembly, which falls within any of the following classes, unless such Bill contain a clause suspending the operation thereof until the signification in Malta of Our pleasure, that is to say:

- (1) any Bill for the divorce of married persons;
- (2) any Bill whereby any grant of land or money, or other donation may be made to himself;
- (3) any Bill imposing differential duties;
- (4) any Bill the provisions of which shall appear to him to be inconsistent with obligations imposed upon Us by Treaty;
- (5) any Bill of an extraordinary nature and importance whereby Our prerogative, or the rights or property of Our subjects not residing in Malta, or the trade, transport or communications of any part of Our dominions other than Malta, may be prejudiced;
- (6) any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us:

Provided that the Governor may, without such instructions as aforesaid and although the Bill contains no such clause as aforesaid, assent in Our name to any Bill falling within any of the classes described in this clause (except a Bill falling within the class mentioned in paragraph (4) of this clause), if he shall have satisfied himself that an urgent necessity exists requiring that such Bill be brought into immediate operation; but, in any such case, he shall forthwith transmit to Us any Bill to which he shall have assented, together with his reasons for so assenting.

Laws to  
be sent  
through a  
Secretary  
of State.

21. When any Bill passed by the Legislative Assembly shall have been assented to by the Governor, he shall, at the earliest opportunity, transmit to Us, through a Secretary of State, for the signification of Our pleasure, a transcript in duplicate of the law, duly authenticated under the Public Seal and by his own signature. The transcript shall be accompanied by an explanation of the reasons and occasion for the enactment of the law.

19. Għandhom jinżammu Minuti tal-proċedimenti kollha tal-Kunsill Privat u ta' kull Kumitat Imgħaqquad tiegħu. F'kull laqgħa tal-Kunsill jew ta' kull Kumitat bħal dak il-Minuti ta' l-aħħar laqgħa ta' qabel għandhom ikunu mwettqin, kif ikunu jew b'xi tibdil skond il-htieġa tal-każ, qabel ma l-Kunsill jew il-Kumitat jibda jmexxi xi xogħol ieħor. Darbtejn kull sena għandha tinbagħat Lilna b'mezz ta' Segretarju ta' l-Istat traskrizzjoni sħiħa tal-Minuti kollha tal-Kunsill u ta' kull Kumitat bħal dak għas-sitt xhur ta' qabel.

Minuti  
tal-Kunsill  
Privat u  
Imgħaqquad.

20. Il-Gvernatur ma għandux jagħti l-kunsens, mingħajr qabel ma jkun kiseb fuq hekk l-Istruzzjonijiet Tagħna b'mezz ta' Segretarju ta' l-Istat, għal xi Abbozz ta' Liġi mgħoddi mill-Assemblea Legiſlativa, li jaqa' taht xi waħda minn dawn ix-xorta li ġejjin, kemm-il darba dak l-Abbozz ma jkunx fih klawsula li żżomm it-thaddim tiegħu sa ma jiġi magħruf f'Malta dak li Aħna joghġobna, jiġifieri :

Il-kunsens ma  
jingħatax għal  
xi Abbozzi  
mingħajr  
istruzzjonijiet.

- (1) kull Abbozz dwar id-divorzju ta' nies miżżewġin ;
- (2) kull Abbozz li bih xi għoti ta' art jew ta' flus jew donazzjoni oħra tista' ssir lilu nnifsu ;
- (3) kull Abbozz li joħloq xi dazji differenzjali ;
- (4) kull Abbozz li d-dispożizzjonijiet tiegħu jidhirflu li ma jaqblux ma' dak li Aħna nkunu ntrabatna għalih bis-sħħa ta' Trattat ;
- (5) kull Abbozz ta' xorta u importanza mhux solti li bih jistgħu jittiefsu l-prerogativa Tagħna jew il-jeddijiet jew proprjetà tas-sudditi Tagħna li ma jgħammrux f'Malta, jew il-kummerċ, trasport jew kumunikazzjonijiet ta' xi mkien fid-dominji Tagħna barra minn Malta ;
- (6) kull Abbozz li jkun fih dispożizzjonijiet li għalihom il-kunsens Tagħna ġie xi darba ruftat, jew illi ma kenux approvati minn Għandha :

Iżda l-Gvernatur jista', mingħajr dawk l-Istruzzjonijiet kif intqal hawn qabel u għalkemm l-Abbozz ma jkunx fih klawsula bħal ma msemmi qabel, jagħti l-kunsens f'Isimna għal kull Abbozz ta' Liġi li jkun ta' xi xorta minn dawk imsemmijin f'din il-klawsula (min-barra Abbozz li jkun tax-xorta msemmija fil-paragrafu (4) ta' din il-klawsula), jekk huwa jkun sgura ruħu illi hemm htieġa urgenti sabiex dak l-Abbozz jibda jiħaddem minnufih ; imma, f'kull każ bħal dan, huwa għandu minnufih jibagħtilna kull Abbozz li għalih huwa jkun ta l-kunsens, flimkien mar-raġunijiet tiegħu talli huwa ta dak il-kunsens.

21. Meta għal xi Abbozz ta' Liġi mgħoddi mill-Assemblea Legiſlativa jkun ġie mogħti l-kunsens tal-Gvernatur, huwa għandu, ma' l-ewwel okkażjoni, jibagħtilna b'mezz ta' Segretarju ta' l-Istat, sabiex ingħarrfu dak li Joghġobna, traskrizzjoni mtennija tal-liġi, awtentikata kif jixraq taht is-Siġill Pubbliku u bil-firma tiegħu nnifsu. Mat-traskrizzjoni għandu jkun hemm tifsira tar-raġunijiet u tal-htieġa tal-ħruġ tal-liġi.

Il-liġijiet  
għandhom  
jinbagħtu  
b'mezz ta'  
Segretarju  
ta' l-Istat.

Governor not to purchase Crown land or buildings without permission.

22. The Governor shall not directly or indirectly purchase for himself any land or building to Us belonging without Our special permission given to him in that behalf through a Secretary of State.

Appointments.

23. Every appointment by the Governor of any person to any office or employment shall, unless otherwise provided by law, be expressed to be during pleasure only.

Regulation of power of pardon in capital cases.

24.—(1) Whenever any offender shall have been condemned by the sentence of any Civil Court in Malta to suffer death, the Governor shall call upon the Judges who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at a meeting of the Executive Council, and may cause the said Judges to be specially summoned to attend at such meeting and to produce their notes thereat.

(2) The Governor shall not pardon or relieve any such offender unless it shall appear to him expedient so to do upon receiving the advice of the Executive Council thereon; but he is to decide either to extend or to withhold a pardon or relieve according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise; entering, nevertheless, on the Minutes of the Executive Council his reasons at length, in case he should decide any such question in opposition to the judgment of the majority of the Members thereof.

Blue Book.

25. The Governor shall punctually forward to Us each year, through a Secretary of State, the annual book of returns commonly called the Blue Book, relating to Revenue and Expenditure, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of Malta.

Absence of the Governor.

26. Except in circumstances in which he is not regarded as absent from Malta for the purposes of section 6 of the Malta (Office of Governor) Letters Patent, 1947, the Governor shall not quit Malta without having first obtained leave from Us for so doing through a Secretary of State.

Given at Our Court at Bahmoral this fifth day of September, 1947, in the Eleventh year of Our Reign.



22. Il-Gvernatur ma għandux, direttament jew indirettament, jixtri għalih innifsu xi art jew bini li jkunu Tagħna, minghajr ma jkun kiseb b'mezz ta' Segretarju ta' l-Istat is-sensja Tagħna speċjali mogħtija lilu għal dak il-għan.

Il-Gvernatur ma għandux jixtri art jew bini tal-Kuruna minghajr sensja.

23. F'kull hatra mill-Gvernatur ta' xi hadd għal xi kariga jew impieg għandu jissemma, kemm-il darba l-liġi ma tghidx xort'ohra, li għandha tiswa biss sakemm joġġob Lilna.

Hatriet.

24.—(1) Kull meta xi hati ikun ikkundannat b'sentenza ta' Qorti Ċivili f'Malta sabiex jieħu l-mewt, il-Gvernatur għandu jsejjaħ lil-Imħallfin li jkunu semgħu l-proċess sabiex jagħmlulu rapport bil-miktub dwar il-każ ta' dak il-hati, u għandu jgiegħel illi dak ir-rapport ikun ikkunsidrat f'laqgħa tal-Kunsill Eżekuttiv, u jista' jgiegħel illi dawk l-Imħallfin jiġu għal hekk imsejtn sabiex jidhru f'dik il-laqgħa u jiġbu magħhom in-notamenti li jkollhom.

Thaddim tas-setgħa tal-maħfra f'każijiet ta' kundanna għall-mewt.

(2) Il-Gvernatur ma għandux jagħti l-maħfra lil hati bħal dak u lanqas itawwallu ż-żmien għall-esekuzzjoni tal-kundanna kemm-il darba ma jkunx jidhru xieraq li jagħmel hekk wara li jisma' l-parir tal-Kunsill Eżekuttiv fuq dak il-każ; iżda jmiss li u li jaqta' jekk jagħtix jew le l-maħfra jew itawwalx jew le ż-żmien skond id-dehen tiegħu fuq li jaħsibha sewwa, sew jekk il-Membri tal-Kunsill Eżekuttiv jaqblu ma' hekk jew le; iżda għandhom jitmizzlu fil-Minuti tal-Kunsill Eżekuttiv ir-raġunijiet tiegħu fit-tul, jekk huwa jiddecidi din il-kustjoni kontra l-fehma tal-kotra tal-Membri li jkun hemm.

25. Il-Gvernatur għandu, bla ma jonqos, jibagħtilna ta' kull sena, b'mezz ta' Segretarju ta' l-Istat, il-ktieb ta' tagħrif uffiċjali li joħroġ kull sena x'aktarx magħraf bl-isem ta' *Blue Book*, dwar id-Dhul u Nfiq ta' Flejjes mill-Kaxxa, ix-Xogħlijiet Pubbliċi, Legislazzjoni, Dipartimenti Ċivili, Pensjonijiet, Popolazzjoni, Skejjel, il-Kors tal-Kambju, Importazzjoni u Esportazzjoni, Għelejjel tal-Biedja, Manifatturi, u dawk il-hwejjeġ l-oħra aktar bir-reqqa mfissrin fl-imsemmi Ktieb li għandhom x'jaqsimu ma' l-Istat u l-kondizzjon ta' Malta.

*Blue Book.*

26. Hlief f'ċirkustanzi li fihom huwa ma jitqiesx li m'huwiex f'Malta għall-għanijiet ta' l-artiklu 6 tal-*'Letters Patent'* ta' l-1947 għal Malta (Kariga ta' Gvernatur) il-Gvernatur ma għandux jitlaq minn Malta minghajr qabel ma jkun kiseb minn Għandna, b'mezz ta' Segretarju ta' l-Istat, sensja biex jagħmel hekk.

Safar tal-Gvernatur.

Mogħti fil-Qorti Tagħna ta' Ba'moral, il-lum, il-hamsa ta' Settembru, 1947, fil-Hdax-il sena tas-Saltna Tagħna.

(L.S.)

F. C. R. DOUGLAS,  
Governor.

ANNO DOMINI 1947]

[No. VIII

**PROCLAMATION \***

By His Excellency FRANCIS CAMPBELL ROSS DOUGLAS, Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies.

**W**HEREAS it is provided by Section 2 of His Majesty's Letters Patent bearing the date the 5th day of September, 1947, providing for the constitution of Responsible Government in the Island of Malta and its Dependencies that such Letters Patent shall be published within the Island of Malta and its Dependencies in such manner as the Governor shall think fit and, save as otherwise expressly provided in the said Letters Patent, shall come into operation on a date to be appointed by Proclamation in the Malta Government Gazette;

AND WHEREAS it is provided by section 2 of His Majesty's Letters Patent bearing the same date as above constituting the Office of Governor and Commander-in-Chief of Malta and its Dependencies that such Letters Patent shall likewise be published within the Island of Malta and its Dependencies in such manner as the Governor shall think fit and shall come into operation on the date appointed by the Governor as aforesaid;

AND WHEREAS there have to-day been published in the Malta Government Gazette the said Letters Patent providing for the constitution of Responsible Government in the Island of Malta and its Dependencies and the Letters Patent constituting the Office of Governor and Commander-in-Chief of Malta and its Dependencies;

NOW THEREFORE, I, FRANCIS CAMPBELL ROSS DOUGLAS, Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies, do hereby notify and proclaim that the aforesaid Letters Patent intituled the Malta (Constitution) Letters Patent, 1947, providing for the constitution of Responsible Government in the Island of Malta and its Dependencies shall come into operation on the 22nd day of September, 1947, save as otherwise expressly provided in such Letters Patent.

The Palace, Valletta, this 10th day of September, 1947.

By Command,

D. C. CAMPBELL,  
Lieutenant-Governor.

**GOD SAVE THE KING**

\* This Proclamation was published in the Malta Government Gazette of 10th September, 1947.

(L.S.)

F. C. R. DOUGLAS,  
Gvernatur.

ANNO DOMINI 1947.]

[NRU. VIII.

**PROKLAMA \***

Ta' l-Eċċellenza Tiegħu FRANCIS CAMPBELL ROSS DOUGLAS, Gvernatur u Kap Kmandant tal-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha.

**B**ILLI hemm maħsub fl-Artiklu 2 tal-"Letters Patent" tal-Maestà Tiegħu li jgħibu d-data tal-5 ta' Settembru, 1947, li jaħsbu għat-twaqqif ta' Gvern Responsabbli fil-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha illi dawn il-"Letters Patent" għandhom jixxandru fil-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha hekk kif il-Gvernatur jidhirlu xieraq u, hlief kif xort'oħra jingħad bil-kliem fl-istess "Letters Patent", għandhom jibdew isehbu f'jum maħtur bi Proklama fil-Gazzetta tal-Gvern ta' Malta;

U BILLI hemm maħsub fl-Artiklu 2 tal-"Letters Patent" tal-Maestà Tiegħu li jgħibu l-istess data ta' hawn fuq li jstabbilixxu l-Kariga ta' Gvernatur u Kap Kmandant ta' Malta u l-Gzejjer li jagħmlu Magħha illi dawn il-"Letters Patent" għandhom huma wkoll jixxandru fil-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha kif il-Gvernatur jidhirlu xieraq u għandhom jibdew isehhu fil-jum maħtur mill-Gvernatur kif ingħad qabel;

U BILLI ġew il-lum imxandrin fil-Gazetta tal-Gvern ta' Malta l-"Letters Patent" li jaħsbu għat-twaqqif ta' Gvern Responsabbli fil-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha, u l-"Letters Patent" li jstabbilixxu l-Kariga ta' Gvernatur u Kap Kmandant ta' Malta u l-Gzejjer li jagħmlu Magħha;

ISSA GHALHEKK, Jiena, FRANCIS CAMPBELL ROSS DOUGLAS, Gvernatur u Kap Kmandant tal-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha; hawnhekk ngharraf u nipproklama illi dawn il-"Letters Patent" ta' l-1947 għal Malta (Kostituzzjoni), li jaħsbu għat-twaqqif ta' Gvern Responsabbli fil-Gżira ta' Malta u l-Gzejjer li jagħmlu Magħha, għandhom jibdew isehhu fit-22 ta' Settembru, 1947, hlief kif xort'oħra jingħad bil-kliem fl-istess "Letters Patent".

Il-Palazz, il-Belt Valletta, il-lum, il-10 ta' Settembru, 1947.

Bi Kmand,

D. C. CAMPBELL,  
Logutenent-Gvernatur.

**ALLA JHARES LIR-RE**

\* Din il-Proklama harġet fil-Gazzetta tal-Gvern ta' Malta fil-10 ta' Settembru, 1947.