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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

MALTA

DRAFT ACT

AMENDING THE CONSTITUTION

(HUMAN RIGHTS AND EQUALITY COMMISSION)

Draft**A Bill****Entitled**

An ACT to amend the Constitution of Malta.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in the present Parliament assembled and by the authority of the same, as follows:-

Short title.

1. The short title of this Act is the Constitution of Malta (Amendment) Act, 2018 and this Act shall be read and construed as one with the Constitution of Malta, hereinafter referred to as “the Constitution”.

Addition of new article 64B of the Constitution.

2. Immediately after article 64A of the Constitution there shall be added the following new article 64B:

“The Human Rights and Equality Commission.

64B. (1) There shall be a Commission to be known as the Human Rights and Equality Commission, which shall have, *inter alia*, the function to investigate alleged cases relating to equal treatment and the principle of non-discrimination.

(2) The manner of appointment, the term of office, and the manner of removal or suspension of the members of the Human Rights and Equality Commission, together with any other matter ancillary or incidental thereto or considered necessary or expedient for the carrying out of the function referred to in sub-article (1) shall be provided for by an Act of Parliament.”.

Amendment of article 66 of the Constitution.

3. In paragraph (b) of sub-article (2) of article 66 of the Constitution, for the words “60, 61 and 64A” there shall be substituted the words “60, 61, 64A, and 64B”.

Objects and Reasons

The objects and reasons of the Bill is to give the Human Rights and Equality Commission the status of an institution established in terms of the Constitution of Malta._