

No. 30f 2011

*Constitutional Amendment No. - Equality and Participation Law 2011*

Certified on: 28.12.2011

88187



*Constitutional Amendment No. - Equality and Participation Law 2011.*

**ARRANGEMENT OF SECTIONS.**

1. Compliance with Constitutional Requirements.
2. Membership (Amendment of Section 101).



**Constitutional Amendment No. - Equality and Participation Law 2011.**

Being a law to amend the **Constitution**, to give effect to the second Goal of the National Goals and Directive Principles of equality and participation to enable every citizen to be able to participate, either directly or through a representative, in the consideration of any matter affecting his or her interests or the interests of his or her community,

MADE by the National Parliament to come into operation on the issue of writs for the 2012 General Elections.

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.**

(1) This Law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*qualified rights*) of the **Constitution** namely -

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right to peaceful assembly and associate and to form or belong to, or not to belong to, political parties, industrial organizations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualification (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonable privacy in respect of his private and family life, his communications with other person and his personal papers and effects conferred by Section 49; and
- (f) the right to vote and stand for public office conferred by Section 50; and
- (g) the right to reasonable access of official documents conferred by Section 51; and
- (h) the right of freedom of movement conferred by Section 52,

of the **Constitution**, is a law that is made for the purposes of complying with Section 38 of the **Constitution**, taking into account of the National Goals and Directive Principles of integral human development called for in the Preamble to the **Constitution** in particular -

- (i) equal participation by women citizens in all political, economic, social and religious activities; and
- (j) every citizen to be able to participate, either directly or through a representative, in the consideration of any matter affecting his interests or the interest of his community,

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is made for the purpose of giving effect to the public interest in public welfare and the development of women as an under-privileged or less advanced group and in order to protect the exercise of the rights and freedoms of women and for the special benefit, welfare, protection and advancement of women.

**2. MEMBERSHIP (AMENDMENT OF SECTION 101).**

Section 101 is amended in Subsection (1) by -

- (a) deleting the full stop at the end of Paragraph (c) and replacing it with “; and”; and
- (b) adding after Paragraph (c) the following new paragraph:

“(d) a number of women elected from a single-member women’s electorates as defined under an Organic Law.”.

I hereby certify that the above is a fair print of the ***Constitutional Amendment No. - Equality and Participation Law 2011*** which has been made by the National Parliament.

Acting Clerk of the National Parliament.

*Constitution*

**CERTIFICATE UNDER SECTION 14.**

I, **FRANCIS MARUS**, Acting Speaker of the National Parliament, hereby certify that the requirements of Section 14(1), (2) and (3) of the *Constitution* were complied with in respect of the *Constitutional Amendment No. - Equality and Participation Law 2011* and that the law was made by the National Parliament as follows:-

- (a) the first vote was taken on 6 September, 2011 when the number of seats in the National Parliament was 109 and those voting for the proposal were 66 and those voting against the proposal were 2; and
- (b) the second vote was taken on 23 November, 2011 when the number of seats in the National Parliament was 109 and those voting for the proposal were 72 and those voting against the proposal were 2

Acting Speaker of the National Parliament

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