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### NEWS REPORT

<b>Country:</b>	Malta
<b>Title:</b>	The Mandatory Membership of a Person with Disability within Maltese public entities
<b>Date:</b>	26 June 2015
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<b><u>Context</u></b>	
<b>Issue at stake:</b>	An Act to regulate the compulsory addition of one member with Disability to various entities which are governed by Maltese Law
<b>Ground of discrimination:</b>	Positive Discrimination - Disability
<b>Source:</b>	Legislation
<b>Field:</b>	Various
<b>Applicable law:</b>	Act No. VII of 2015 titled Various Laws (Persons with Disability) (Membership in Various Entities) Act – entered into force on 10 <sup>th</sup> March 2015

### **Content**

**Law development:** Act No. VII of 2015 seeks to integrate more persons with disability into the various entities present in the Maltese legal and governmental system by way of a provision in which at least one person with disability must be part of the major public entities/authorities (as specified below) governed by Maltese Law.

This Act provides for the increase of one member within each board or entity to include a person with a disability.

The Act affects the composition of the following entities, increasing their number by one and imposing that at least one member be a person with a disability or a person representing such persons as the case may be:

- (i) The Housing Authority (set-up under the Housing Authority Act (Chap 261 of the Laws of Malta));
- (ii) The National Commission for Further and Higher Education (set up under the Education Act (Chap 327 of the Laws of Malta)),
- (iii) The Employment and Training Corporation (set up under the Employment and Training Services Act (Chap 343 of the Laws of Malta)),
- (iv) The Broadcasting Authority (set-up under the Broadcasting Act (Chap 350 of the Laws of Malta)),
- (v) The Refugee Appeals Board (set up under the Refugees Act (Chap 420 of the Laws of Malta)),
- (vi) The Malta Statistics Authority (set up under the Malta Statistics Authority Act (Chap 422 of the Laws of Malta)),
- (vii) The National Commission for the Promotion of Equality for Men and Women (set up under the Equality for Men and Women Act (Chap 456 of the Laws of Malta)),

- (viii) The Commission on Domestic Violence (set-up under the Domestic Violence Act (Chap 481 of the Laws of Malta)),
- (ix) The Council for the Voluntary Sector (set-up under in the Voluntary Organisations Act (Chap 492 of the Laws of Malta)),
- (x) The Authority for Transport in Malta (set-up under the Authority for Transport in Malta Act (Chap 499 of the Laws of Malta)).

The above entities are all public entities and therefore, the Prime Minister of Malta, or the relevant Minister whose Ministry governs the specific entity, as applicable, is responsible for the implementation of these provisions. The entities must be constituted according to these provisions, including the above new requirements. Otherwise, such public entities will not be considered as legally constituted in accordance with Maltese law.

The Maltese legislator has sought to integrate persons with disability into society in various ways, throughout the years, including by way of an employment quota. Under Chapter 210 of the Laws of Malta, any employer who employs not less than twenty people must provide employment to persons with disability so that at least 2% of his workforce constitutes persons with disability. Therefore, Act No. VII of 2015 is a further step in a succession of provisions regulating the integration and protection of persons with disability in Malta.

**Key points of analysis:** This Act seeks to include more persons with disability into the various entities present in the Maltese legal and governmental system by imposing that at least one person with disability should be appointed to the Boards of certain State entities. This is a measure intended to promote the integration of persons with disability into society specifically by inclusion in public entities. In this way, persons with disability are also better represented when decisions by such public entities are taken. This measure seeks to promote equality through positive action.

**Internet link source:**

<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=26717&l=1>