

Nru. 42

27. 6. 83

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Deputat Prim Ministru Anzjan u Ministru tal-Gustizzja, Artijiet, Djar u Affarijiet tal-Parlament u moqri għall-Ewwel Darba fis-Seduta tas-27 ta' Gunju, 1983.

ATT biex ikompli jemenda l-Att ta' l-1981 dwar ir-Registrazzjoni ta' Artijiet.

C. MIFSUD*Skrivan tal-Kamra tad-Deputati***HOUSE OF REPRESENTATIVES**

A BILL introduced by the Honourable Joseph Cassar, M.P., Senior Deputy Prime Minister and Minister of Justice, Lands, Housing and Parliamentary Affairs and read the First time at the Sitting of the 27th June, 1983.

AN ACT further to amend the Land Registration Act, 1981.

C. MIFSUD*Clerk to the House of Representatives*

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Att ta' l-1981 dwar ir-Registrazzjoni ta' Artijiet.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, ħareġ b'liġi dan li ġej:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1983 li jemenda l-Att dwar ir-Registrazzjoni ta' Artijiet, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Att ta' l-1981 dwar ir-Registrazzjoni ta' Artijiet, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Zieda ta' artikolu ġdid 14A ma' l-Att prinċipali.

2. Minnufih wara l-artikolu 14 ta' l-Att prinċipali, għandu jiddied l-artikolu ġdid li ġej:

"14A. (1) Il-Ministru jista' minn żmien għal żmien, b'ordni fil-Gazzetta jordna li kull titolu għal art jiġi registrat sew jekk dik l-art tkun f'area ta' registrazzjoni sew jekk le.

(2) Il-Ministru jista' jagħmel dak l-ordni jew:

(a) b'riferenza għal arei partikolari li jiġu murija b'riferenza għal mappa jew mapep inklużi fl-ordni jew b'dak il-mod l-ieħor li jidhirlu xieraq; jew

(b) b'riferenza għal xi persuna jew grupp ta' persuni.

(3) Il-Ministru jista' f'kull ordni bħal dak jordna li dik ir-registrazzjoni ssir fi żmien li jiġi stabbilit fl-ordni, liema żmien f'ebda każ ma jkun inqas minn tliet xhur.

(4) Meta art tiġi registrata bis-saħħa ta' dan l-artikolu, dan l-Att għandu japplika għaliha daqslikieku kienet qiegħda f'area ta' registrazzjoni.

(5) Kull persuna li —

(a) tonqos li tħares ordni magħmul mill-Ministru bis-saħħa tas-subartikolu (1) ta' dan l-artikolu; jew

(b) waqt xi proċedimenti quddiem ir-registratur jew qorti skond dan l-Att, u dwar xi art li għandha tiġi registrata skond ordni magħmul mill-Ministru bis-saħħa tas-subartikolu (1) ta' dan l-artikolu, bil-ħsieb li taħbi t-titolu jew il-pretensjoni ta' xi persuna jew biex b'sustenn ta' talba falza ma tressaqx, jew tipprova ma tressaq, jew tieħu sehem biex ma jitressaqx xi dokument jew fatt; jew

(c) dwar xi art li għandha tiġi registrata skond ordni magħmul mill-Ministru bis-saħħa tas-subartikolu (1) ta' dan l-artikolu, b'qerq tikseb, jew tipprova b'qerq tikseb, jew tieħu sehem biex b'qerq jinkiseb xi dħul fi, tħas-sir minn jew tibdil fir-registru jew f'xi ċertifikat ta' art jew f'ċertifikat ta' ipoteka;

tkun ħatja ta' reat kontra dan l-Att u teħel meta tinsab ħatja l-pieni stabiliti fl-artikolu 56 ta' dan l-Att, u l-Qorti tista' tordna l-konfiska favur il-Gvern, ta' l-art li dwarha jkun sar ir-reat.”.

Għanijiet u Ragunijiet

L-Għan ta' dan l-Abbozz huwa li jagħti s-setgħa lill-Ministru li jordna r-registrazzjoni obligatorja fir-Registru ta' l-Artijiet ta' artijiet speċifikati fl-ordni; qed jiġi provdut ukoll dwar il-pieni għal reati dwar dik ir-registrazzjoni.

A BILL
entitled

AN ACT further to amend the Land Registration Act, 1981.

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

Short title.

1. This Act may be cited as the Land Registration (Amendment) Act, 1983, and shall be read and construed as one with the Land Registration Act, 1981, hereinafter referred to as “the principal Act”.

Addition of new section 14A to the principal Act.

2. Immediately after section 14 of the principal Act, there shall be added the following new section:

“14A. (1) The Minister may from time to time, by order in the Gazette, direct that any title to land shall be registered whether such land is or is not in a registration area.

(2) The Minister may make such order either:

(a) with reference to particular areas which shall be defined by reference to a map or maps included in the order or in such other manner as he may deem appropriate; or

(b) with reference to any person or group of persons.

(3) The Minister may in any such order direct that such registration shall be made within a period to be fixed in the order, which period shall in no case be of less than three months.

(4) Where land is registered by virtue of this section, this Act shall apply thereto as if it were situated in a registration area.

(5) Any person who —

(a) fails to comply with an order made by the Minister in virtue of subsection (1) of this section; or

(b) in the course of any proceedings before the registrar or a court in pursuance of this Act, and in relation to any land which is to be registered pursuant to an order made by the Minister in virtue of subsection (1) of this section, with intent to conceal the title or claim of any person, or to substantiate a false claim, suppresses, attempts to suppress, or is privy to the suppression of, any document or fact; or

(c) in relation to any land which is to be registered pursuant to an order made by the Minister in virtue of subsection (1) of this section, fraudulently procures or attempts fraudulently to procure, or is privy to the fraudulent procurement of any entry on, erasure from or alteration of, the register or any land or charge certificate;

shall be guilty of an offence against this Act and on conviction shall be liable to the penalties established in section 56 of this Act, and the Court may order the forfeiture in favour of the Government, of the land in respect of which the offence is committed.”.

Objects and Reasons

The Object of this Bill is to empower the Minister to order the compulsory registration at the Land Registry of lands specified in the order; provision is also made for the punishment of offences in relation to such registration.