

MALTA

ATT Nru. XXX ta' l-1995

ATT mahruġ b'ligi mill-Parlament ta' Malta.

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 16.

ACT No. XXX of 1995

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Civil Code, Cap. 16.

Naghti l-kunsens tieghi.

(L.S.)

UGO MIFSUD BONNICI
President

7 ta' Dicembru, 1995

ATT Nru. XXX ta' l-1995

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 16.

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1995 li jemenda l-Kodiċi Ċivili (Emenda Nru. 2), u għandu jinqara u jftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjah "il-Kodiċi".

Titolu fil-qosor u bidu fis-sehh.

Kap. 16.

(2) Id-dispożizzjonijiet ta' l-artikolu 3, u ta' l-intestatura B ta' l-artikolu 7 għandhom jitqiesu li bdew isehhu fil-15 ta' Mejju, 1995, u d-dispożizzjonijiet ta' l-artikoli l-oħra għandhom jidhlu fis-sehh f' dik id-data li l-Ministru responsabbli għall-ġustizzja jista' b'avviż fil-Gazzetta jstabilixxi.

2. Fil-paragrafu (e) ta' l-artikolu 278 tal-Kodiċi, minflok il-kliem "il-professjoni, is-sengħa jew stat iehor" għandu jidhol il-kliem "id-dokument ta' l-identità".

Emenda ta' l-artikolu 278 tal-Kodiċi.

3. Minflok il-paragrafi minn (b) sa (d) fl-artikolu 293 tal-Kodiċi għandu jidhol dan li ġej:

Emenda ta' l-artikolu 293 tal-Kodiċi.

"(b) l-isem, il-kunjom, id-data u lok tat-twelid, id-dokument ta' l-identità u l-lok tar-residenza tal-miżżewġin;

(ċ) l-isem, il-kunjom, id-data u lok tat-twelid u lok tar-residenza tax-xhieda li jkunu dehru fit-tieg;

(d) l-isem u l-kunjom tal-missier, u l-isem, il-kunjom u kunjom xhubiet l-omm tal-miżżewġin;”.

Emenda ta' l-artikolu 301 tal-Kodiċi.

4. Fil-paragrafu (b) ta' l-artikolu 301 tal-Kodiċi, minflok il-kliem “il-professjoni, is-sengha jew stat iehor” ghandu jidhol il-kliem “id-dokument ta' l-identità”.

Sostituzzjoni tal-Formuli E u K fit-Taqsima II ta' l-Iskeda li tinsab mal-Kodiċi.

5. Minflok il-Formula E u l-Formula K fit-Taqsima II ta' l-Iskeda li tinsab mal-Kodiċi, ghandhom jidhlu rispettivament il-Formula E u l-Formula K li jidhru fl-Iskeda li tinsab ma' dan l-Att.

Emenda tal-Formuli C, D, G, H u O fit-Taqsima II ta' l-Iskeda li tinsab mal-Kodiċi.

6. Minflok il-kliem “Professjoni, sengha jew stat iehor” kull fejn jinstabu fil-Formuli C, D u G, u minflok il-kelma “x' jaghmel” fil-Formuli H u O kull fejn jinstabu, fit-Taqsima II ta' l-Iskeda li tinstab mal-Kodiċi, ghandhom jidhlu f'kull każ il-kliem “dokument ta' l-identità”.

Emenda tat-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi.

7. Fit-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi:—

A. taht l-intestatura “ATT TAT-TWELID”:—

minflok il-kliem “Professjoni, sengha jew stat iehor, età” fil-paragrafu (f) ghandha tidhol il-kelma “Età”;

B. taht l-intestatura “ATT TAŻ-ŻWIEĠ”:—

(a) minflok il-kliem “professjoni, sengha jew stat iehor, età, post tat-twelid” fil-paragrafu (b) ghandhom jidhlu l-kliem “data u post tat-twelid”; u

(b) minflok il-paragrafu (ċ) ghandu jidhol dan li ġej:

“(ċ) Isem u kunjom tal-missier u isem, kunjom u kunjom xhubiet l-omm tar-raġel u tal-mara;”: u

C. taht l-intestatura “ATT TAL-MEWT”:—

minflok il-kliem “Professjoni, sengha jew stat iehor, età” fil-paragrafu (d) ghandha tidhol il-kelma “Età”.

Transitorja.

8. Id-dispożizzjonijiet tat-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi kif tkun fis-sehh qabel il-bidu fis-sehh ta' dan l-Att, ghandhom ikomplu japplikaw ghal dawk l-Atti li ġew registrati fir-Registru Pubbliku qabel il-bidu fis-sehh ta' dan l-Att.

SKEDI
FORMULA E
[ARTIKLU 293]

ATT TA' ŻWIEĠ **ACT OF MARRIAGE**

DATA TA' L-ATT: MR No.(1)
DATE OF THE ACT:

DIKJARAZZJONI TAR-RAĠEL U L-MARA:
DECLARATION OF THE HUSBAND AND WIFE:

Ahna hawn taht iffirmati niddikjaraw li fil-preżenza ta' (2) **u tax-xhieda hawn taht imsemmija iżżewwiġna fi** (3) **fi** (4)
We the undersigned hereby declare that we have in the presence of (2) *and of the undermentioned witnesses contracted marriage at* (3) *on* (4)

Jien hawn taht iffirmati (il-mara) niddikjara li: * niehu l-kunjom tar-raġel / *inżom kunjom xhubbi wara i-żwieġ. (*hassar fejn ma japplikax).
*I the undersigned (the wife) declare that I choose to: *adopt the surname of my husband / *retain my maiden surname after marriage. (*delete where not applicable).*

TACRIEF DWAR IL-RAĠEL, MUŻEWWEĠ PARTICULARS OF THE HUSBAND

(5)	Isim u Kunjom Name and Surname	(9)
(6)	Data u Post tat-Twelid, u Dokument ta' Identifikazzjoni Date and Place of Birth, and Identification Document	(10)
(7)	Fajns Joqjod / Toqjod Place of Residence	(11)
(8)	Isim, Kunjom u Kunjom Xhubbiet l-Omm Name, Surname and Maiden Surname of Mother	(12)

ADDENDA

(13)

TACRIEF DWAR IL-XHIEDA PARTICULARS OF THE WITNESSES

(14)	Isim u Kunjom Name and Surname	(19)	(22)
(15)	Data u Post tat-Twelid Date and Place of Birth	(20)	(23)
(16)	Fajns Joqjod / Toqjod Place of Residence	(21)	(24)

.....(25)
(Firma tar-Raġel/Husband's Signature)

.....(26)
(Firma tal-Mara/Wife's Signature)

.....(27)
(Firma tax-Xhieda/Witnesses' Signatures)

Id-dikjarazzjonijiet ta' hawn fuq ġew iffirmati quddiem.
The above declarations were signed in my presence.

Firma tar-Registatur taż-Żwieġ (28)
Signature of Marriage Registrar

(29)	Data tad-dhul ta' l-Att. Date of receipt of the Act.	(30)	Numru wara l-ichor tar-Registru Nru. Progressive number of Registration No.
(31)	Firma tad-Direttur jew ta' ufficjal ieħor li jagħmel floku. Signature of Director or other officer authorized to act in his stead.	(32)	

FORMULA K

[ARTIKLU 251]

REGĠSTRU PUBBLIKU
PUBLIC REGISTRY

regiŝtrat fl-uffiċċju
registered in the

Jiena hawn taht iffirmat, b'dan nicċertifika illi dan ta' hawn taht huwa **ESTRATT** veru mill-Att taż-Żwieġ Nru. **I, the undersigned, do hereby certify that the following is a true EXTRACT from the Act of Marriage No.**

tar-Registru Pubbliku, il-Belt, Valletta, Malta, Victoria, Għawdex, skond id-dispożizzjonijiet tal-Kodiċi Ċivili, (Kap. 16).
Public Registry Office, Valletta, Malta, Victoria, Gozo, in accordance with the provisions of the Civil Code, (Cap. 16).

Partikolaritajiet dwar <i>Particulars Respecting</i>	Isem u kunjom <i>Name and surname</i>	Età jew data tat-twelid <i>Age or date of birth</i>	Post tat-twelid <i>Place of birth</i>	Genituri tal-mizzewġin <i>Parents of husband and wife</i>
Ir-raġel <i>The husband</i>				
Il-mara <i>The wife</i>				
Post u data taż-żwieġ <i>Place and date of marriage</i>	Il-mara għazlet li iżzomm kunjom xhubitha maż-żwieġ. (ħassar fejn ma japplikax). <i>The wife chose to retain her surname on marriage. (delete where not applicable).</i>			

UFFIĊĊJU TAR-REGĠSTRU PUBBLIKU - MALTA GħAWDEX
PUBLIC REGISTRY OFFICE - MALTA GħOZO

Lritt imħallas
Fee paid

DIRETTUR
DIRECTOR

A 1953

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 479 tat-28 ta' Novembru, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

7th December, 1995

ACT No. XXX of 1995

AN ACT further to amend the Civil Code, Cap. 16.

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 and
commencement.
Cap. 16.

1. (1) This Act may be cited as the Civil Code (Amendment No. 2) Act, 1995, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the Code”.

(2) The provisions of section 3 and of heading B of section 7 shall be deemed to have come into force on the 15th May, 1995, and the provisions of the other sections shall come into force on such date as the Minister responsible for justice may establish by notice in the Gazette.

Amendment of
section 278 of the
Code.

2. In paragraph (e) of section 278 of the Code, for the words “profession, trade or other status” there shall be substituted the words “identification document”.

Amendment of
section 293 of the
Code.

3. For paragraphs (b) to (d) in section 293 of the Code there shall be substituted the following:

“(b) the name, surname, date and place of birth, identification document and place of residence of the parties;

(c) the name, surname, date and place of birth and place of residence of the witnesses present at the solemnization of the marriage;

(d) the name and surname of the father, and the name, surname and maiden surname of the mother of the parties;”.

4. In paragraph (b) of section 301 of the Code, for the words “profession, trade or other status” there shall be substituted the words “identification document”. Amendment of section 301 of the Code.

5. For Form E and Form K in Part II of the Schedule to the Code, there shall be substituted respectively the Form E and Form K appearing in the Schedule to this Act. Substitution of Forms E and K in Part II of the Schedule to the Code.

6. For the words “Profession, trade or other status” wherever they occur in Forms C, D and G, and for the word “occupation” in Forms H and O wherever these occur, in Part II of the Schedule to the Code, there shall be substituted in each case the words “identification document”. Amendment of Forms C, D, G, H and O in Part II of the Schedule to the Code.

7. In Part III of the Schedule to the Code:—

A. under the heading “ACT OF BIRTH”:—

for the words “Profession, trade or other status, age” in paragraph (f) there shall be substituted the word “Age”;

B. under the heading “ACT OF MARRIAGE”:—

(a) for the words “profession, trade or other status, age, place of birth” in paragraph (b) there shall be substituted the words “date and place of birth”; and

(b) for paragraph (c) there shall be substituted the following:

“(c) Name and surname of father and name, surname and maiden surname of mother of the husband and wife;” and

C. under the heading “ACT OF DEATH”:—

for the words “Profession, trade or other status, age” in paragraph (d) there shall be substituted the word “Age”.

8. The provisions of Part III of the Schedule to the Code as in force before the coming into force of this Act, shall continue to apply to Acts entered in the Public Registry before the coming into force of this Act. Transitory.

(Section 5)

SCHEDULES
FORM E
[SECTION 293]

ATT TAŻ-ŻWIEĠ **ACT OF MARRIAGE** MR No.(1)
DATA TA' L-ATT: DATE OF THE ACT:

DIKJARAZZJONI TAR-RAĠEL U L-MARA:
DECLARATION OF THE HUSBAND AND WIFE:

Ahna hawn taht iffirmiti niddikjaraw li fil-preżenza ta' (2) u tax-xhieda hawn taht imsemmija żżewwigna fi(3) fi(4)
We the undersigned hereby declare that we have in the presence of and of the undermentioned witnesses contracted marriage at on (Data / Date)

Jien hawn taht iffirmita (il-mara) niddikjara li: * nlehu l-kunjom tar-raġel / *inżomm kunjom xhubiti wara ż-żwieġ. (*hassar fejn ma japplikax).
I the undersigned (the wife) declare that I choose to: *adopt the surname of my husband / *retain my maiden surname after marriage. (*delete where not applicable).

TACRIF DWAR IL-RAĠEL NIŻŻEWIĠ	PARTICULARS OF THE HUSBAND	TACRIF DWAR IL-MARA NIŻŻEWIĠ	PARTICULARS OF THE WIFE	ADDENDA
(5)	Isen u Kunjom Name and Surname	(9)		
(6)	Data u Post tat-Twelid, u Dokument ta' Identifikazzjoni Date and Place of Birth, and Identification Document	(10)		
(7)	Fejn Joqgħod / Toqgħod Place of Residence	(11)		
(8)	Isen, Kunjom u Kunjom Xhubiet l-Omm Name and Surname of Father, and Name, Surname and Maiden Surname of Mother	(12)		

TACRIF DWAR IX-XHIEDA	PARTICULARS OF THE WITNESSES	TACRIF DWAR IX-XHIEDA	PARTICULARS OF THE WITNESSES
(13)	Isen u Kunjom Name and Surname	(19)	
(14)	Data u Post tat-Twelid Date and Place of Birth	(20)	
(15)	Fejn Joqgħod/Toqgħod Place of Residence	(21)	
(16)	Isen u Kunjom Name and Surname	(22)	
(17)	Data u Post tat-Twelid Date and Place of Birth	(23)	
(18)	Fejn Joqgħod/Toqgħod Place of Residence	(24)	

.....(25)
(Firma tar-Raġel/Husband's Signature)

.....(26)
(Firma tal-Mara/Wife's Signature)

.....(27)
(Firm tax-Xhieda/Witnesses' Signatures)

Id-dikjarazzjonijiet ta' hawn fuq jew iffirmiti quddiemni.
The above declarations were signed in my presence.

Firma tar-Regjstratur taż-Żwieġ(28)
Signature of Marriage Registrar

(29)	Data tad-dhul ta' l-Att. Date of receipt of the Act.	(30)	Numru wara l-iehor tar-Regjstru Nru. Progressive number of Registration No.
Firma tad-Direttur jew ta' uffiċjal iehor li jagħmel floku. Signature of Director or other officer authorized to act in his stead.		(31)	

FORM K

[SECTION 25I]

REGISTRU PUBBLIKU
PUBLIC REGISTRY

Jiena hawn taht iffirmat, b'dan niccertifika illi dan ta' hawn taht huwa **ESTRATT** veru mill-Att taz-Zwieg Nru. *I, the undersigned, do hereby certify that the following is a true EXTRACT from the Act of Marriage No.*

regidrat fl-ufficcju
registered in the

tar-Registru Pubbliku, il-Belt, Valletta, Malta, Victoria, Ghawdex, skond id-dispozizzjonijiet tal-Kodici Civili, (Kap. 16).
Public Registry Office, Valletta, Malta, Victoria, Gozo, in accordance with the provisions of the Civil Code, (Cap. 16).

Partikolaritajiet dwar <i>Particulars Respecting</i>	Isem u kunjom <i>Name and surname</i>	Eta jew data tat-twelid <i>Age or date of birth</i>	Post tat-twelid <i>Place of birth</i>	Genituri tal-mizzewgin <i>Parents of husband and wife</i>
Ir-ragel <i>The husband</i>				
Il-mara <i>The wife</i>				
Post u data taz-zwieg <i>Place and date of marriage</i>	Il-mara għażlet li iżomm kunjom xhubitha maz-zwieg. (hassar fejn ma japplikax). <i>The wife chose to retain her surname on marriage. (delete where not applicable).</i>			

Dritt imhallas
Fee paid

UFFIČĊJU TAR-REGISTRU PUBBLIKU - MALTA/GHAWDEX
PUBLIC REGISTRY OFFICE - MALTA/GOZO

DIRETTUR
DIRECTOR

A 1958

Passed by the House of Representatives at Sitting No. 479 of the 28th November, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.