

MALTA

ATT Nru. VI ta' l-1996

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

ATT biex jemenda l-Att dwar ir-Registrazzjoni ta' Artijiet, Kap. 296.

ACT No. VI of 1996

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Land Registration Act, Cap. 296.

Naghti l-kunsens tieghi.

(L.S.)

UGO MIFSUD BONNICI
President

27 ta' Frar, 1996

ATT Nru. VI ta' l-1996

ATT biex jemenda l-Att dwar ir-Registrazzjoni ta' Artijiet, Kap. 296.

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1996 li jemenda l-Att dwar ir-Registrazzjoni ta' Artijiet, u għandu jinqara u jftiehem haġa waħda ma' l-Att dwar ir-Registrazzjoni ta' Artijiet, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor
u bidu fis-sehh.
Kap. 296.

(2) Id-dispożizzjonijiet li ġejjin ta' dan l-Att għandhom jibdwew isehhu f'dik id-data li l-Ministru responsabbli għall-Ġustizzja jista' jistabbilixxi b'avviż fil-Gazzetta, u dati differenti jistgħu jiġu hekk stabbiliti għal dispożizzjonijiet u għanijiet differenti ta' dan l-Att.

2. Is-subartikolu (3) ta' l-artikolu 13 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta'
l-artikolu 13 ta'
l-Att prinċipali.

(a) minflok il-kliem "jew bejgħ bil-qorti jew" għandhom jidhlu l-kliem "jew bejgħ bil-qorti jew il-fidwa jew"; u

(b) fil-proviso tiegħu, l-kliem kollu mill-kliem "Il-Qorti għandha f'kull sentenza" sal-kliem "min kellu jagħmel dik ir-registrazzjoni." għandhom jiġu mhassra.

Emenda ta' l-artikolu 14 ta' l-Att prinċipali.

3. Fis-subartikolu (1) ta' l-artikolu 14 ta' l-Att prinċipali ghandha tiżdied in-nota marginali "Kap. 12." biswit il-kliem "Kodiċi ta' Organizzazzjoni u Proċedura Ċivili".

Emenda ta' l-artikolu 15 ta' l-Att prinċipali.

4. Fil-paragrafu (ċ) tas-subartikolu (5) ta' l-artikolu 15 ta' l-Att prinċipali, minflok il-kliem "jew f'xi ċertifikat ta' art jew f'ċertifikat ta' ipoteka," ghandhom jidhlu l-kliem "jew f'xi ċertifikat jew dokument,".

Emenda ta' l-artikolu 22 ta' l-Att prinċipali.

5. Fl-artikolu 22 ta' l-Att prinċipali minflok il-kliem "b'titolu assolut" ghandhom jidhlu l-kliem "b'titolu garantit" u fin-nota marginali ghal dak l-artikolu minflok il-kliem "b'titolu assolut." ghandhom jidhlu l-kliem "b'titolu garantit.".

Emenda ta' l-artikolu 23 ta' l-Att prinċipali.

6. Fis-subartikolu (1) ta' l-artikolu 23 ta' l-Att prinċipali, minflok il-kliem "b'titolu ta' pussess" ghandhom jidhlu l-kliem "b'titolu li ma jkunx titolu garantit" u fin-nota marginali ghal dak l-artikolu minflok il-kliem "b'titolu ta' pussess." ghandhom jidhlu l-kliem "b'titolu li ma jkunx titolu garantit.".

Emenda ta' l-artikolu 24 ta' l-Att prinċipali.

7. Fit-test Malti tas-subartikolu (2) ta' l-artikolu 24 ta' l-Att prinċipali, minflok il-kliem "skond l-artikolu" ghandhom jidhlu l-kliem "skond dan l-artikolu".

Emenda ta' l-artikolu 29 ta' l-Att prinċipali.

8. Fis-subartikolu (2) ta' l-artikolu 29 ta' l-Att prinċipali, minflok il-kliem "b'titolu kwalifikat jew ta' pussess," ghandhom jidhlu l-kliem "b'titolu li ma jkunx titolu garantit jew b'titolu kwalifikat skond id-dispożizzjonijiet ta' dan l-Att,".

Emenda ta' l-artikolu 49 ta' l-Att prinċipali.

9. Fin-nota marginali ghall-artikolu 49 ta' l-Att prinċipali minflok il-kliem "jsir assolut." ghandhom jidhlu l-kliem "jsir wiehed garantit.".

Emenda ta' l-artikolu 59 ta' l-Att prinċipali.

10. Is-subartikolu (2) ta' l-artikolu 59 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:—

(a) fil-paragrafu (h) tiegħu, minflok il-kliem "f'ċertifikat ta' art," ghandhom jidhlu l-kliem "f'ċertifikati,"; u

(b) fil-paragrafu (p) tiegħu, minflok il-kliem "jipprovdi għal" ghandhom jidhlu l-kliem "sabiex jipprovdi għal".

Emenda ta' l-Att Nru. VII ta' l-1995.

11. Fis-subartikolu (2) ġdid li hemm fil-paragrafu (ċ) ta' l-artikolu 26 ta' l-Att ta' l-1995 li jemenda l-Att dwar ir-Registrazzjoni ta' Artijiet, minflok il-kliem "kienet sitwata f'area ta' registrazzjoni:" ghandhom jidhlu l-kliem "kienet jew ma kienetx sitwata f'area ta' registrazzjoni:".

12. Minnufih wara s-subartikolu (7) ta' l-artikolu 50 ta' l-Att dwar il-Professjoni Nutarili u l-Arkivji Nutarili, ghandu jizjed dan is-subartikolu gdid li gej: —

Emenda
tal-Kap. 55.

“(8) Dan l-artikolu u kull dispożizzjoni ta' l-Att dwar ir-Registru Pubbliku u tal-Kodiċi Ċivili jew ta' kull liġi oħra, minbarra d-dispożizzjonijiet ta' l-Att dwar ir-Registrazzjonijiet ta' Artijiet, li jkollhom x'jaqsmu mar-registrazzjoni ta' xi att pubbliku jew ta' xi trasferiment jew ipoteka ta' proprjetà fir-Registru Pubbliku, dwar proprjetà imsemmija fis-subartikolu (1) ta' l-artikolu 11 ta' l-imsemmi Att dwar ir-Registrazzjoni ta' Artijiet, ma ghandhomx ikunu japplikaw dwar dik il-proprjetà, u dwar dik l-art, ebda parti ma tkun mehtieġa iddahhal nota jew tagħmel xi att iehor fir-Registru Pubbliku, iżda ghandha minflok thares id-dispożizzjonijiet ta' l-imsemmi Att dwar ir-Registrazzjoni ta' Artijiet.”.

Kap. 56.

Kap. 16.

Kap. 296.

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 512 tal-21 ta' Frar, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati.

I assent.

(L.S.)

UGO MIFSUD BONNICI
President

27th February, 1996

ACT No. VI of 1996

AN ACT to amend the Land Registration Act, Cap. 296.

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. 296.

1. (1) This Act may be cited as the Land Registration (Amendment) Act, 1996, and shall be read and construed as one with the Land Registration Act, hereinafter referred to as “the principal Act”.

(2) The following provisions of this Act shall come into force on such date as the Minister responsible for justice may appoint by notice in the Gazette, and different dates may be so appointed for different provisions and purposes of this Act.

Amendment of
section 13 of the
principal Act.

2. Subsection (3) of section 13 of the principal law shall be amended as follows:

(a) for the words “or judicial sale” there shall be substituted the words “or judicial sale or redemption”; and

(b) in the proviso thereof, the words from “The court shall in any such judgement” to the words “who should have made such registration.” shall be deleted.

3. In subsection (1) of section 14 of the principal Act, there shall be added the marginal note “Cap. 12.” adjacent to the words “Code of Organization and Civil Procedure”.

Amendment of section 14 of the principal Act.

4. In paragraph (c) of subsection (5) of section 15 of the principal Act, for the words “or any land or charge certificate,” there shall be substituted the words “or any certificate or document.”

Amendment of section 15 of the principal Act.

5. In section 22 of the principal Act for the words “with an absolute title” there shall be substituted the words “with a guaranteed title” and in the marginal note thereof for the words “with absolute title.” there shall be substituted the words “with guaranteed title.”

Amendment of section 22 of the principal Act.

6. In subsection (1) of section 23 of the principal Act, for the words “with a possessory title” there shall be substituted the words “with a title which is not a guaranteed title” and in the marginal note thereof for the words “with possessory title.” there shall be substituted the words “with a title which is not a guaranteed title.”

Amendment of section 23 of the principal Act.

7. In the Maltese text of subsection (2) of section 24 of the principal Act, for the words “skond l-artikolu” there shall be substituted the words “skond dan l-artikolu”.

Amendment of section 24 of the principal Act.

8. In subsection (2) of section 29 of the principal Act, for the words “with a qualified or a possessory title,” there shall be substituted the words “with a title which is not a guaranteed title or with a title qualified in terms of the provisions of this Act.”

Amendment of section 29 of the principal Act.

9. In the marginal note of section 49 of the principal Act, for the words “into absolute.” there shall be substituted the words “into a guaranteed title.”

Amendment of section 49 of the principal Act.

10. Subsection (2) of section 59 of the principal Act shall be amended as follows:

Amendment of section 59 of the principal Act.

(a) in paragraph (h) thereof, for the words “in land certificates,” there shall be substituted the words “in certificates,”; and

(b) in paragraph (p) thereof, for the words “provide for” there shall be substituted the words “for providing for”.

11. In new subsection (2) in paragraph (c) of section 26 of the Land Registration (Amendment) Act, 1995, for the words “in a registration area:” there shall be substituted the words “whether in a registration area or not:”

Amendment of Act No. VII of 1995.

Amendment of
Cap. 55.

12. Immediately after subsection (7) of section 50 of the Notarial Profession and Notarial Archives Act, there shall be added the following subsection:

Cap. 56.
Cap. 16.
Cap. 296.

“(8) This section and any provision of the Public Registry Act or of the Civil Code or of any other law, other than the provisions of the Land Registration Act, relating to the registration of any public deed or of any transfer or hypothecation of any property in the Public Registry, with respect to property referred to in subsection (1) of section 11 of the said Land Registration Act, shall not apply with regard to such property, and with respect to such land, no party shall be required to present a note or make any other act in the Public Registry, but shall comply instead with the provisions of the said Land Registration Act.”.

Passed by the House of Representatives at Sitting No. 512 of the 21st February, 1996.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.