

MALTA

**ATT Nru III tal-2022**

ATT maħruġ b'liġi mill-Parlament ta' Malta.

**ATT sabiex jemenda l-Kodiċi Kriminali,  
Kap. 9.**

**ACT No. III of 2022**

AN ACT enacted by the Parliament of Malta.

**AN ACT to amend the Criminal Code,  
Cap. 9.**



Nagħti l-kunsens tiegħi.

(L.S.)

**GEORGE VELLA**  
**President**

4 ta' Frar, 2022

**ATT Nru III tal-2022**

*ATT sabiex jemenda l-Kodiċi Kriminali, Kap. 9.*

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

**1.** It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2022 li jemenda l-Kodiċi Kriminali u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Kodiċi Kriminali, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi".

Titolu fil-qosor.

Kap. 9.

**2.** Minnufih wara s-subartikolu (3) tal-artikolu 419 tal-Kodiċi għandu jiżdied is-subartikolu ġdid li ġej:

Emenda tal-artikolu 419 tal-Kodiċi.

"(3A) Meta l-appellant mhuwiex l-Avukat Ġenerali, ir-rikors għandu jkun fih l-indirizz fejn l-appellant hu soltu joqgħod fiż-żmien meta r-rikors ikun preżentat fir-reġistru tal-qorti:

Iżda meta, fil-kors tal-appell, l-appellant, li mhuwiex l-Avukat Ġenerali, ibiddel l-indirizz imsemmi hawn fuq, għandu minnufih jinforma l-qorti permezz ta' nota preżentata fir-reġistru ta' din l-istess qorti."

Emenda tal-artikolu 421 tal-Kodiċi.

**3.** Fil-proviso għas-subartikolu (1) tal-artikolu 421 tal-Kodiċi, il-kliem "sakemm tingħata s-sentenza finali." għandhom jiġu sostitwiti bil-kliem "sakemm tingħata s-sentenza finali:" u minnufih wara għandu jiġi miżjud dan il-proviso ġdid li ġej:

"Iżda wkoll jekk in-notifika tal-avviż tad-data tal-ewwel smiġh tal-appell ma tingħatax f'idejn l-appellant, in-notifika għandha ssir fl-indirizz tar-residenza msemmi fir-rikors tal-appell, jew f'każ li tkun giet preżentata nota fir-registru tal-qorti mill-appellant, li mhuwiex l-Avukat Ġenerali, skont is-subartikolu (3A) tal-artikolu 419, fl-indirizz il-ġdid hekk indikat fin-nota. Jekk il-parti fil-ħin tan-notifika ma tkunx tinsab f'dik ir-residenza, il-marixxall tal-qorti għandu jinnotifika lill-parti wara l-ħinijiet legali. Jekk, anke f'dan il-każ in-notifika ma tingħatax, il-marixxall tal-qorti għandu minnufih iwaħħal in-notifika mal-bieb ta' barra ta' dik ir-residenza."

Emenda tal-artikolu 422 tal-Kodiċi.

**4.** Is-subartikolu (1) tal-artikolu 422 tal-Kodiċi għandu jiġi emendat kif ġej:

(a) il-kelma "erbat" għandha tiġi sostitwita bil-kelma "tmint"; u

(b) il-kliem "tal-aħħar artikolu qabel dan." għandhom jiġu sostitwiti bil-kliem "tal-aħħar artikolu qabel dan:" u minnufih wara għandu jiżdied il-proviso ġdid li ġej:

"Iżda l-qorti tistà, f'ċirkostanzi eċċezzjonali, tagħti ġurnata oħra għas-smiġh tal-appell anki meta r-rikors jiġi ppreżentat wara li jkun għadda l-perjodu msemmi fis-subartikolu (1)."

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 539 tas-26 ta' Jannar, 2022.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

**GEORGE VELLA**  
**President**

4th February, 2022

**ACT No. III of 2022**

*AN ACT to amend the Criminal Code, Cap. 9.*

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:-

1. The short title of this Act is the Criminal Code (Amendment) Act, 2022 and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to as "the Code".

Short title.

Cap. 9.

2. Immediately after sub-article (3) of article 419 of the Code there shall be added the following new sub-article:

Amendment of  
article 419 of  
the Code

"(3A) When the appellant is not the Attorney General, the application shall contain the address where the appellant usually resides at the time of its filing in the registry of the court:

Provided that where, in the course of the appeal, the appellant, who is not the Attorney General, changes the address above, he shall inform immediately the court by means of a note filed in the registry of the same court."

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Amendment of  
article 421 of  
the Code.

**3.** In the proviso to sub-article (1) of article 421 of the Code, the words "appeal until final judgment." shall be substituted by the words "appeal until final judgment:" and immediately thereafter there shall be added the following new proviso:

"Provided further that if the service of the notice of the date of the first hearing of the appeal is not delivered to the appellant in person, the notice shall be effected at the address of the residence mentioned in the application of appeal, or, if a note is filed in the court registry by the appellant, who is not the Attorney General, in accordance with sub-article (3A) of article 419, in the new indicated address in that note. If the party at the time of service is not to be found at that residence, the court marshal shall notify the party outside legal hours. If, even in this case, the notice is not delivered, then the court marshal shall immediately affix the notice on the outside door of that residence."

Amendment of  
article 422 of  
the Code.

**4.** Sub-article (1) of article 422 of the Code shall be amended as follows:

(a) the word "four" shall be substituted with the word "eight"; and

(b) the words "preceding article shall apply." shall be substituted by the words "preceding article shall apply:" and immediately thereafter there shall be added the following new proviso:

"Provided that the court may, in exceptional circumstances, appoint another day for the hearing of the appeal even where the application is filed after the term mentioned in sub-article (1) has lapsed."

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Passed by the House of Representatives at Sitting No. 539 of the 26th January, 2022.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



# VERŻJONI ELETTRONIKA