Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,944, 18 ta' Ottubru, 2022
Taqsima A

MALTA

ATT Nru XII tal-2022

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

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

ACT No. XII of 2022

AN ACT enacted by the Parliament of Malta.

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

Nagħti l-kunsens tiegħi.

(L.S.) **GEORGE VELLA**
President

18 ta' Ottubru, 2022

ATT Nru XII tal-2022

ATT sabiex ikompli 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, ħareġ b'liġi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2022 li jemenda l-Kodici Kriminali (Emenda Nru 4) u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Kodiċi Kriminali hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi". Titolu fil-qosor. Kap. 9.

2. Fis-subparagrafu (iv) tal-paragrafu (b) tas-subartikolu (9) tal-artikolu 575 tal-Kodiċi l-kliem "ġie mħolli għas-smigħ tal-kawża." għandhom jiġu sostitwiti bil-kliem "ġie mħolli għas-smigħ tal-kawża;" u minnufih wara għandhom jiżdiedu s-subparagrafi ġodda li ġejjin: Emenda tal-artikolu 575 tal-Kodici.

"(v) għal dak iz-zmien li fih il-qorti ma tkunx tista' tisma' l-kawża riżultat ta' ċirkostanzi li jirrigwardaw is-saħħa tal-akkużat li jirriżultaw minn ħsara inflitta mill-akkużat fuqu nnifsu:

Iżda li perjodu ta' sospensjoni taħt dan is-subparagrafu għandu f'kull każ ikun ta' xahrejn jew l-ekwivalenti tal-perjodu li matulu jippersistu l-effetti tal-ħsara inflitta mill-akkużat fuqu nnifsu, skont liema jkun l-itwal;

(vi) mingħajr preġudizzju u subordinatament għall-applikazzjoni tas-subparagrafi preċedenti, meta l-qorti, wara li tkun appuntat il-kawża għas-smigħ tkun ħassret dak l-appuntament għal xi raġuni attribwibbli esklussivament lill-akkużat jew lil xi wieħed jew iżjed mill-akkużati, għal dak iż-żmien sakemm isir is-smigħ tal-kawża:

Iżda li perjodu ta' sospensjoni taħt dan is-subparagrafu ma għandux jeċċedi xahrejn kull darba u fi kwalunkwe każ ma għandux jeċċedi massimu ta' sitt xhur fir-rigward tal-istanzi kollha li fihom ikun ġie applikat dan is-subparagrafu fl-istess kawża.".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 33 tas-17 ta' Ottubru, 2022.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.) **GEORGE VELLA**
President

18th October, 2022

ACT No. XII of 2022

AN ACT to further 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 No. 4) 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. In sub-paragraph (iv) of paragraph (b) of sub-article (9) of article 575 of the Code the words "to the date of the next hearing." shall be substituted by the words "to the date of the next hearing;" and immediately after there shall be added the following new sub-paragraphs: Amendment of article 575 of the Code.

"(v) for such period during which the court cannot hear the case due to circumstances regarding the health of the accused resulting from self-harm by the accused:

Provided that a period of suspension under this sub-paragraph shall in any case last for two months or be equivalent to the time during which the effects of the self-harm inflicted by the accused persist, whichever is the longer;

(vi) without prejudice and subordinately to the application of the preceding sub-paragraphs, when the court, after having appointed the case for hearing shall have cancelled that appointment for a reason exclusively attributable to the accused or to one or more of the accused, for such period until the case is heard:

Provided that a period of suspension under this sub-paragraph shall not exceed two months every time and in any case it shall not exceed a maximum of six months in respect of all instances when this sub-paragraph is applied in the same case.".

Passed by the House of Representatives at Sitting No. 33 of the 17th October, 2022.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

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