

MALTA

ATT Nru. VII ta' I-1982

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

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 23.

ACT No. VII of 1982

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Civil Code, Cap. 23.

Nagħti l-kunsens tiegħi.

(L.S.)

AGATHA BARBARA
President

6 ta' Lulju, 1982

ATT Nru. VII ta' l-1982

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 23.

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:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1982 li jemenda l-Kodiċi Ċivili, u għandu jinqara u jiftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

Emenda ta' l-artikolu 275 tal-liġi prinċipali.

2. Minflok is-subartikolu (2) ta' l-artikolu 275 tal-liġi prinċipali għandu jidhol dan li ġej:

“(2) Kull volum ta' dawn ir-registri għandu jkun enumerat mill-ewwel sa l-aħħar paġna. L-aħħar paġna ta' kull volum ikun fiha dikjarazzjoni tan-numru totali tal-paġni li jkun fih; din id-dikjarazzjoni għandha tkun iffirmata mid-Direttur tar-Registru Pubbliku jew minn wiehed mill-Assistenti Diretturi.”

Emenda ta' l-artikolu 290 tal-liġi prinċipali.

3. L-artikolu 290 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (2) li hemm tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (3); u

(b) minnufih wara s-subartikolu (1) tiegħu għandu jidhol is-subartikolu ġdid li ġej:

“(2) Kull persuna tista' tagħmel talba ġudizzjarja għar-registrazzjoni ta' l-isem jew ismijiet, liema isem jew ismijiet il-persuna tkun użat jew tkun użat għaliha l-familja tagħha u liema jkunu ddikjarati mill-Qorti li huma l-isem jew l-ismijiet li bih il-persuna kienet konsistentiment imsejja, minflok l-isem jew l-ismijiet li jidhru fl-att tat-twelid relattiv bħala l-isem jew l-ismijiet mogħtija u l-isem jew l-ismijiet li bih it-tarbija għandha tiġi msejja.

Talba ġudizzjarja msemija f'dan is-subartikolu għandha tinkludi talba biex il-bdil effettwat fl-att tat-twelid bir-registrazzjoni msemija f'dan is-subartikolu jiġi rifless f'kull att ta' l-istat ċivili relattiv għall-istess persuna u, fejn ikun hemm, għal ulied u dixxendenti ulterjuri ta' dik il-persuna; liema atti jridu jiġu ndikati fit-talba bin-numru ta' l-att u s-sena relattivi tagħhom.”.

4. Minflok l-artikolu 294 tal-liġi prinċipali għandu jidhol dan li

ġej:

“Tiswija ta' żbalji wara d-dikjarazzjoni msemija fl-artikolu 283.

294. Jekk jinsab, wara li d-Direttur ikun iffirma d-dikjarazzjoni msemija fl-artikolu 283, li sar żball u dan l-iżball ikun ittiehed waqt li l-att kien qiegħed jiġi traskritt fir-registru, it-tiswija ta' dak l-iżball għandha ssir mid-Direttur permezz ta' nota fit-tarf tar-registrazzjoni.

Dik it-tiswija għandha tkun datata u ffirmata mid-Direttur.”.

Sostituzzjoni ta' l-artikolu 294 tal-liġi prinċipali.

5. Fis-subartikolu (4) ta' l-artikolu 304B tal-liġi prinċipali minflok il-kliem “għal perijodi ta' tliet snin” u “li taħbat minnufih wara l-aħħar sena tal-perijodu li għalih jirreferixxu” għandhom jidhlu l-kliem “għal perijodu ta' sena” u “li taħbat minnufih wara s-sena li għaliha jirreferixxu” rispettivament.

Emenda ta' l-artikolu 304B tal-liġi prinċipali.

6. Id-dispożizzjonijiet ta' l-artikoli 2 u 4 ta' dan l-Att għandhom japplikaw għar-registri u tiswija ta' żbalji fir-registri magħmula wara l-bidu fis-sehħ ta' dan l-Att, ukoll jekk daww ir-registri jkunu jirreferu għal atti magħmula qabel il-bidu fis-sehħ ta' dan l-Att.

Dispożizzjoni tranżitorja.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 34 tat-30 ta' Ġunju, 1982.

DANIEL MICALLEF
Speaker

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

AGATHA BARBARA
President

6th July, 1982

ACT No. VII of 1982

AN ACT further to amend the Civil Code, Cap. 23.

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 Civil Code (Amendment) Act, 1982, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the principal law”.

Amendment of section 275 of the principal law.

2. For subsection (2) of section 275 of the principal law there shall be substituted the following:

“(2) Each volume of such registers shall be numbered from the first to the last page. The last page of each volume shall contain a statement as to the total number of its pages; such statement shall be signed by the Director of the Public Registry or one of the Assistant Directors.”.

Amendment of section 290 of the principal law.

3. Section 290 of the principal law shall be amended as follows:

(a) the present subsection (2) thereof shall be renumbered as subsection (3); and

(b) immediately after subsection (1) thereof there shall be added the following new subsection:

“(2) It shall be lawful for any person to bring an action for the registration of the name or names, which name or names the person shall have used or shall have been used for him by his family, and which shall be declared by the Court as being the name or names by which the person has been consistently called, in substitution of the name or names appearing on the relative act of birth as the name or names given to the child and the name or names by which the child is to be called.

The action mentioned in this subsection shall include a request that the change effected in the act of birth through the registration mentioned in this subsection be reflected in every act of civil status relative to the same person and, where any, to the children and further descendants of such person; which acts shall be indicated in the request by the relative number and year thereof.”

4. For section 294 of the principal law there shall be substituted the following:

Substitution of section 294 of the principal law.

“Correction of errors after declaration referred to in section 283.

294. Where it is found after the Director shall have signed the declaration referred to in section 283, that an error has been made, and such error had been incurred in transcribing an act in the register, the correction of such error shall be made by the Director by means of a note at the foot of the entry.

Such correction shall be dated and signed by the Director.”

5. In subsection (4) of section 304B of the principal law for the words “three yearly periods” and “immediately following the last year of the period to which” there shall be substituted the words “yearly periods” and “immediately following the year to which” respectively.

Amendment of section 304B of the principal law.

6. The provisions of sections 2 and 4 of this Act shall apply to registers and corrections in registers made after the coming into force of this Act, even if such registers refer to acts drawn up prior to the coming into force of this Act.

Transitory provision.

Passed by the House of Representatives at Sitting No. 34 of the 30th June, 1982.

DANIEL MICALLEF
Speaker

C. MIFSUD
Clerk to the House of Representatives