MALTA

ATT Nru. VIII ta' l-1990

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

ATT biex jipprovdi dwar kif għandhom ikunu magħrufa l-Qrati Inferjuri.

ACT No. VIII of 1990

AN ACT enacted by the Parliament of Malta.

AN ACT to provide for the mode in which the Inferior Courts shall be styled.

Naghti l-kunsens tieghi.

(L.S.)

ĊENSU TABONE
President

9 ta' Marzu, 1990

ATT Nru. VIII ta' l-1990

ATT biex jipprovdi dwar kif għandhom ikunu magħrufa l-Qrati Inferjuri.

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

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1990 li jbiddel l-isem tal-Qrati Inferjuri, u għandu jibda jseħħ f'dik id-data li l-Ministru responsabbli għal ġustizzja jista' b'avviż fil-Gazzetta jistabbilixxi. Titolu fil-qosor u bidu fis-seħħ.

2. Minkejja d-dispożizzjonijiet ta' xi liġi oħra, il-Qorti tal-Maġistrati tal-Pulizija Ġudizzjarja għall-Gżira ta' Malta, il-Qorti tal-Maġistrati tal-Pulizija Ġudizzjarja għall-Gżejjer ta' Għawdex u Kemmuna, u l-Qorti tal-Pulizija Ġudizzjarja għandhom minn issa 'l quddiem ikunu magħrufin bħala l-Qorti tal-Maġistrati (Malta) jew il-Qorti tal-Maġistrati (Għawdex), kif ikun il-każ: Kif għandhom ikunu magħrufa l-Qrati Inferjuri.

Iżda b'dan illi meta jiġi preżentat xi att f'xi qorti bħal dik fil-kompetenza kriminali tagħha għandu jitniżżel f'dak l-att li dak l-att ikun qiegħed jiġi preżentat f'dik il-qorti bħala Qorti ta' Ġudikatura Kriminali jew bħala Qorti Istruttorja kif ikun il-każ, u f'xi att li jiġi preżentat fil-Qorti tal-Maġistrati (Għawdex) fil-kompetenza ċivili tagħha għandu jitniżżel li dak l-att ikun qiegħed jiġi preżentat fil-kompetenza inferjuri tagħha, jew fil-kompetenza superjuri ċivili jew kummerċjali tagħha, jew bħala qorti ta' ġurisdizzjoni volontarja, jew fil-kompetenza fi grad ta' appell inferjuri jew superjuri tagħha, kif ikun il-każ.

3. Meta f'xi liġi jkun hemm riferenza għall-Qorti tal-Maġistrati tal-Pulizija Ġudizzjarja għall-Gżira ta' Malta, jew il-Qorti tal-Pulizija Ġudizzjarja għall-Gżejjer ta' Għawdex u Kemmuna, jew il-Qorti tal- Riferenzi għall-Qrati Inferjuri f'liġijiet oħrajn.

Pulizija Ġudizzjarja, dik ir-riferenza li jkun hemm għandha titqies bħala riferenza għal dawk il-qrati kif magħrufin skond dan l-Att.

Emenda tal-Kap. 12.

4. L-artikolu 174 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili għandu jiġi emendat kif ġej:

(a) is-subartikolu (2) tiegħu għandu jitħassar; u

(b) is-subartikolu (3) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (2).

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 350 tal-5 ta' Marzu, 1990.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

ĊENSU TABONE
President

9th March, 1990

ACT No. VIII of 1990

AN ACT to provide for the mode in which the Inferior Courts shall be styled.

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.

1. This Act may be cited as the Inferior Courts (Re-designation) Act, 1990, and shall come into force on such date as the Minister responsible for justice may by notice in the Gazette establish.

How the Inferior Courts shall be styled.

2. Notwithstanding the provisions of any other law, the Court of Magistrates of Judicial Police for the Island of Malta, the Court of Magistrates of Judicial Police for the Islands of Gozo and Comino, and the Court of Judicial Police shall hereinafter be styled the Court of Magistrates (Malta) or the Court of Magistrates (Gozo), as the case may be:

Sohowever that in any act filed in any such court in its criminal jurisdiction there shall be stated in such act that it is being filed in such court as a Court of Criminal Judicature or as a Court of Criminal Inquiry as the case may be, and in any act filed in the Court of Magistrates (Gozo) in its civil jurisdiction there shall be stated that such act is being filed in its inferior jurisdiction, or in its superior civil or commercial jurisdiction, or as a court of voluntary jurisdiction, or in its inferior or superior appellate jurisdiction, as the case may be.

References to Inferior Courts in other laws.

3. Where in any law there is a reference to the Court of Magistrates of Judicial Police for the Island of Malta, the Court of Magistrates of Judicial Police for the Islands of Gozo and Comino or the Court of Judicial Police, that reference however made shall be deemed to be a reference to such courts styled as in this Act.

Amendment of Cap.12.

4. Section 174 of the Code of Organization and Civil Procedure shall be amended as follows:

(a) subsection (2) thereof shall be deleted; and

(b) subsection (3) thereof shall be renumbered subsection (2).

Passed by the House of Representatives at Sitting No. 350 of the 5th March, 1990.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

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