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## **Nru. 78**

27. 10. 89

### **MALTA**

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#### **KAMRA TAD-DEPUTATI**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Guido de Marco, M.P., Vċi Prim Ministru u Ministru ta' l-Intern u Ġustizzja, u moqri għall-Ewwel darba fis-Seduta ta' l-10 ta' April, 1989.

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

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**P. MUSCAT TERRIBILE**  
*Skriivan tal-Kamra tad-Deputati*

#### **HOUSE OF REPRESENTATIVES**

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A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister of Interior and Justice, and read the First time at the Sitting of the 10th April, 1989.

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

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**P. MUSCAT TERRIBILE**  
*Clerk to the House of Representatives*

## ABBOZZ TA' LIĠI

### msejjah

*ATT biex jipprovdi dwar kif ghandhom ikunu maghrufa 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, hareġ b'liġi dan li ġej:—

1. Dan l-Att jista' jissejjah l-Att ta' l-1989 li jbidel l-isem tal-Qrati Inferjuri, u għandu jibda jsehh f'dik id-data li l-Ministru responsabbli għal ġustizzja jista' b'avviż fil-Gazzetta jistabbilixxi.

Titolu fil-qosor  
u bidu fis-sehh.

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' Ghawdex u Kemmuna, u l-Qorti tal-Pulizija Ġudizzjarja għandhom minn issa 'l quddiem ikunu maghrufin bhala l-Qorti tal-Maġistrati (Malta) jew il-Qorti tal-Maġistrati (Ghawdex), kif ikun il-każ:

Kif għandhom  
ikunu maghrufa  
l-Qrati Inferjuri.

Iżda b'dan illi meta jiġi preżentat xi att f'xi qorti bhal dik fil-kompetenza kriminali tagħha għandu jitniżżel f'dak l-att li dak l-att ikun qiegħed jiġi preżentat f'dik il-qorti bhala Qorti ta' Ġudikatura Kriminali jew bhala Qorti Istrutturja kif ikun il-każ, u f'xi att li jiġi preżentat fil-Qorti tal-Maġistrati (Ghawdex) 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 bhala qorti ta' ġurisdiżżjoni 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' Ghawdex 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 jithassar; u
- (b) is-subartikolu (3) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (2).

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### Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa sabiex jiġi stabbilit kif għandhom ikunu magħrufa l-Qrati Inferjuri, kif ukoll biex jagħmel provvedimenti oħra dwar l-istess Qrati.

**A BILL  
entitled**

*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:—

1. This Act may be cited as the Inferior Courts (Re-designation) Act, 1989, and shall come into force on such date as the Minister responsible for justice may by notice in the Gazette establish.

Short title and commencement.

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:

How the Inferior Courts shall be styled.

So however 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.

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.

References to Inferior Courts in other laws.

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).

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### Objects and Reasons

The Object of the Bill is to establish how the Inferior Courts shall be styled, as well as to make other provisions relative to the same courts.