

Nru. 142

5. 4. 91

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Guido de Marco, M.P., Viċi Prim Ministru u Ministru ta' l-Affarijiet Barranin u Ġustizzja, u moqri għall-Ewwel darba fis-Seduta tat-23 ta' Mejju, 1990.

A BILL introduced by the Honourable Guido de Marco, M.P., Deputy Prime Minister and Minister of Foreign Affairs and Justice, and read for the First time at the Sitting of the 23rd May, 1990.

ATT biex jemenda l-Att dwar il-Manumorta, Kap. 201.

AN ACT to amend the Mortmain Act, Cap. 201.

RICHARD J. CAUCHI
Agent Skrivan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Acting Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jemenda l-Att dwar il-Manumorta, Kap. 201.

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-1991 li jemenda l-Att dwar il-Manumorta, u għandu jinqara u jiftiehem haġa waħda ma' l-Att dwar il-Manumorta, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor.
Kap. 201

2. Minflok it-tifsira ta' "awtoritajiet ekklesjastiċi kompetenti" fl-artikolu 2 ta' l-Att prinċipali, għandu jidhol dan li ġej:

Emenda ta'
l-artikolu 2
ta' l-Att
prinċipali.

“awtoritajiet ekklesjastiċi kompetenti” tfisser dwar il-Knisja Kattolika Rumana, l-Arċisqof ta' Malta jew l-Isqof ta' Ghawdex skond jekk il-proprjetà immobbli tkunx fil-limiti territorjali tad-djoċesi ta' Malta jew ta' Ghawdex, u dwar kull knisja oħra jew istituzzjoni oħra pija jew religjuża li tkun tappartjeni għal denominazzjoni oħra li ma tkunx il-Knisja Kattolika Rumana, l-oghla awtorità ta' dik id-denominazzjoni f'Malta li tista' tinghata għarfien mill-Avukat Ġenerali għall-finijiet ta' dan l-Att;”.

3. Il-perijodu ta' disghin ġurnata msemmi fil-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 8 ta' l-Att prinċipali, għandu għar-rigward ta' proprjetà immobbli akkwistata minn knisja jew istituzzjoni oħra pija jew religjuża li tappartjeni għal denominazzjoni oħra li ma tkunx il-Knisja Kattolika Rumana, f'kull żmien wara l-1 ta' Jannar, 1990, iżda qabel ma jibda jsehh dan l-Att, jitqies li jibda għaddej mad-data tal-bidu fis-sehh ta' dan l-Att.

Dispożizzjoni
transitorja.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz hu li jibdel it-tifsira ta' awtoritajiet ekklesjastiċi kompetenti għall-finijiet ta' l-Att dwar il-Manumorta, għar-rigward ta' l-akkwist ta' proprjetà immobbli minn knejjes jew istituzzjonijiet oħra piji jew reliġjużi li jappartjenu għal denominazzjonijiet oħrajn li ma jkunux il-Knisja Kattolika Rumana.

A BILL
entitled

AN ACT to amend the Mortmain Act, Cap. 201.

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 Mortmain (Amendment) Act, 1991, and shall be read and construed as one with the Mortmain Act, hereinafter referred to as “the principal Act”. Short title.
Cap. 201

2. For the definition of “competent ecclesiastical authorities” in section 2 of the principal Act, there shall be substituted the following: Amendment
of section 2
of the
principal
Act.

““competent ecclesiastical authorities” means in relation to the Roman Catholic Church, the Archbishop of Malta or the Bishop of Gozo according to whether the immovable property is situate within the territorial limits of the diocese of Malta or of Gozo, and in relation to any other church or other pious or religious institution belonging to a denomination other than the Roman Catholic Church, the highest authority of that denomination in Malta as may be recognised by the Attorney General for the purposes of this Act;”.

3. The term of ninety days referred to in paragraph (b) of subsection (1) of section 8 of the principal Act, shall in relation to immovable property acquired by a church or other pious or religious institution belonging to a denomination other than the Roman Catholic Church, at any time after the 1st day of January, 1990, but before the coming into force of this Act, be deemed to commence to run on the date of the coming into force of this Act. Transitory
provision.

Objects and Reasons

The Object of the Bill is to change the definition of competent ecclesiastical authorities for the purposes of the Mortmain Act, in relation to the acquisition of immovable property by churches or other pious or religious institutions belonging to denominations other than the Roman Catholic Church.