

MALTA

**ATT Nru XL tal-2025**

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

**ATT sabiex jemenda l-Att Dwar Tribunal għal Talbiet Żgħir, Kap. 380.**

**ACT No. XL of 2025**

AN ACT enacted by the Parliament of Malta.

**AN ACT to amend the Small Claims Tribunal Act, Cap. 380.**



Nagħti l-kunsens tiegħi.

(L.S.)

**MYRIAM SPITERI DEBONO**  
**President**

18 ta' Diċembru, 2025

**ATT Nru XL tal-2025**

*ATT sabiex jemenda l-Att Dwar Tribunal għal Talbiet Żgħar, Kap. 380.*

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

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2025 li jemenda l-Att Dwar Tribunal għal Talbiet Żgħar u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att Dwar Tribunal għal Talbiet Żgħar, hawn aktar 'il quddiem imsejjaħ l-"Att prinċipali".

Titolu fil-qosor u bidu fis-sehħ.  
Kap. 380.

(2) Dan l-Att għandu jidhol fis-sehħ f'dik id-data jew dati li l-Ministru responsabbli għall-gustizzja jista', b'avviż fil-Gazzetta, jistabbilixxi u jistgħu jiġu hekk stabbiliti dati differenti għal dispozizzjonijiet u, jew għanijiet differenti ta' dan l-Att.

2. Fl-artikolu 3 tal-Att prinċipali l-kliem "ħamest elef euro (€5,000)", kull fejn jokkorru, għandhom jiġu sostitwiti bil-kliem "għaxart elef euro (€10,000)".

Emenda tal-artikolu 3 tal-Att prinċipali.

3. Fis-subartikolu (5) tal-artikolu 4 tal-Att prinċipali l-kliem "Il-ġudikaturi jinħatru għal żmien ħames snin u, meta jiskadilhom iż-żmien, ma jkunux eliġibbli biex jerġgħu jiġu maħtura:" għandhom jiġu sostitwiti bil-kliem "Il-ġudikaturi għandhom jinħatru għal perjodu ta'

Emenda tal-artikolu 4 tal-Att prinċipali.

ħames (5) snin u għandhom ikunu eliġibbli sabiex jinħatru mill-ġdid għal perjodu ulterjuri ta' ħames (5) snin:".

Emenda tal-artikolu 7 tal-Att prinċipali.

**4.** Is-subartikolu (1) tal-artikolu 7 tal-Att prinċipali għandu jiġi sostitwit b'dan is-subartikolu ġdid li ġej:

"(1) It-Tribunal għandu jaqta' kull talba u kontro-talba li jkollu quddiemu skont il-liġi:

Iżda kwalunkwe talba jew kontro-talba ta' valur ta' inqas minn ħamest elef euro (€5,000) għandha tiġi deċiża prinċipalment skont l-ekwità sabiex jekk f'kawża kwalunkwe talba jew kontro-talba teċċedi l-valur ta' ħamest elef euro (€5,000), it-talbiet u l-kontro-talbiet kollha fl-istess kawża għandhom jiġu deċiżi skont il-liġi:

Iżda wkoll fi kwalunkwe każ, kwalunkwe kwistjoni dwar il-preskrizzjoni għandha tinqata' skont il-liġi."

Emenda tal-artikolu 9 tal-Att prinċipali.

**5.** L-artikolu 9 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (2) tiegħu għandu jiġi emendat kif ġej:

(i) fil-paragrafu (a) tiegħu l-kliem "għandu jiżgura li każ għandu" għandhom jiġu sostitwiti bil-kliem "għandu, fejn tinzamm seduta, jiżgura li każ għandu";

(ii) fil-paragrafu (b) tiegħu l-kliem "għandu jitgħarraf" għandhom jiġu sostitwiti bil-kliem "għandu, bla ħsara għad-dmir li jimxi b'mod ġust, jgħarraf lilu nnifsu";

(iii) fil-paragrafu (ċ) tiegħu fil-verżjoni bl-Ingliż biss il-kliem "he shall refrain" għandhom jiġu sostitwiti bil-kliem "shall refrain"; u

(b) minnufih wara s-subartikolu (3) tiegħu għandu jiġi miżjud dan is-subartikolu ġdid li ġej:

"(4) Bla ħsara għad-dispożizzjonijiet ta' dan l-artikolu, ġudikatur għandu fil-każijiet kollha jagħmel ħiltu sabiex jirċievi l-evidenza, il-provi u s-sottomissjonijiet permezz ta' proċeduri bil-miktub b'tali mod li tiġi evitata ż-żamma ta' seduti. Meta s-seduti jkunu meħtieġa, il-ġudikatur għandu l-ewwel jipprova jzomm dawk is-seduti permezz ta' faċilitajiet ta' vidjokonferenza jew b'mezzi oħra online."

Emenda tal-artikolu 10 tal-Att prinċipali.

**6.** Fis-subartikolu (3) tal-artikolu 10 tal-Att prinċipali l-kliem "mitejn u tnejn u tletin euro u erbgħa u disgħin ċenteżmu (232.94)"

għandhom jiġu sostitwiti bil-kliem "mitejn u ħamsin euro (€250)".

7. (1) Id-dispożizzjonijiet ta' dan l-Att għandhom japplikaw fir-rigward ta' kawżi preżentati wara d-dhul fis-seħħ ta' dan l-Att diment li l-ġudikatur jista' wkoll japplika d-dispożizzjonijiet tal-artikolu 9(4) tal-Att prinċipali għal kawżi li jkunu pendenti fit-Tribunal għal Talbiet Żgħar fiż-żmien tal-imsemmi dhul fis-seħħ. Dispożizzjoni tranżitorja.

(2) Il-kawżi preżentati fil-Qorti tal-Maġistrati qabel id-dhul fis-seħħ ta' dan l-Att għandhom jibqgħu fil-kompetenza tal-imsemmija Qorti.

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 422 tas-16 ta' Diċembru, 2025.

DAVID AGIUS  
*Deputy Speaker*

ELEANOR SCERRI  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

**MYRIAM SPITERI DEBONO**  
**President**

18th December, 2025

**ACT No. XL of 2025**

*AN ACT to amend the Small Claims Tribunal Act, Cap. 380.*

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.

Cap. 380.

**1.** (1) The short title of this Act is the Small Claims Tribunal (Amendment) Act, 2025 and this Act shall be read and construed as one with the Small Claims Tribunal Act, hereinafter referred to as the "principal Act".

(2) This Act shall come into force on such date or dates as the Minister responsible for justice may, by notice in the Gazette, establish and different dates may be so established for different provisions and, or purposes of this Act.

Amendment of article 3 of the principal Act.

**2.** In article 3 of the principal Act, the words "five thousand euro (€5,000)", wherever they occur, shall be substituted by the words "ten thousand euro (€10,000)".

Amendment of article 4 of the principal Act.

**3.** In sub-article (5) of article 4 of the principal Act the words "Adjudicators shall be appointed for a term of five years and, on the lapse of their term, they shall not be eligible for re-appointment:" shall be substituted by the words "Adjudicators shall be appointed for a term of five (5) years and shall be eligible to be reappointed for a further term

of five (5) years:".

4. Sub-article (1) of article 7 of the principal Act shall be substituted by the following new sub-article: Amendment of article 7 of the principal Act.

"(1) The Tribunal shall determine any claim or counter-claim before it in accordance with the law:

Provided that any claim or counter-claim of a value of less than five thousand euro (€5,000) shall be decided principally according to equity so that if in a case any claim or counter-claim exceeds the value of five thousand euro (€5,000), all claims and counter-claims in the same case shall be decided in accordance with the law:

Provided further that in any case, any question of prescription shall be determined in accordance with the law.".

5. Article 9 of the principal Act shall be amended as follows: Amendment of article 9 of the principal Act.

(a) sub-article (2) thereof shall be amended as follows:

(i) in paragraph (a) thereof the words "shall ensure that a case is" shall be substituted by the words "shall, where a sitting is held, ensure that a case is";

(ii) in paragraph (b) thereof the words "he shall inform himself" shall be substituted by the words "shall, subject to the duty to act fairly, inform himself";

(iii) in paragraph (c) the words "he shall refrain" shall be substituted by the words "shall refrain"; and

(b) immediately after sub-article (3) thereof there shall be added the following new sub-article:

"(4) Without prejudice to the provisions of this article, an adjudicator shall in all cases endeavour to receive evidence, proof and submissions through written procedures in such a manner as to avoid the holding of sittings. When sittings are required, the adjudicator shall firstly seek to hold such sittings through video conferencing facilities or other online means.".

6. In sub-article (3) of article 10 of the principal Act the words "two hundred and thirty-two euro and ninety-four cents (232.94)" shall be substituted by the words "two hundred and fifty euro (€250)". Amendment of article 10 of the principal Act.

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Transitory  
provision.

7. (1) The provisions of this Act shall apply in respect of cases filed after the coming into force of this Act provided that an adjudicator may also apply the provisions of article 9(4) of the principal Act to cases which are pending in the Small Claims Tribunal at the time of the said coming into force.

(2) Cases filed in the Court of Magistrates before the coming into force of this Act shall remain within the competence of the said Court.

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Passed by the House of Representatives at Sitting No. 422 of the 16th December, 2025.

DAVID AGIUS  
*Deputy Speaker*

ELEANOR SCERRI  
*Clerk of the House of Representatives*