

Nru 177

21. 04. 2026

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Byron Camilleri, M.P., Ministru għall-Intern, is-Sigurtà u x-Xogħol, u moqri għall-Ewwel darba fis-Seduta tas-26 ta' Jannar 2026.

A BILL introduced by the Honourable Byron Camilleri, M.P., Minister for Home Affairs, Security and Employment, and read the First time at the Sitting of the 26th January 2026.

ATT sabiex jemenda ligijiet varji dwar ir-Registru Pubbliku.

AN ACT to amend various laws relating to the Public Registry.

ELEANOR SCERRI

Skrivan tal-Kamra tad-Deputati

ELEANOR SCERRI

Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT sabiex jemenda liġijiet varji dwar ir-Registru Pubbliku.

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

TAQSIMA I Preliminari

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2026 li jemenda Liġijiet Varji dwar ir-Registru Pubbliku. Titolu fil-qosor u bidu fis-sehh.

(2) Dan l-Att għandu jidhol fis-sehh f'dik id-data li l-Ministru responsabbli għar-Registru Pubbliku jista' b'avviż fil-Gazzetta jistabbilixxi u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet u għanijiet differenti ta' dan l-Att.

TAQSIMA II

Emendi għall-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili

2. Din it-Taqsima temenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili u għandha tinqara u tinftiehem haġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawn iżjed 'il quddiem f'din it-Taqsima msejjah il-"Kodiċi". Emendi għall-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili. Kap. 12.

3. Minnufih wara l-artikolu 124 tal-Kodiċi għandu jiġi miżjud Zieda ta' artikolu ġdid fil-Kodiċi.

C 4222

l-artikolu ġdid li ġej:

"Tifsir ta' 124A. F'dan il-Kodiċi, il-kliem "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku", kull fejn jokkorru, għandhom, inkwantu dan il-Kodiċi ma jipprovdux xort'oħra, jinftieħmu bħala referenza għad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew għall-Uffiċċji tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) ta' Malta jew ta' Għawdex, li huma taħt ir-responsabbiltà tiegħu, skont il-każ."

Emenda tal-artikolu 627 tal-Kodiċi.

4. Il-paragrafu (f) tal-artikolu 627 tal-Kodiċi għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(f) iċ-ċertifikati maħruġa mid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew mid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) u mir-Registratur tal-Artijiet;"

TAQSIMA III

Emendi għall-Kodiċi tal-Kummerċ

Emendi għall-Kodiċi tal-Kummerċ. Kap. 13.

5. Din it-Taqsima temenda l-Kodiċi tal-Kummerċ u għandha tinqara u tinftieħem haġa waħda mal-Kodiċi tal-Kummerċ, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ il-"Kodiċi".

Emenda tal-artikolu 490 tal-Kodiċi.

6. Fis-subartikolu (2) tal-artikolu 490 tal-Kodiċi, il-kliem "fir-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki)".

Emenda tal-artikolu 501 tal-Kodiċi.

7. Fis-subartikolu (1) tal-artikolu 501 tal-Kodiċi, il-kliem "l-iskrizzjoni fir-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "l-iskrizzjoni fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki)".

TAQSIMA IV

Emendi għall-Kodiċi Ċivili

Emendi għall-Kodiċi Ċivili. Kap. 16.

8. Din it-Taqsima temenda l-Kodiċi Ċivili u għandha tinqara u tinftieħem haġa waħda mal-Kodiċi Ċivili, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ il-"Kodiċi".

Emenda tat-Taqsim tal-Kodiċi.

9. Fit-Taqsim tal-Kodiċi, minnufih wara l-kliem "Sub-titolu III" tat-Titolu II tal-Ewwel Ktieb għandhom jiġu miżjuda l-kliem li ġejjin:

"Sub-titolu IV Dispożizzjonijiet Ġenerali fuq il- 112A - Filjazzjoni 112B".

10. Minnufih wara l-artikolu 1B tal-Kodiċi għandu jiġi miżjud l-artikolu ġdid li ġej:

Żieda ta' artikolu ġdid fil-Kodiċi.

"Tifsir.

1Ċ. (1) Fid-dispożizzjonijiet li ġejjin, kull fejn jokkorru l-kliem "Direttur", "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku", għandhom inkwantu dan il-Kodiċi ma jipprovdi xort'oħra, jinftieħmu bħala referenza għad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew għall-Uffiċċji tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) ta' Malta jew ta' Għawdex, li huma taħt ir-responsabbiltà tiegħu, skont il-każ:

(a) is-Sub-titolu I tat-Titolu I tal-Ewwel Ktieb fuq il-Jeddijiet u d-Dmirijiet tar-Raġel u l-Mara lejn xulxin;

(b) l-artikolu 35(3) tas-Sub-titolu III tat-Titolu I tal-Ewwel Ktieb fuq il-Firda Personali;

(ċ) is-Sub-titolu IV tat-Titolu I tal-Ewwel Ktieb fuq id-Divorzju;

(d) is-Sub-titolu I tat-Titolu II tal-Ewwel Ktieb fuq il-Filjazzjoni tal-Ulied Imnissla jew Imwiela matul iż-Żwieġ;

(e) is-Sub-titolu III tat-Titolu II tal-Ewwel Ktieb fuq il-Filjazzjoni tal-Ulied Imnissla jew Imwiela barra miż-Żwieġ u fuq il-Preżunzjoni li Persuna kienet Imnissla jew Imwiela matul iż-Żwieġ;

(f) it-Titolu III tal-Ewwel Ktieb fuq l-Adozzjoni; u

(g) it-Titolu VIII tal-Ewwel Ktieb fuq l-Atti tal-Istat Ċivili.

(2) Kull fejn jokkorru l-kliem "Direttur", "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku" f'dispożizzjonijiet oħra għajr dawk elenkati fis-subartikolu (1), għandhom jinftieħmu bħala referenza għad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew għall-Uffiċċji tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) ta' Malta jew ta' Għawdex, li huma taħt ir-responsabbiltà tiegħu, skont il-każ."

11. L-artikolu 4 tal-Kodiċi għandu jiġi emendat kif ġej:

Emendi tal-artikolu 4 tal-Kodiċi.

(a) fis-subartikolu (6) tiegħu, il-kliem "fi żmien ħames (5) snin mill-bidu fis-seħħ tal-Att tal-2020 li jemenda l-Kodiċi

C 4224

Ċivili u Diversi Liġijiet Oħra," għandhom jiġu mħassra;

(b) it-tieni proviso għas-subartikolu (8) tiegħu għandu jiġi mħassar; u

(ċ) fis-subartikolu (9) tiegħu, il-kliem ", mhux aktar tard minn tliet (3) snin mid-data tas-sottomissjoni tal-Formula TT," għandhom jiġu mħassra.

Emenda tal-artikolu 35 tal-Kodiċi.

12. Fis-subartikolu (3) tal-artikolu 35 tal-Kodiċi, il-kliem "sabiex id-Direttur tar-Reġistru Pubbliku jirreġistra dik is-separazzjoni personali." għandhom jiġu sostitwiti bil-kliem "sabiex id-Direttur tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili), f'każ fejn l-Att taż-Żwieġ ikun registrat fir-Reġistru Pubbliku, jirreġistra dik is-separazzjoni personali b'annotazzjoni fil-margini tar-reġistru:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda kwalunkwe separazzjoni personali, sabiex ikollha effett fir-rigward ta' terzi persuni, għandha tiġi wkoll insinwata fir-Reġistru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) skont id-dispożizzjonijiet tal-artikolu 62A minn kull min għandu interess, bil-preżentata ta' nota tal-insinwa."

Emenda tal-artikolu 66A tal-Kodiċi.

13. Fis-subartikolu (4) tal-artikolu 66A tal-Kodiċi, il-kliem "biex dan jiġi registrat fir-Reġistru Pubbliku." għandhom jiġu sostitwiti bil-kliem "sabiex f'każ fejn l-Att taż-Żwieġ ikun registrat fir-Reġistru Pubbliku, l-istess għandu jiġi registrat fir-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) b'annotazzjoni fil-margini tar-reġistru:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda kull divorzju, sabiex ikollu effett fir-rigward ta' terzi persuni, għandu jiġi wkoll insinwat fir-Reġistru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) minn kull min għandu interess, bil-preżentata ta' nota tal-insinwa."

Emenda tal-artikolu 92 tal-Kodiċi.

14. L-artikolu 92 tal-Kodiċi għandu jiġi emendat kif ġej:

(a) it-tieni proviso għas-subartikolu (6) tiegħu għandu jiġi mħassar; u

(b) fis-subartikolu (9) tiegħu, il-kliem ", mhux aktar tard minn tliet (3) snin wara d-data tas-sottomissjoni tal-Formula WW," għandhom jiġu mħassra.

Żieda ta' Sub-titolu ġdid fil-Kodiċi.

15. Minnufih wara s-Sub-titolu III tat-Titolu II tal-Ewwel Ktieb

tal-Kodiċi għandu jiġi miżjud is-Subtitolu ġdid li ġej:

"Sub-titolu IV

Dispożizzjonijiet Ġenerali fuq il-Filjazzjoni

L-azzjoni ma għandhiex tiġi istitwita fil-konfront tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili).

112A. Kwalunkwe azzjoni msemmija fl-artikolu 112B ma għandhiex tiġi istitwita fil-konfront tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili). L-imsemmi Direttur għandu jiġi biss notifikat bis-sentenza finali skont l-artikolu 112B(3).

Dettalji li għandhom jiġu inklużi f'deċizzjoni relatata ma' filjazzjoni.

112B. (1)(a) Il-Qorti Ċivili (Sezzjoni tal-Familja), għandha, fis-sentenza tagħha u fi kwalunkwe azzjoni li tista' tiġi istitwita taħt id-dispożizzjonijiet Sub-titoli I u II, kif ukoll taħt id-dispożizzjonijiet tal-ewwel parti tas-Sub-titolu III tat-Titolu II, tindika b'mod ċar, il-kunjom illi għandu jidher u l-wild wara l-eżitu tal-kawża u d-dettalji tal-ġenitur li ma wellidx, skont il-każ u jekk dan ikun meħtieġ.

(b) Id-dettalji tal-ġenitur li ma wellidx għandhom jinkludu ismu u kunjomu, in-numru tad-dokument ta' identifikazzjoni, l-età fil-mument tat-twelid tal-wild, il-professjoni, is-sengħa jew stat ieħor fil-mument tat-twelid tal-wild, il-post tat-twelid, il-post tar-residenza fil-mument tat-twelid tal-wild, kif ukoll l-isem u l-kunjom tal-ġenituri u jekk dawn kinux ħajjin jew mejtin fil-mument tat-twelid tal-wild.

(2) Il-Qorti Ċivili (Sezzjoni tal-Familja) fis-sentenza finali tagħha fl-azzjonijiet imsemmija fis-subartikolu (1), għandha tindika wkoll l-atti l-oħra ta' stat ċivili li għandhom jiġu korretti għajr l-att tat-twelid tal-wild, in-numru progressiv ta' reġistrazzjoni u s-sena ta' kull att ta' stat ċivili, skont il-każ u kif meħtieġ.

(3) Il-Qorti Ċivili (Sezzjoni tal-Familja) għandha tordna lir-Registatur tal-Qrati sabiex fiż-żmien stabbilit għal dan l-għan mill-istess Qorti, jinforma lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) sabiex jirreġistra tali sentenza u jdaħħal l-annotazzjonijiet neċessarji skont kif stipulat fl-imsemmija sentenza."

16. L-artikolu 124 tal-Kodiċi għandu jiġi sostitwit bl-artikolu

Sostituzzjoni tal-artikolu 124 tal-Kodiċi.

ġdid li ġej:

"124. Mal-ġhoti ta' digriet ta' adozzjoni, il-persuna li dwarha jingħata d-digriet ta' adozzjoni għandha tieġu l-kunjom ta' xi wieħed mill-ġenituri adottivi, jew il-kunjom taż-żewġ ġenituri adottivi, fl-ordni skont l-għażla tagħhom:

Iżda meta d-digriet ta' adozzjoni jkun sar favur tnejn miżżewġin li jkunu żżewġu wara d-dhul fis-seħħ tal-Att tal-2017 li jemenda l-Att dwar iż-Żwieġ u Ligijiet* oħrajn, il-persuna li dwarha jingħata d-digriet ta' adozzjoni għandha tieġu l-Isem tal-Familja tal-miżżewġin:

Iżda wkoll meta l-persuna li tkun se tiġi adottata ma tkunx għalqet it-tliet snin, l-adottant jista', bl-approvazzjoni tal-qorti, jagħti lil dak it-tifel isem ġdid:

Iżda wkoll meta l-persuna li tkun ser tiġi addottata jkollha fehim biżżejjed, hi tista' tagħzel li żżomm l-isem tal-familja bijoloġika tagħha u tassumi l-kunjom tal-ġenitur jew ġenituri adottivi tagħha, skont il-każ, skont id-dispożizzjonijiet ta' dan il-Kodiċi."

Emenda tal-artikolu 125 tal-Kodiċi.

17. Minnufih wara l-paragrafu (ċ) tas-subartikolu (2) tal-artikolu 125 tal-Kodiċi għandu jiġi miżjud il-paragrafu ġdid li ġej :

"(d) meta l-persuna li tkun ser tiġi adottata tkun il-wild naturali ta' wieħed mill-adottanti, l-qorti għandha tispeċifika fid-digriet jekk dak l-adottant għandux jiġi indikat ukoll bħala l-ġenitur naturali tal-persuna li għandha tiġi adottata,".

Emenda tal-artikolu 234 tal-Kodiċi.

18. Fis-subartikolu (1) tal-artikolu 234 tal-Kodiċi, il-kliem "u għandu jkun miktub b'kitba ċara li tinqara u mingħajr taqsir ta' kliem." għandhom jiġu sostitwiti bil-kliem "u għandu jiġi mhejji b'mod ċar li jinqara, mingħajr taqsir ta' kliem u b'karattri Latini bażiċi ISO u Maltin."

Emenda tal-artikolu 244 tal-Kodiċi.

19. Fis-subartikolu (1) tal-artikolu 244 tal-Kodiċi, minnufih wara l-kliem "f'dan it-Titolu" għandhom jiġu miżjud l-kliem "b'karattri Latini bażiċi ISO u Maltin:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda d-Direttur għandu jitlob traslitterazzjoni għal karattri Latini bażiċi ISO ta' dawk id-dettalji li jinkludu fihom karattri li mhumiex Latini bażiċi ISO jew Maltin."

Emenda tal-artikolu 250 tal-Kodiċi.

20. Is-subartikolu (2) tal-artikolu 250 tal-Kodiċi għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(2) L-Uffiċċju tar-Registru Pubbliku f'Għawdex għandu, fi żmien xahar (1) mill-aħħar ġurnata tal-perjodu taż-żmien imsemmi fis-subartikolu (1), jibgħat lill-Uffiċċju tar-Registru Pubbliku f'Malta kopja tal-indiċi ta' kull sena."

21. L-artikolu 251 tal-Kodiċi għandu jiġi emendat kif ġej:

Emenda tal-artikolu 251 tal-Kodiċi.

(a) fis-subartikolu (1) tiegħu l-kliem "mid-Direttur tar-Registru Pubbliku ta' Malta jew mid-Direttur tar-Registru Pubbliku ta' Għawdex" għandhom jiġu sostitwit bil-kliem "mid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)";

(b) is-subartikolu (3) tiegħu għandu jiġi emendat kif ġej:

(i) il-kliem "Id-Diretturi msemmin fis-subartikolu (1) għandhom ukoll, jekk jiġu mitluba, jagħtu ċertifikat" għandhom jiġu sostitwiti bil-kliem "Id-Direttur msemmi fis-subartikolu (1) għandu wkoll, jekk jiġi mitlub, joħroġ ċertifikat";

(ii) fl-ewwel proviso tiegħu l-kliem "mid-Diretturi msemmin fis-subartikolu (1)" għandhom jiġu sostitwiti bil-kliem "mid-Direttur msemmi fis-subartikolu (1)"; u

(iii) minnufih wara l-ewwel proviso tiegħu, kif emendat, għandhom jiġu miżjuda l-provisos ġodda li ġejjin:

"Iżda wkoll kwalunkwe indikazzjoni jew referenza għal xi proċedura magħmula skont id-dispożizzjonijiet tal-artikolu 280(2), kull fejn tali indikazzjonijiet jew referenzi jinsabu f'att ta' stat ċivili, ma għandhomx jiġu riprodotti fl-ebda kopja jew estratt ta' tali att maħruġ mid-Direttur msemmi fis-subartikolu (1), ħlief kif jista' jiġi espliċitament ordnat jew awtorizzat mill-Qorti:

Iżda wkoll id-Direttur imsemmi fis-subartikolu (1) jista' fid-diskrezzjoni tiegħu, ma jirriproduċix id-dettalji tal-kawża tal-mewt fuq kwalunkwe kopja tal-att tal-mewt, f'dawk il-każijiet fejn il-kawża tal-mewt hija meqjusa minnu bħala waħda ta' natura sensittiva, ħlief kif jista' jiġi xort'ohra espliċitament ordnat jew awtorizzat mill-Qorti għal raġuni ġustifikata"; u

(ċ) minnufih wara s-subartikolu (4) tiegħu għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(5) Id-Direttur imsemmi fis-subartikolu (1) jista', fid-diskrezzjoni tiegħu jinkludi, jemenda jew iħassar data ta' validità minn kwalunkwe ċertifikati jew estratti ffirmati minnu jew minn xi uffiċjal awtorizzat minnu li johroġ iċ-ċertifikati, maħruġa skont dan l-artikolu."

Emenda tal-artikolu 253 tal-Kodiċi.

22. Fis-subartikolu (5) tal-artikolu 253 tal-Kodiċi l-kliem "kull uffiċjal imsemmi fl-artikolu 306(1) jew (4)", għandhom jiġu sostitwiti bil-kliem "kwalunkwe uffiċjal imsemmi fl-artikolu 306(2) jew (3)".

Sostituzzjoni tal-artikolu 261 tal-Kodiċi.

23. L-artikolu 261 tal-Kodiċi għandu jiġi sostitwit bl-artikolu ġdid li ġej:

"Dmirijiet tal-qorti.

261. Il-qorti għandha matul tali spezzjoni taċċerta ruħha jekk id-dispożizzjonijiet ta' dan it-Titolu jkunux ġew imħarsa mid-Direttur jew wieħed mill-uffiċjali msemmija fl-artikolu 306(2), skont il-każ, u l-qorti tista', għal kull kontravvenzjoni, timponi fuq id-Direttur jew lil wieħed mill-uffiċjali msemmija fl-artikolu 306(2), skont il-każ, ammenda ta' mhux iżjed minn ħdax-il euro u ħamsa u sittin centezmu (€11.65):

Iżda meta l-kontravvenzjoni tikkonsisti fl-ommissjoni ta' xi għemil meħtieġ li jitwettaq skont dan it-Titolu u l-qorti ma tkunx tista' taċċerta ruħha mill-persuna responsabbli għal dik l-ommissjoni, il-kontravvenzjoni għandha titqies li twettqet mid-Direttur u l-piena għandha tiġi imposta lilu."

Emenda tal-artikolu 270 tal-Kodiċi.

24. Fis-subartikolu (4) tal-artikolu 270 tal-Kodiċi l-kliem "għall-konservazzjoni fir-Registru Pubbliku f'Malta" għandhom jiġu sostitwiti bil-kliem "għall-konservazzjoni fl-Uffiċċju tar-Registru Pubbliku f'Malta".

Emenda tal-artikolu 278 tal-Kodiċi.

25. Is-subparagrafu (iv) tal-proviso tal-paragrafu (e) tas-subartikolu (1) tal-artikolu 278 tal-Kodiċi għandu jiġi sostitwit bis-subparagrafu ġdid li ġej:

"(iv) fejn japplikaw id-dispożizzjonijiet tal-artikolu 280(2), ma għandha ssir l-ebda referenza għal dak il-fatt fl-att tat-twelid, iżda kopja legali tal-attestazzjoni bil-miktub, skont il-każ, għandha tiġi prodotta lid-Direttur tar-Registru Pubbliku, liema kopja legali għandha tinzamm u tiġi ppreservata flimkien mal-att tat-twelid;"

Emenda tal-artikolu 280 tal-Kodiċi.

26. Minnufih wara s-subartikolu (2) tal-artikolu 280 tal-Kodiċi

għandhom jiġu miżjuda s-subartikoli godda li ġejjin:

"(3)(a) Minkejja d-dispożizzjonijiet tal-artikolu 272, id-dispożizzjonijiet tas-subartikolu (1) lanqas ma għandhom japplikaw jekk qabel ir-registrazzjoni tat-twelid u fejn il-wild ikun meqjus li ġie mnissel u mwieled fiż-żwieġ, kwalunkwe wieħed mill-konjuġi li qiegħed isostni li l-konjuġi li ma wiledx mhux il-ġenitur tal-wild, għandu jinnotifika lill-konjuġi l-ieħor b'ittra uffiċjali li fiha jkun hemm dikjarat li l-wild mhux il-wild tal-konjuġi tal-ġenitur li wiled. Il-konjuġi li jkun ġie notifikat bl-ittra uffiċjali għandu, fi żmien hmistax (15)-il ġurnata ta' xogħol minn tali notifika, permezz ta' nota preżentata fl-atti tal-imsemmija ittra uffiċjali, jiddikjara jekk għandux kwalunkwe oġġezzjoni għal tali dikjarazzjoni.

(b) Fejn il-konjuġi li jkun ġie notifikat bl-ittra uffiċjali ma jopponix għal tali dikjarazzjoni, jew ma jipprezentax nota fi żmien hmistax (15)-il ġurnata ta' xogħol min-notifika tagħha, l-isem tal-konjuġi tal-ġenitur li wiled ma għandux jitniżżel fl-att tat-twelid bħala dak tal-ġenitur tal-wild u l-wild ikun jista' jiġi rikonoxxut mill-persuna li ssostni li tkun il-ġenitur li ma wiledx quddiem ir-Registru Pubbliku fl-att tat-twelid.

(c) Fejn il-konjuġi li jkun ġie notifikat bl-ittra uffiċjali jopponi għal tali dikjarazzjoni permezz ta' nota fl-atti tal-istess ittra fi żmien hmistax (15)-il ġurnata ta' xogħol mid-data tan-notifika tal-ittra uffiċjali, id-dispożizzjonijiet tas-subartikolu (1) għandhom japplikaw, u l-isem tal-konjuġi tal-ġenitur li wiled għandu jitniżżel fl-att tat-twelid bħala l-ġenitur tal-wild.

(4) L-ittra uffiċjali u n-nota preżentati skont is-subartikolu (3) għandhom jiġu preżentati quddiem il-Qorti Ċivili (Sezzjoni tal-Familja) u l-kontenut tagħhom għandu jiġi konfermat bil-ġurament quddiem Kummissjunarju bis-setgħa li jagħti ġurament skont l-Ordinanza dwar il-Kummissjunarju b'setgħa li jagħtu l-Ġurament:

C 4230

Iżda sabiex l-ittra uffiċjali u n-nota preżentati skont is-subartikolu (3) jiġu reġistrati, l-applikant għandu wkoll jippreżenta lid-Direttur tar-Reġistru Pubbliku kopja legali tal-ittra uffiċjali, inkluża l-prova tan-notifika, u kopja legali tan-nota preżentata fl-atti tagħha, jekk dak ikun il-każ. L-applikant għandu wkoll jippreżenta lid-Direttur tar-Reġistru Pubbliku prova illi ma giet preżentata l-ebda nota jew li n-nota ma gietx preżentata fiż-żmien stipulat fis-subartikolu (3). Meta jirċievi d-dokumenti msemmija, id-Direttur tar-Reġistru Pubbliku, għandu jirreġistra l-ġenituri tal-wild skont il-każ."

Emenda tal-artikolu 295 tal-Kodiċi.

27. Il-proviso tas-subartikolu (1) tal-artikolu 295 tal-Kodiċi għandu jiġi sostitwit bil-proviso ġdid li ġej:

"Iżda fejn jingħataw mill-qorti ċivili kompetenti:

(a) sentenza jew digriet ta' separazzjoni personali, dawn għandhom jiġu reġistrati skont l-artikolu 35(3); jew

(b) sentenza jew digriet ta' divorzju, dawn għandhom jiġu reġistrati skont l-artikolu 66A(4)."

Sostituzzjoni tal-artikolu 306 tal-Kodiċi.

28. L-artikolu 306 tal-Kodiċi għandu jiġi sostitwit bl-artikolu ġdid li ġej:

"Direttur tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) u uffiċjali fir-Reġistru Pubbliku.

306. (1) L-Uffiċċju tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) f'Malta kif ukoll dak f'Għawdex għandhom jitqiegħdu taht ir-responsabbiltà ta' uffiċjal wiehed (1) li għandu jkun magħruf bhala d-Direttur tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili), hawn aktar 'il quddiem f'dan l-artikolu msejjjah id-Direttur, illi għandu wkoll jaġixxi bhala t-Teżorier tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) u li jirċievi f'isem il-Gvern, il-ħlasijiet ta' drittijiet skont id-drittijiet fit-Taqsima I tal-Ewwel Skeda.

(2) Kemm l-Uffiċċju tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) f'Malta kif ukoll l-Uffiċċju f'Għawdex jista' jkollu wkoll uffiċjal jew uffiċjali bi grad ta' Duttur fil-Liġi jew kwalifika ekwivalenti, u warrant sabiex jeżerċitaw il-professjoni ta' avukat jew nutar pubbliku fil-Gzejjer Maltin u li jaqdu dmirijiethom fir-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili). Dawn l-uffiċjali jistgħu jeżerċitaw il-funzjonijiet kollha, jew kwalunkwe waħda mill-funzjonijiet li, skont kwalunkwe dispożizzjoni ta' dan il-Kodiċi jew ta' xi liġi oħra huma assenjati lid-Direttur, u dik il-liġi għandha tinftiehem f'dak is-sens.

(3) Fl-eżerċizzju ta' kwalunkwe tali funzjoni, l-uffiċjali msemmija fis-subartikolu (2) għandu jkollhom l-istess setgħat u l-istess obbligi kif huma mogħtija lil, jew imposti fuq id-Direttur, bla ħsara għad-dispożizzjonijiet tas-subartikolu (5).

(4) Qabel ma jibdew l-eżerċizzju tal-kariga tagħhom, id-Direttur u l-uffiċjali msemmija f'dan l-artikolu għandhom jieħdu quddiem il-Qorti tal-Appell il-ġurament ta' fedelta' li jinsab fil-Kostituzzjoni u l-ġurament tal-kariga kif ġej:

"Jien.....inwiegħed u naħlef li nosserva fedelment il-Liġijiet kollha ta' Malta relatati mal-kariga tiegħi u li nwettaq fedelment u bl-onestà u r-reqqa kollha d-dmirijiet ta' Direttur/Uffiċjal fir-Registru Pubbliku mill-aħjar li naf u li nista'. Hekk Alla jgħinni.";

(5) L-uffiċjali msemmija f'dan l-artikolu għandhom, fl-eżerċizzju tal-funzjonijiet tagħhom skont dan il-Kodiċi jew kwalunkwe liġi oħra, ikunu soġġetti għall-awtorità, direzzjoni u kontroll tad-Direttur.

(6) Il-kliem "iffirmati mid-Direttur", "aċċettata mid-Direttur" jew kliem ta' effett simili, b'referenza għal ċertifikati tal-istat ċivil jew għal sottomissjonijiet tal-Formula V skont l-artikolu 278A għandhom jittieħdu li jinkludu kwalunkwe sigill, emblema jew firma magħmula jew proċessati b'mezzi fotografici, bl-istampa jew fi kwalunkwe għamla oħra fid-diskrezzjoni tad-Direttur kif ukoll awtentikati bil-firma tal-uffiċjal li joħroġ iċ-ċertifikati, jew li jipproċessa s-sottomissjonijiet tal-Formula V skont l-artikolu 278A, awtorizzat għal dak il-għan mid-Direttur.

(7) Id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) għandu jkun l-unika persuna kompetenti sabiex jirrappreżenta fi kwalunkwe kapaċità lir-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) fi kwalunkwe proċeduri legali skont dan il-Kodiċi jew skont xi liġi oħra.

(8) Kull fejn f'xi liġi ssir xi referenza għall-kliem "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku", fir-rigward tal-atti tal-istat ċivili, tali referenza għandha tintfiehmed li tirreferi għad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew għall-Uffiċċji tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) ta' Malta jew ta' Għawdex, li huma taħt ir-responsabbiltà tiegħu, skont il-każ."

TAQSIMA V

Emendi għall-Att dwar il-Professjoni Nutarili u Arkivji Nutarili

Emendi għall-Att dwar il-Professjoni Nutarili u Arkivji Nutarili. Kap 55.

29. Din it-Taqsima temenda l-Att dwar il-Professjoni Nutarili u Arkivji Nutarili u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Professjoni Nutarili u Arkivji Nutarili, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 3 tal-Att prinċipali.

30. Is-subartikolu (2) tal-artikolu 3 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-kliem "minbarra l-kariga ta' Direttur jew Assistent Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti b' il-kliem "minbarra l-kariga ta' Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew ta' Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew ta' Nutar Pubbliku li jaqdi dmirijietu fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew fir-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)"; u

(b) fil-proviso tiegħu l-kliem "Izda d-Direttur jew l-Assistent Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "Izda d-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew in-Nutar Pubbliku li jaqdi dmirijietu fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew fir-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)".

Żieda ta' artikolu ġdid fl-Att prinċipali.

31. Minnufih wara l-artikolu 3 tal-Att prinċipali, kif emendat, għandu jiġi miżjud l-artikolu ġdid li ġej:

"Tifsir.

3A. Fid-dispożizzjonijiet ta' dan l-Att, il-kliem "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku", għandhom kull fejn jokkorru, i n k w a n t u d a n l - A t t m a j i p p r o v d i x x o r t ' o ħ r a , j i r r e f e r u g ħ a d - D i r e t t u r t a r - R e g i s t r u P u b b l i k u (S e z z j o n i t a l - I n s i n w i u t a r - R i ċ e r k i) j e w g ħ a l l - U f f i ċ ċ j i t a r - R e g i s t r u P u b b l i k u (S e z z j o n i t a l - I n s i n w i u t a r - R i ċ e r k i) t a ' M a l t a j e w t a ' G ħ a w d e x , l i h u m a t a ħ t i r - r e s p o n s a b b i l t à t i e g ħ u , s k o n t i l - k a ž . "

Emenda tal-artikolu 14 tal-Att prinċipali.

32. Fis-subartikolu (3) tal-artikolu 14 tal-Att prinċipali l-kliem "il-kariga ta' Direttur jew Assistent Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti b' il-kliem "il-kariga ta' Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew ta' Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)".

33. Fis-subartikolu (6) tal-artikolu 22 tal-Att prinċipali l-kliem "Direttur jew Assistent Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) jew Nutar Pubbliku delegat sabiex jaqdi d-dmirijiet tad-Direttur fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew fir-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)".

Emenda tal-artikolu 22 tal-Att prinċipali.

34. Fis-subartikolu (1) tal-artikolu 110 tal-Att prinċipali l-kliem "u r-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem ", ir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) u r-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)".

Emenda tal-artikolu 110 tal-Att prinċipali.

TAQSIMA VI

Emendi għall-Att dwar ir-Registru Pubbliku

35. Din it-Taqsima temenda l-Att dwar ir-Registru Pubbliku u għandha tinqara u tinftiehem haġa waħda mal-Att dwar ir-Registru Pubbliku, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emendi għall-Att dwar ir-Registru Pubbliku. Kap. 56.

36. L-artikolu 2 tal-Att prinċipali għandu jiġi sostitwit bl-artikolu ġdid li ġej:

Sostituzzjoni tal-artikolu 2 tal-Att prinċipali.

"Uffiċċju ta' Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) f'Malta u iehor f'Għawdex. 2. Għandu jkun hemm Uffiċċju tar-Registru Pubbliku f'Malta u iehor f'Għawdex għall-iskrizzjonijiet tal-kawzi ta' preferenza bejn il-kredituri għall-insinwa tal-atti li jeħtieġu r-registrazzoni sabiex ikunu effettivi fil-konfront ta' terzi u għal kull iskrizzjoni oħra rikjesta mill-ligi."

37. L-artikolu 3 tal-Att prinċipali għandu jiġi sostitwit bl-artikolu ġdid li ġej:

Sostituzzjoni tal-artikolu 3 tal-Att prinċipali.

"Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) u Uffiċċjali fir-Registru Pubbliku. 3. (1) L-Uffiċċju tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) f'Malta kif ukoll dak f'Għawdex għandhom jitqiegħdu taħt ir-responsabbiltà ta' uffiċjal wieħed (1) li għandu jkun magħruf bħala d-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), hawn aktar 'il quddiem f'dan l-artikolu imsejjaħ id-Direttur, illi għandu wkoll ikun it-Teżorier tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), u li jirċievi f'isem il-Gvern il-ħlasijiet tad-drittijiet skont it-Tariffa fl-Ewwel Skeda.

(2) Kemm l-Uffiċċju tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) f'Malta kif ukoll dak f'Għawdex jista' jkollu wkoll uffiċjal jew uffiċjali bi grad ta' Duttur fil-Liġi jew kwalifika ekwivalenti, u warrant sabiex jeżerċitaw l-professjoni ta' avukat jew nutar pubbliku fil-Gżejjer Maltin u li jkunu jaqdu dmirijietom fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki). Dawn l-uffiċjali jistgħu jeżerċitaw il-funzjonijiet kollha jew kwalunkwe waħda mill-funzjonijiet li taht kwalunkwe mid-dispożizzjonijiet ta' dan l-Att jew ta' xi liġi oħra huma assenjati lid-Direttur u dik il-liġi għandha tinftiehem f'dan is-sens.

(3) Kull fejn f'dan l-Att jew fi kwalunkwe liġi ssir xi referenza għall-kliem "Direttur tar-Registru Pubbliku" jew "Registru Pubbliku", fir-rigward tal-iskrizzjonijiet tal-kawżi ta' preferenza bejn il-kredituri, l-insinwa tal-atti li għandhom jiġu iskritti sabiex ikunu effettivi fir-rigward ta' terzi persuni, u fir-rigward ta' kwalunkwe iskrizzjoni oħra rikjesta mill-liġi, tali referenza għandha tirreferi għad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew għall-Uffiċċji tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) ta' Malta jew ta' Għawdex, li huma taht ir-responsabbiltà tiegħu, skont il-każ."

(4) Minkejja d-dispożizzjonijiet tas-subartikolu (2), kwalunkwe referenza għad-Direttur fl-artikoli 35 u 37 ma għandhiex tinftiehem li tinkludi referenza għal kwalunkwe uffiċjal ieħor imsemmi f'dan l-artikolu.

(5) Qabel ma jibdedew l-eżerċizzju tal-kariga tagħhom, id-Direttur u l-uffiċjali msemmija f'dan l-artikolu għandhom jiehdu quddiem il-Qorti tal-Appell il-ġurament ta' fedeltà li jinsab fil-Kostituzzjoni u l-ġurament ta' kariga kif ġej:

"Jien inwiegħed u naħlef li nosserva fedelment il-Liġijiet kollha ta' Malta relatati mal-kariga tiegħi u li nwettaq fedelment u bl-onestà u r-reqqa kollha d-dmirijiet ta' Direttur/Uffiċjal fir-Registru Pubbliku mill-aħjar li naf u li nista'. Hekk Alla jgħinni.";

(6) L-uffiċjali msemmija f'dan l-artikolu fl-eżerċizzju tal-funzjonijiet tagħhom skont dan l-Att jew kwalunkwe liġi oħra, għandhom ikunu soġġetti għall-awtorita', direzzjoni u kontroll tad-Direttur.

(7) Id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) għandu jkun l-unika persuna kompetenti sabiex jirrapprezenta f' kwalunkwe kapaċità lir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), fi kwalunkwe proċeduri legali skont dan l-Att jew kwalunkwe liġi oħra."

38. L-artikolu 4 tal-Att prinċipali għandu jiġi sostitwit b'dan l-artikolu ġdid li ġej:

Sostituzzjoni tal-artikolu 4 tal-Att prinċipali.

"Uffiċju fejn għandhom isiru l-iskrizzjonijiet u l-insinwi.

4. (1) L-iskrizzjonijiet kollha tal-kawżi ta' preferenza dwar id-debituri, kif ukoll l-insinwi kollha ta' atti riċevuti minn nutara, jew ta' sentenzi jew digrieti mogħtija mill-qrati tal-ġustizzja għandhom isiru fl-Uffiċju ta' Malta jew ta' Għawdex.

(2) Meta l-atti, is-sentenzi jew id-digrieti jkunu jikkonċernaw propjeta immobbli, in-nota ta' insinwa għandha tiġi pprezentata fl-Uffiċju fejn tinsab il-propjeta immobbli li qed tiġi trasferita:

Iżda fejn in-nota tal-insinwa ta' atti riċevuti min-nutara tkun tinkludi propjeta immobbli li tinsab kemm fil-gżira ta' Malta kif ukoll fil-gzejjer ta' Għawdex jew Kemmuna, in-nota għandha tiġi pprezentata fl-Uffiċju ta' Malta fejn jiġi pprocessat il-hlas, filwaqt li għandha tiġi pprezentata kopja tal-istess nota min-nutar fl-Uffiċju ta' Għawdex mingħajr htieġa ta' pagament ulterjuri:

Iżda wkoll f'kaz ta' atti, sentenzi jew digrieti oħra li jikkonċernaw propjeta immobbli li jinsabu kemm fil-gżira ta' Malta kif ukoll fil-gzejjer ta' Għawdex jew Kemmuna, in-nota tal-insinwa għandha tiġi pprezentata fl-Uffiċju ta' Malta fejn jiġi pprocessat il-hlas, filwaqt li għandha tiġi pprezentata kopja tal-istess nota mill-persuna li titlob l-insinwa, jew minn avukat, nutar, jew prokuratur legali fl-Uffiċju ta' Għawdex mingħajr htieġa ta' pagament ulterjuri.

(3) Nota tal-insinwa ta' testment għandha tiġi pprezentata fl-Uffiċju tal-gżira fejn ikun residenti t-testatur fil-hin tal-pubblikazzjoni tat-testment.

(4) Fi kwalunkwe każ ieħor, fejn fin-nota tal-insinwa ma tkun qed tiġi trasferita l-ebda immobbli, in-nutar għandu jipprezenta l-imsemmija nota fl-Uffiċju ta' tali gżira fejn in-nutar jipprattika l-professjoni legali tiegħu.

(5) Noti li jirrigwardaw l-iskrizzjonijiet ta' kawzi ta' preferenza fil-konfront ta' debitori għandhom jiġu pprezentati fl-Uffiċċju tar-Registru Pubbliku ta' dik il-gżira fejn id-debitur għandu r-residenza uffiċjali tiegħu, kif speċifikat fin-nota nnifisha.

(6) Għall-finijiet ta' iskrizzjonijiet u insinwi ta' noti f'każ ta' kumpanija, dawn għandhom jiġu pprezentati fl-Uffiċċju ta' dik il-gżira fejn il-kumpanija għandha l-uffiċċju registrat tagħha.

(7) Man-noti tal-insinwa ta' atti ricevuti min-nutara, għandu jiġi pprezentat il-ħlas kollu dovut lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) skont it-tariffi stabbiliti minn dan l-Att jew xi liġi oħra. Fin-nuqqas ta' tali ħlas, in-nota tal-insinwa ma għandhiex tiġi meqjusa registrata."

Emenda tal-
artikolu 5 tal-
Att prinċipali.

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

(a) is-subartikolu (3) tiegħu għandu jiġi sostitwit b'dan is-subartikolu ġdid li ġej:

"(3) Nota tal-insinwa ta' att jew ta' iskrizzjoni ta' kawża ta' preferenza u kwalunkwe nota ta' referenza għall-istess għandha tiġi trażmessa lid-Direttur b'mod elettroniku u bil-firma elettronika kwalifikata tal-persuna li qiegħda tiffirma n-nota, liema nota għandha titqies bhala kopja vera u awtentika għall-finijiet kollha tal-liġi sakemm din tkun iffirmata wkoll mid-Direttur permezz ta' firma elettronika kwalifikata skont it-tifsira mogħtija lilha fir-Regolament (UE) Nru 910/2014 tal-Parlament Ewropew u tal-Kunsill tat-23 ta' Lulju 2014 dwar l-identifikazzjoni elettronika u s-servizzi fiduċjarji għal transazzjonijiet elettroniċi fis-suq intern:

Iżda d-Direttur jista', f'każijiet ta' forza maġġuri, jaċċetta li fejn ikun meħtieġ skont il-liġi li nota, hekk kif previst f'dan l-artikolu, tiġi depożitata fir-Registru Pubbliku b'mod manwali, din għandha tkun dattilografata jew stampata b'karattri skuri, li jidhru sewwa, li jinqraw faċilment u li ma jithassrux, fuq karta awtorizzata mid-Direttur, u għandha tiġi depożitata fir-Registru Pubbliku flimkien ma' kopja ċara tagħha. Tali nota għandha tiġi traskritta mid-Direttur fuq sistema elettronika bi ħlas ulterjuri li jista' jiġi stabbilit mill-istess Direttur minn żmien għal żmien."; u

(b) fis-subartikolu (5) tiegħu, minnufih wara l-kliem "il-

kwalità tagħha bħala kreditur jew debitur.", għandhom jiġu miżjuda l-kliem "Tali firma tista' ssir ukoll, fejn hemm sistemi adegwati provduti għal tali skop, permezz ta' firma elettronika skont it-tifsira mogħtija lilha fir-Regolament (UE) Nru 910/2014 tal-Parlament Ewropew u tal-Kunsill tat-23 ta' Lulju 2014 dwar l-identifikazzjoni elettronika u s-servizzi fiduċjarji għal transazzjonijiet elettroniċi fis-suq intern."

40. Minnufih wara l-artikolu 5 tal-Att prinċipali, kif emendat, għandu jiġi miżjud dan l-artikolu ġdid li ġej:

Żieda ta' artikolu ġdid fl-Att prinċipali.

"Applikabbli-
tā tal-artikolu
4.

5A. Id-dispożizzjonijiet tal-artikolu 4 għandhom japplikaw *mutatis mutandis* għal kwalunkwe dokument uffiċjali iehor maħruġ minn qorti jew awtoritā li l-iskrizzjoni tiegħu hija meħtieġa skont xi liġi oħra."

41. Fl-artikolu 10 tal-Att prinċipali l-kliem "Id-Direttur ma għandu jirċievi ebda nota iffirmata biss" għandhom jiġu sostitwiti bil-kliem "F'dawk il-każijiet fejn, minħabba ċ-ċirkostanzi tal-każ, nota ma tiġix depożitata bil-mod elettroniku, id-Direttur ma għandu jirċievi l-ebda nota li hija biss iffirmata ".

Emenda tal-artikolu 10 tal-Att prinċipali.

42. L-artikolu 12 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 12 tal-Att prinċipali.

(a) il-proviso tiegħu għandu jiġi sostitwit b'dan il-proviso ġdid li ġej:

"Iżda meta xi jum minn dawk imsemmija jaħbat f'xi festa pubblika kif ukoll nhar l-ghada tal-Milied u l-ghada tal-Ewwel tas-Sena, l-imsemmija Uffiċċji għandhom jinżammu magħluqa."; u

(b) minnufih wara l-proviso tiegħu, kif sostitwit, għandhom jiġu miżjuda dawn il-provisos ġodda li ġejjin:

"Iżda wkoll l-iskrizzjonijiet u l-insinwi ta' noti ta' ipoteki, kawzi ta' preferenza bejn kredituri u referenzi għandhom jiġu esklussivament trażmessi elettronicament fuq il-portal hekk maħluq għal dan il-ghan, u dawn għandhom jiġu proċessati mid-Direttur matul dawk il-hinijiet u granet ta' xogħol skont avviż ippubblikat fil-Gazzetta:

Iżda wkoll fejn noti jiġu trażmessi elettronicament, dawn għandhom jiġu proċessati mid-Direttur fl-istess ordni progressiva ta' hin u data li fih ikunu ġew trażmessi fis-sistema elettronika. B'żieda ma'

C 4238

dan, fejn nota ma tiġix aċċettata mid-Direttur għal kwalunkwe raġuni preskritta mil-liġi, hu għandu jipproċessa dik in-nota li tiġi minnufih warajha fl-istess ordni progressiva ta' hin u data."

Emenda tal-artikolu 13 tal-Att prinċipali.

43. L-artikolu 13 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu l-kliem "u għandu jiffirma ismu fuqha." għandhom jiġu sostitwiti bil-kliem "u għandu jiffirma ismu fuqha permezz ukoll ta' firma elettronika skont it-tifsira mogħtija lilha fir-Regolament (UE) Nru 910/2014 tal-Parlament Ewropew u tal-Kunsill tat-23 ta' Lulju 2014 dwar l-identifikazzjoni elettronika u s-servizzi fiduċjarji għal transazzjonijiet elettroniċi fis-suq intern.";

(b) fis-subartikolu (2) tiegħu, il-kliem "bl-aħħar waħda pprezentata f'kull sena." għandhom jiġu sostitwiti bil-kliem "bl-aħħar nota pprezentata f'kull sena, fl-istess ordni progressiva ta' hin u data li jkunu ġew trażmessi fih fis-sistema elettronika:" u minnufih wara għandu jiġi miżjud dan il-proviso ġdid li ġej:

"Izda fejn id-Direttur ma jkunx għal xi raġuni preskritta mil-liġi sodisfatt li xi nota hija regolari, id-Direttur għandu jgħaddi sabiex jipproċessa n-nota li tiġi minnufih warajha fl-istess ordni progressiva ta' hin u data li jkunu ġew trażmessi fih fis-sistema elettronika.";

(ċ) minnufih wara s-subartikolu (2) tiegħu, kif emendat, għandu jiġi miżjud dan is-subartikolu ġdid li ġej:

"(3) Nota għandha tiġi meqjusa bħala iskritta jew insinwata fir-Registru Pubbliku, skont il-każ, fil-mument li jiġi effettwat il-ħlas dovut fis-sistema."

Sostituzzjoni tal-artikolu 23 tal-Att prinċipali.

44. L-artikolu 23 tal-Att prinċipali għandu jiġi sostitwit b'dan l-artikolu ġdid li ġej:

"Ir-registri u n-noti registrati għandhom ikunu aċċessibbli għall-pubbliku.

23. Ir-registri u n-noti registrati għandhom ikunu aċċessibbli għall-pubbliku fit-tali post u, jew sit elettroniku kif speċifikat mid-Direttur."

Emenda tal-artikolu 24 tal-Att prinċipali.

45. Fis-subartikolu (3) tal-artikolu 24 tal-Att prinċipali, minnufih wara l-kliem "jew fejn bis-saħħa ta' xi disposizzjoni oħra

tal-imsemmi Kodiċi," għandhom jiġu miżjuda l-kliem

Kap. 540. "jew fejn bis-saħħa ta' xi dispożizzjoni tal-Att dwar l-Identità tal-Ġeneru, l-Espressjoni tal-Ġeneru u l-Karatteristiċi tas-Sess,".

46. L-artikolu 25 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 25 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu l-kliem "Id-Direttur tal-Uffiċċju ta' Għawdex għandu jibgħat lid-Direttur tal-Uffiċċju ta' Malta" għandhom jiġu sostitwiti bil-kliem "L-Uffiċċju tar-Registru Pubbliku ta' Għawdex għandu jibgħat lill-Uffiċċju tar-Registru Pubbliku ta' Malta"; u

(b) fis-subartikolu (3) tiegħu l-kliem "Id-Direttur tal-Uffiċċju ta' Għawdex għandu jibgħat ukoll lid-Direttur tal-Uffiċċju ta' Malta" għandhom jiġu sostitwiti bil-kliem "L-Uffiċċju tar-Registru Pubbliku ta' Għawdex għandu jibgħat ukoll lill-Uffiċċju tar-Registru Pubbliku ta' Malta".

47. Fis-subartikolu (1) tal-artikolu 28 tal-Att prinċipali, il-kliem "iffirmata mid-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "iffirmata mid-Direttur". Emenda tal-artikolu 28 tal-Att prinċipali.

48. L-artikolu 29 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 29 tal-Att prinċipali.

(a) in-nota marginali tiegħu għandha tiġi sostitwita b'din in-nota marginali ġdida li ġejja:

"Referenza għall-Iskrizzjonijiet fl-Uffiċċju ta' Għawdex.";

(b) fis-subartikolu (1) tiegħu l-kliem "Id-Direttur tal-Uffiċċju ta' Malta għandu jsemmi għalihom, fiċ-ċertifikati mogħtija minnu" għandhom jiġu sostitwiti bil-kliem "Id-Direttur għandu jindika separatament, fiċ-ċertifikati maħruġa minnu mill-Uffiċċju ta' Malta"; u

(ċ) fis-subartikolu (2) tiegħu l-kliem "Id-Direttur tal-Uffiċċju ta' Għawdex għandu dejjem, fiċ-ċertifikati tiegħu, jagħmel" għandhom jiġu sostitwiti bil-kliem "Id-Direttur għandu dejjem, fiċ-ċertifikati maħruġa mill-Uffiċċju ta' Għawdex, jinkludi".

49. Fl-artikolu 31 tal-Att prinċipali l-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "Id-Direttur". Emenda tal-artikolu 31 tal-Att prinċipali.

VERŻJONI ELETTRONIKA

C 4240

Emenda tal-artikolu 32 tal-Att prinċipali.

50. Fl-artikolu 32 tal-Att prinċipali l-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti b i l-kliem "Id-Direttur".

Emenda tal-artikolu 33 tal-Att prinċipali.

51. Fl-artikolu 33 tal-Att prinċipali l-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti b i l-kliem "Id-Direttur".

Emenda tal-artikolu 34A tal-Att prinċipali.

52. Fis-subartikolu (3) tal-artikolu 34A tal-Att prinċipali l-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti b i l-kliem "Id-Direttur".

Sostituzzjoni tal-Ewwel Skeda li tinsab mal-Att prinċipali.

53. L-Ewwel Skeda li tinsab mal-Att prinċipali għandha tiġi sostitwita b'din l-Iskeda ġdida li ġejja:

**"L-EWWEL SKEDA
TARIFFA
(Artikolu 3)**

A. Privileġġi u ipoteki

1. Għal kull nota ta' iskrizzjoni jew tiġdid ta' iskrizzjoni fejn l-ammont tal-kreditu:

(a) ma jeċċedix €2,300.00	€2.50
(b) jeċċedi €2,300.00 iżda ma jeċċedix €46,600.00	€25.50
(ċ) jeċċedi €46,600.00	€25.50
u tihallas zieda ta' €2.50 għal kull €2,300.00 jew parti minn €2,300.00 li jeċċedu l-ewwel €46,600.00	
(d) fejn l-ammont tal-kreditu ma jkunx iddikjarat	€2.50

Għal kull nota ta' iskrizzjoni fejn il-kreditu hu għall-ħlas ta' kull sena jew ta' pensjoni, id-drittijiet stabbiliti fl-iskala ta' hawn fuq għandhom jiġu jithallsu kif ġej:

 - (a) jekk il-ħlas ta' kull sena hu kkostitwit in perpetwu jew għal għoxrin (20) sena jew iżjed, jew għal żmien indefinit, id-dritt jiġi intaxxat fuq l-ammont kollu li għandu jiġu jithallas matul iż-żmien ta' għoxrin (20) sena;
 - (b) jekk il-ħlas ta' kull sena hu kkostitwit għal żmien definit ta' anqas minn għoxrin (20) sena, id-dritt jiġi intaxxat fuq l-ammont kollu li għandu jiġu jithallas matul tali żmien;
 - (ċ) jekk il-ħlas ta' kull sena hu kkostitwit għal matul il-hajja ta' persuna waħda jew iżjed, id-dritt jiġi ntaxxat fuq l-ammont kollu li għandu jiġu jithallas matul iż-żmien ta' tnax (12)-il sena.
2. Għal kull nota ta' ċessjoni, tnaqqis, jew tħassir inkluża r-referenza relattiva li għandha ssir fir-registri.....

	€4.00
--	-------

- B. Insinwi
3. Għal kull nota ta' insinwa ta' testament pubbliku, u għal kull nota ta' insinwa tal-ftuh ta' testament sigriet, u għal kull nota li jkun fiha dikjarazzjoni *causa mortis*
- €6.50
4. Għal kull dikjarazzjoni ta' rinunzja ta' wirt, nota ta' rinunzja magħmula fl-okkażjoni li wiehed jagħmel il-voti ta' reliġjuż, ta' fondazzjoni, ta' kitba taż-żwieġ mingħajr assenjazzjoni ta' immobbli, ta' kontro-dikjarazzjoni f'kitbiet ta' żwieġ, ta' firda personali u ta' tmiem tal-komunjoni tal-akkwisti, u għal kwalunkwe nota oħra li għandha x'taqsam ma' prokuri, atti nutarili, sentenzi jew digrieti ta' qorti, fejn il-valur mhux determinat
- €2.50
5. Għal kull nota oħra li għandha x'taqsam ma' att nutarili, sentenza jew digriet ta' qorti, fejn il-valur determinat:
- (a) ma jeċċedix €2,300.00.... €2.50
- (b) jeċċedi €2,300.00 iżda ma jeċċedix €46,600.00..... €25.50
- (ċ) jeċċedi €46,600.00..... €25.50
- u tithallas zieda ta' €2.50 għal kull €2,300.00 jew parti minn €2,300.00 li jeċċedul-ewwel €46,600.00.
- Għal kull nota ta' insinwa li għandha x'taqsam ma' h̄las ta' kull sena jew pensjoni, id-drittijiet stabbiliti fl-iskala ta' hawn fuq għandhom jithallsu kif ġej:
- (a) jekk il-h̄las ta' kull sena hu kkostitwit b'mod perpetwu, jew għal għoxrin (20) sena jew iżjed, jew għal żmien indefinit, id-dritt jiġi ntaxxat fuq l-ammont kollu li għandu jithallas matul iż-żmien ta' għoxrin (20) sena;
- (b) jekk il-h̄las ta' kull sena hu kkostitwit għal żmien definit ta' anqas minn għoxrin (20) sena, id-dritt jiġi ntaxxat fuq l-ammont kollu li għandu jithallas matul tali żmien;
- (ċ) jekk il-h̄las ta' kull sena hu kkostitwit għal matul il-hajja ta' persuna waħda jew iżjed, id-dritt jiġi ntaxxat fuq l-ammont kollu li għandu jithallas matul iż-żmien ta' tmax (12)-il sena.
6. Għal kull referenza li għandha ssir fir-registri
- €1.50

VERŻJONI ELETTRONIKA

C 4242

7. Għal kull registrazzjoni ta' rikors għal Ċertifikat Ewropew tas-Suċċessjoni jew għar-registrazzjoni ta' Ċertifikat Ewropew tas-Suċċessjoni jew għar-registrazzjoni ta' rettifika, modifika jew irtirar ta' Ċertifikat Ewropew tas-Suċċessjoni €20.00
- Ċ. Applikazzjonijiet, Riċerki u Ċertifikati
- Ċ1. Għal kull applikazzjoni għal riċerka ta' iskrizzjoni kontra persuna partikolari jew kumpanija (fejn id-dettalji ma jaqblux, għandhom isiru żewġ (2) applikazzjonijiet jew aktar u għandhom jitqiesu li kienu dejjem meħtieġa), izda fejn l-applikazzjoni ssir minn dipartiment tal-gvern id-dritt għandu jon-qos bin-nofs €16.00
- (a) Għal kull kopja, irrispettivament mill-għadd ta' pagni, ta' nota ta' preferenza, riferenza, insinwa jew rekord ieħor li jkun parti mir-riċerka għal kull kopja..... €3.00
- Izda fejn l-applikant:
- (i) jordna kopji minn sit remot, ukoll meta l-kopja ma tkunx tiffirma parti mir-riċerka; jew
- (ii) jidhol f'sit remot biex jivverifika l-istat tal-applikazzjonijiet li jkollu għar-riċerki,
- l-ebda hlas ieħor ma għandu jiġi impost hlief dak dovut għall-kopja jew riċerka skont il-każ;
- (b) Fejn, bħala parti mir-riċerka, minflok kopja shiħa tan- nota, tingħata biss indikazzjoni tagħha, bħalma hi "GPP" li tfisser garanzija ta' paċifiku pussess, "D/M" li tfisser maternità differenti, jew xi nota simili minflok il-kopja shiħa €1.00

- Ċ2. Meta l-applikazzjoni tkun tirreferi għall-verifika u ċ-ċertifikazzjoni ta' riċerki mhux komputerizzati, b'zieda mal-inqas dritt għall-applikazzjoni msemmi fil-partita Ċ1 ta' din l-Iskeda, kif ukoll b'zieda mal-ħlas imsemmi fl-istess partita kull meta xi nota partikolari ma tkunx reġistrata fir-riċerki pprezentati għall-verifika u ċertifi-kazzjoni, tiġi pprovduta mar-riżultati kopja tan-nota nieqsa, inkluż il-verifika ta' noti ta' riferenza fir-rigward ta' noti ta' preferenza partikolari li ma jagħmlux parti minn applikazzjoni għal riċerka uffiċjali, ħlas għal kull tqabbila, kif ġej:
- (a) għall-ewwel 99 tqabbila..... €0.50
 - (b) fejn l-għadd ikun ta' 100 tqabbila iżda ma jeċċedix il-200, ħlas għal tqabbil f'dan il-margni.... €0.15
 - (c) fejn l-għadd ikun ta' 200 tqabbila iżda ma jeċċedix il-500, ħlas għal tqabbil f'dan il-margni €0.15
 - (d) fejn l-għadd ikun ta' 500 tqabbila iżda ma jeċċedix l-1000, ħlas għal tqabbil f'dan il-margni €0.10
 - (e) fejn l-għadd ta' tqabbiliet ikun ta' 1000 tqabbila jew fuqhom, ħlas għal tqabbil f'dan il-margni €0.10
- Ċ3. Talba sabiex tiġi aġġornata riċerka uffiċjali maħruġa matul id-disgħin (90) ġurnata qabel it-talba €4.00
- Ċ4. Għal ċertifikat speċjali (Ċertifikat tar-Registru Pubbliku) ta' kwalunkwe iskrizzjoni maħruġ bhala vera kopja ta' kwalunkwe iskrizzjoni wara talba *ad hoc* skont l-artikolu 30 tal-Att u li ma jiffurmax parti minn riċerka uffiċjali €4.00
- Ċ5. Għal kull ċertifikat fir-rigward ta' testamenti magħmul minn kwalunkwe persuna partikolari, irrispettivament min-numri ta' paġni (inkluż id-dritt għar-riċerka):
- (a) fejn applikazzjoni ma tkunx teħtieġ riċerka f'rekords qabel l-1972 - għal detenturi tal-kont €9.00
 - (b) f'kull każ ieħor - għal detenturi tal-kont €13.00
 - (c) fejn applikazzjoni ma tkunx teħtieġ riċerka f'rekords ta' qabel l-1972..... €10.00
 - (d) f'kull każ ieħor €14.00

VERŻJONI ELETTRONIKA

C 4244

Ċ6.	Għall-aċċess ta' rekords elettronici minn sit elettroniku, il-hlas għal kull riċerka li ssir skont il-parametri tat-Taqsimiet A jew B tat-Tieni Skeda sa massimu ta' hamsin (50) rekord fi kwalunkwe waqt wiehed	€13.50
	Izda irrispettivament mill-ghadd ta' rekords elettronici disponibbli, fejn l-applikant jagħzel li jillimita l-aċċess, il- hlas għandu jkun, meta dawk ir-rekords ikopru l-aħħar:	
	(a) 30 jum kif attwalment disponibbli.....	€2.50
	(b) 90 jum kif attwalment disponibbli.....	€5.50
	(c) 120 jum kif attwalment disponibbli.....	€8.00".

Emenda tat-Tieni Skeda li tinsab mal-Att prinċipali.

54. It-Tieni Skeda li tinsab mal-Att prinċipali għandha tiġi emendata kif ġej:

(a) il-Formula A tagħha għandha tiġi sostitwita bil-Formula ġdida li ġejja:

"FORMULA A - NOTA GĦAL ISKRIZZJONI
[Artikoli 5(2), 32]

Nota għal Iskrizzjoni ta' _____ Nru. Progressiv: _____
KREDITUR

(Dettalji tal-Kreditur)

DEBITUR

(Dettalji tad-Debitur)

Lokalità tal-Proprietà

Indirizz tal-Proprietà

KREDITU

(Dettalji tal-Kreditu)

KAWŻA TA' PREFERENZA

(Ipoteka, Privileġġ, Ipoteka legali, eċċ.)

_____ Data

_____ F i r m a t a l - p e r s u n a l i t a p p l i k a g ħ a l - i s k r i z z j o n i
(fl-aħħar paġna tan-nota biss)

Direttur

(fl-aħħar paġna tan-nota biss);

u

(b) il-Formula B tagħha għandha tiġi sostitwita bil-Formula ġdida li ġejja:

"FORMULA B - NOTA TA' RIFERENZA
[ARTIKOLU 5(2)]

RIFERENZA Nru.

TITOLU

*(In-Numru tal-Ipoteka għandu
jitniżżel hawnhekk)*

Firma *(fl-aħħar paġna tan-nota biss)*

Direttur *(fl-aħħar paġna tan-nota
biss)*".

TAQSIMA VII

Emenda għall-Att dwar iż-Żwieġ

55. Din it-Taqsima temenda l-Att dwar iż-Żwieġ u għandha tinqara u tinftiehem haġa waħda mal-Att dwar iż-Żwieġ, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emenda għall-Att dwar iż-Żwieġ.
Kap. 255.

56. Fis-subartikolu (1) tal-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "att taż-żwieġ" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

Emenda tal-artikolu 2 tal-Att prinċipali.

" "Direttur tar-Registru Pubbliku" tfisser id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili);".

C 4246

TAQSIMA VIII

Emenda għall-Att dwar l-Awtorità tad-Djar

Emenda għall-Att dwar l-Awtorità tad-Djar. Kap. 261.

57. Din it-Taqsima temenda l-Att dwar l-Awtorità tad-Djar u għandha tinqara u tinftiehem haġa waħda mal-Att dwar l-Awtorità tad-Djar, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

58. Fl-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "proprjetà immobbli", għandha tiġi miżjuda t-tifsira ġdida li ġejja:

Kap. 56. " "Reġistru Pubbliku" tfisser ir-Reġistru Pubbliku stabbilit bl-Att dwar ir-Reġistru Pubbliku;"

TAQSIMA IX

Emenda għall-Att dwar ir-Registrazzjoni ta' Artijiet

Emenda għall-Att dwar ir-Registrazzjoni ta' Artijiet. Kap. 296.

59. Din it-Taqsima temenda l-Att dwar ir-Registrazzjoni ta' Artijiet u għandha tinqara u tinftiehem haġa waħda mal-Att dwar ir-Registrazzjoni ta' Artijiet, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

60. Fl-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "reġistru", għandha tiġi miżjuda t-tifsira ġdida li ġejja:

Kap. 56. " "Reġistru Pubbliku" tfisser ir-Reġistru Pubbliku kif imwaqqaf bl-Att dwar ir-Reġistru Pubbliku;"

TAQSIMA X

Emendi għall-Att dwar l-Identità tal-Ġeneru, l-Espressjoni tal-Ġeneru u l-Karatteristiċi tas-Sess

Emendi għall-Att dwar l-Identità tal-Ġeneru, l-Espressjoni tal-Ġeneru u l-Karatteristiċi tas-Sess. Kap. 540.

61. Din it-Taqsima temenda l-Att dwar l-Identità tal-Ġeneru, l-Espressjoni tal-Ġeneru u l-Karatteristiċi tas-Sess, u għandha tinqara u tinftiehem haġa waħda mal-Att dwar l-Identità tal-Ġeneru, l-Espressjoni tal-Ġeneru u l-Karatteristiċi tas-Sess, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

62. Fl-artikolu 2 tal-Att prinċipali, it-tifsira "Direttur" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "Direttur" tfisser id-Direttur tar-Reġistru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili), inkwantu dan l-Att ma jipprovdi xort'ohra;"

Emenda tal-artikolu 4 tal-Att prinċipali.

63. Is-subartikolu (4) tal-artikolu 4 tal-Att prinċipali għandu jiġi sostitwit bis-subartikolu ġdid li ġejj:

"(4) Id-Direttur għandu fi żmien hmistax (15)-il jum mill-prezentazzjoni tan-nota tal-insinwa min-Nutar fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), idahħal annotazzjoni fl-att tat-twelid tal-applikant."

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

Emenda tal-artikolu 5 tal-Att prinċipali.

(a) fis-subartikolu (3) tiegħu, il-kliem "jippreżenta nota lid-Direttur" għandhom jiġu sostitwiti bil-kliem "jippreżenta nota lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki)"; u

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

"(4) Bla ħsara għad-dispożizzjonijiet tal-artikolu 8(1), fl-Uffiċċju tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) f'Malta u f'Għawdex, għandu jinżamm registru għar-registrazzjoni tan-noti msemmija fis-subartikolu (3)."

TAQSIMA XI

Emenda għall-Att dwar Artijiet tal-Gvern

65. Din it-Taqsima temenda l-Att dwar Artijiet tal-Gvern, u għandha tinqara u tinftiehem haġa waħda mal-Att dwar Artijiet tal-Gvern, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda għall-Att dwar Artijiet tal-Gvern. Kap. 573.

66. Fl-artikolu 2 tal-Att prinċipali, minnufih wara t-tifsira "'raba" jew "art rahlija" għandha tiġi miżjudha t-tifsira ġdida li ġejja:

Emenda tal-artikolu 2 tal-Att prinċipali.

Kap. 56. " "Registru Pubbliku" tfisser ir-Registru Pubbliku kif imwaqqaf bl-Att dwar ir-Registru Pubbliku;"

TAQSIMA XII

Emendi għall-Att dwar il-Koabitazzjoni

67. Din it-Taqsima temenda l-Att dwar il-Koabitazzjoni, u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Koabitazzjoni, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ "l-Att prinċipali".

Emendi għall-Att dwar il-Koabitazzjoni. Kap. 614.

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

Emenda tal-artikolu 5 tal-Att prinċipali.

(a) fis-subartikolu (6) tiegħu, il-kliem "jinsinwa l-istess att fir-Registru Pubbliku, fir-Registru miżmum għal tali skop mid-Direttur tar-Registru Pubbliku." għandhom jiġu sostitwiti bil-kliem "jinsinwa l-imsemmi att fir-Registru Pubbliku

(Sezzjoni tal-Insinwi u tar-Riċerki).";

(b) is-subartikolu (7) tiegħu għandu jiġi sostitwit bis-subartikolu li ġej:

"(7) Kopja tan-nota tal-insinwa għandha tkun mogħtija fi żmien għaxart (10) ijiem tax-xogħol lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili), li għandu jirreġistra l-koabitazzjoni fir-Registru miżmum minnu għall-imsemmi għan fi żmien għaxart (10) ijiem tax-xogħol minn meta tiġi mogħtija lilu l-kopja tan-nota tal-insinwa."; u

(ċ) minnufih wara s-subartikolu (7) tiegħu, kif sostitwit, għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(8) Id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) għandu, meta mitlub, joħroġ ċertifikat ta' koabitazzjoni kif preskritt fl-Iskeda.".

Emenda tal-artikolu 17 tal-Att prinċipali.

69. Fis-subartikolu (3) tal-artikolu 17 tal-Att prinċipali, il-kliem "javża lid-Direttur tar-Registru Pubbliku bix-xoljiment tal-koabitazzjoni biex tali digriet jew sentenza jiġu registrati fir-Registru Pubbliku." għandhom jiġu sostitwiti bil-kliem "javża bix-xoljiment tal-koabitazzjoni lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) sabiex tali digriet jew sentenza jiġu registrati fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), kif ukoll lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) sabiex iniżżel annotazzjoni ta' dan fuq iċ-Ċertifikat ta' Koabitazzjoni.".

Emenda tal-artikolu 21 tal-Att prinċipali.

70. Fis-subartikolu (3) tal-artikolu 21 tal-Att prinċipali, il-kliem "javża lid-Direttur tar-Registru Pubbliku bix-xoljiment tal-koabitazzjoni biex l-istess digriet jiġi registrat fir-Registru Pubbliku." għandhom jiġu sostitwiti bil-kliem "javża bix-xoljiment tal-koabitazzjoni lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) sabiex tali digriet jiġi registrat fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), kif ukoll lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) sabiex ikun jista' jniżżel annotazzjoni fir-rigward taċ-Ċertifikat ta' Koabitazzjoni.".

Emenda tal-artikolu 25 tal-Att prinċipali.

71. Fis-subartikolu (2) tal-artikolu 25 tal-Att prinċipali, il-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "Id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili)".

Emenda tal-artikolu 27 tal-Att prinċipali.

72. Fis-subartikolu (5) tal-artikolu 27 tal-Att prinċipali għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(5) Il-Qorti għandha fis-sentenza tagħha, tordna lir-Registratur tal-Qrati sabiex jinnotifika s-sentenza tagħha fiż-żmien stipulat mill-qorti għal dan l-iskop lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), sabiex tali sentenza tiġi registrata fir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki), kif ukoll lid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) sabiex ikun jista' jniżżel annotazzjoni fir-rigward taċ-Ċertifikat ta' Koabitazzjoni."

TAQSIMA XIII

Emendi għal-Legizlazzjoni Sussidjarja

73. Is-subregolament (1) tar-regolament 2 tar-Regolamenti dwar Atti Duplikati tal-Istat Ċivili għandu jiġi sostitwit bis-subregolament ġdid li ġej:

Emenda għar-Regolamenti dwar Atti Duplikati ta' l-Istat Ċivili.
L.S. 16.02.

"(1) Għandu jkun id-dmir tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) sabiex ihejji atti tal-istat ċivili duplikati ta' dawk l-atti oriġinali kollha depożitati fl-Uffiċċju tar-Registru Pubbliku f'Malta jew fl-Uffiċċju tar-Registru Pubbliku f'Għawdex li jkunu meqruda jew li tkun gratilhom ħsara minhabba nirien jew il-mogħdija ta' żmien."

74. Ir-Regolamenti dwar Noti Duplikati tar-Registru Pubbliku għandhom jiġu emendati kif ġej:

Emenda għar-Regolamenti dwar Noti Duplikati tar-Registru Pubbliku.
L.S. 56.02.

(a) ir-regolament 2 tiegħu għandu jiġi emendat kif ġej:

(i) is-subregolament (1) tiegħu għandu jiġi sostitwit bis-subregolament ġdid li ġej:

"(1) Għandu jkun id-dmir tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) li jagħmel noti duplikati ta' kwalunkwe noti oriġinali għar-registrazzjoni ta' xi kawża ta' preferenza fost il-kredituri, noti ta' referenza jew noti ta' insinwa li jkunu depożitati fl-Uffiċċju tar-Registru Pubbliku f'Malta jew fl-Uffiċċju tar-Registru Pubbliku f'Għawdex, meta n-nota oriġinali tkun intilfet, ġiet distrutta jew gratilha ħsara u sabiex jagħmel registru ġdid minflok kwalunkwe registru mitluf, distrutt jew li gratlu ħsara"; u

(ii) fis-subregolament (3) tiegħu, il-kliem "għandu jsir fil-post tar-Registru Pubbliku" għandhom jiġu sositwiti bil-kliem "għandu jsir fl-Uffiċċju tar-Registru Pubbliku".

(b) ir-regolament 4 tiegħu għandu jiġi emendat kif ġej:

(i) is-subregolament (1) tiegħu għandu jiġi sostitwit bis-subregolament ġdid li ġej:

Kap. 56. "(1) In-noti duplikati jew ir-registri godda mhejjija skont dawn ir-regolamenti għandhom jiġu awtentikati mid-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) jew minn uffiċjal imsemmi fl-artikolu 3(2) tal-Att dwar ir-Registru Pubbliku, u d-Direttur jew l-imsemmi uffiċjal għandu jiżgura li l-informazzjoni li tkun tinsab fin-nota duplikata jew fir-registru ġdid, ikun jaqbel mat-tagħrif li jkun jinsab jew li kellu jinsab fin-nota jew fir-registru oriġinali."; u

(ii) is-subregolament (2) tiegħu l-kliem "Id-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "Id-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki)".

Emenda ghar-Regolamenti dwar il-Konverżjoni ta' Unjoni Ċivili fi Żwieġ. L.S. 530.02.

75. Fis-subregolament (1) tar-regolament 3 tar-Regolamenti dwar il-Konverżjoni ta' Unjoni Ċivili fi Żwieġ, il-kliem "fl-uffiċċju tar-Registru Pubbliku Malta:" għandhom jiġu sostitwiti bil-kliem "fl-Uffiċċju tar-Registru Pubbliku f'Malta jew fl-Uffiċċju tar-Registru Pubbliku f'Għawdex, skont il-każ:".

Emenda għall-Ordni li Jwaqqaf l-Aġenzija Identità Malta. L.S. 595.07.

76. Fil-paragrafu (ċ) tas-subartikolu (2) tal-artikolu 3 tal-Ordni li Jwaqqaf l-Aġenzija Identità Malta, il-kliem "tad-Direttur tar-Registru Pubbliku" għandhom jiġu sostitwiti bil-kliem "tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili) u tad-Direttur tar-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki)".

TAQSIMA XIV Dispożizzjoni Transitorja

Dispożizzjoni tranżitorja.

77. Id-dhul fis-seħh ta' dan l-Att ma għandu jkollu l-ebda effett fuq kwalunkwe referenza għad-Direttur tar-Registru Pubbliku u, jew għall-Uffiċċji tar-Registru Pubbliku ta' Malta jew ta' Għawdex mqieghda taht ir-responsabbiltà tiegħu, skont il-każ, f'kawżi jew proċeduri ġudizzjarji istitwiti qabel id-dhul fis-seħh ta' dan l-Att.

Ghanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma maħsuba sabiex tinholq distinzjoni ċara bejn ir-Registru Pubbliku (Sezzjoni tal-Insinwi u tar-Riċerki) u r-Registru Pubbliku (Sezzjoni tal-Atti ta' Stat Ċivili), kif ukoll sabiex isiru emendi oħra għall-Kodiċi Ċivili u għall-Att dwar ir-Registru Pubbliku, sabiex kemm in-Nutara Pubbliċi kif ukoll l-pubbliku inġenerali ikunu jistgħu jgawdu minn servizz ġust li jirrispetta aħjar id-drittjiet tal-individwu, bis-sostenn ta' mezzi elettronici u bil-firma elettronika kwalifikata.

C 4252

**A BILL
entitled**

AN ACT to amend various laws relating to the Public Registry.

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:-

**PART I
Preliminary**

Short title and commencement.

1. (1) The short title of this Act is the Various Laws relating to the Public Registry (Amendment) Act, 2026.

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

**PART II
Amendments to the Code of Organization and Civil Procedure**

Amendments to the Code of Organization and Civil Procedure. Cap 12.

2. This Part amends the Code of Organization and Civil Procedure and shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter in this Part referred to as the "Code".

Addition of new article to the Code.

3. Immediately after article 124 of the Code there shall be added

the following new article:

"Interpretation.

1C. (1) In the following provisions, words "Director", "Director of the Public Registry" or "Public Registry", wherever they occur, shall unless it is otherwise provided in this Code, be construed as a reference to the Director of the Public Registry (Acts of Civil Status Section) or the Public Registry Offices (Acts of Civil Status Section) of Malta and of Gozo, placed under his responsibility, as the case may be:

(a) Sub-title I of Title I of Book First relating to the Mutual Rights and Duties of Spouses;

(b) Article 35(3) of Sub-title III of Title I of Book First relating to Personal Separation;

(c) Sub-title IV of Title I of Book First relating to Divorce;

(d) Sub-title I of Title II of Book First relating to the Filiation of Children conceived or born in Wedlock;

(e) Sub-title III of Title II of Book First relating to the Filiation of Children Conceived and Born out of Wedlock and of the Presumption that a Person was Conceived or Born in Wedlock;

(f) Title III of Book First relating to Adoption; and

(g) Title VIII of Book First relating to Acts of Civil Status.

(2) Wherever the words "Director", "Director of the Public Registry" or "Public Registry" occur in other provisions which are not listed in sub-article (1), they shall be construed as a reference to the Director of the Public Registry (Enrolments and Searches Section) or to the Public Registry Offices (Enrolments and Searches Section) of Malta or of Gozo placed under his responsibility, as the case may be."

Amendment of article 4 of the Code.

11. Article 4 of the Code shall be amended as follows:

(a) in sub-article (6) thereof, the words "within five (5) years of the coming into force of the Civil Code and Various Other Laws (Amendment) Act, 2020," shall be deleted;

(b) the second proviso to sub-article (8) thereof shall be deleted; and

(c) in sub-article (9) thereof, the words ", by not later than three (3) years following the date of submission of Form TT" shall be deleted.

12. In sub-article (3) of article 35 of the Code, the words "for the Director of the Public Registry to register that personal separation." shall be substituted by the words "for the Director of the Public Registry (Acts of Civil Status Section), in the case where the Act of Marriage is registered at the Public Registry, to register that personal separation by means of an annotation in the margin of the register:" and immediately after there shall be added the following new proviso:

Amendment of article 35 of the Code.

"Provided that any personal separation, for it to be effective with regard to third parties, shall also be enrolled in the Public Registry (Enrolments and Searches Section) in accordance with the provisions of article 62A by whoever has an interest, by the filing of a note of enrolment."

13. In sub-article (4) of article 66A of the Code, the words "so that the same shall be registered in the Public Registry." shall be substituted by the words "so that in any case where the Act of Marriage is registered at Public Registry, the same shall be registered in the Public Registry (Acts of Civil Status Section) by an annotation in the margin of the register:" and immediately after there shall be added the following new proviso:

Amendment of article 66A of the Code.

"Provided that every divorce, for it to have effect on third parties, shall also be enrolled in the Public Registry (Enrolments and Searches Section) by whoever has an interest, by the filing of a note of enrolment."

14. Article 92 of the Code shall be amended as follows:

Amendment of article 92 of the Code.

(a) the second proviso to sub-article (6) thereof shall be deleted; and

(b) in sub-article (9) thereof, the words ", by not later than three (3) years following the date of submission of Form WW," shall be deleted.

15. Immediately after Sub-title III of Title II of Book First of the Code, there shall be added the following new Sub-title:

Addition of new Sub-title to the Code.

"Sub-title IV
General Provisions on Filiation

The action shall not be instituted against the Director of the Public Registry (Acts of Civil Status Section).

Details that are to be included in a decision relating to filiation.

112A. Any action referred to in article 112B shall not be instituted against the Director of the Public Registry (Acts of Civil Status Section). The said Director shall only be notified with the final judgment in accordance with article 112B(3).

112B. (1)(a) The Civil Court (Family Section), shall, in its judgment and in any action that may be instituted under the provisions of Sub-titles I and II, as well as under the provisions of the first part of Sub-title III of Title II, indicate in a clear manner, the surname which the child is to adopt after the outcome of the cause and the details of the parent who did not give birth, as the case may be and if required.

(b) The details of the parent who did not give birth shall include his name and surname, the identification document number, the age at the time of birth of the child, the profession, trade or other status at the time of birth of the child, the place of birth, the place of residence at the time of the birth of the child, as well as the name and surname of the parents and whether these were alive or dead at the time of the birth of the child.

(2) The Civil Court (Family Section) in its final judgment in the actions referred to in sub-article (1), shall also indicate the other acts of civil status that are to be corrected other than the act of birth of the child, the progressive number of registration and the year of every act of civil status, as the case may be and as required.

(3) The Civil Court (Family Section) shall order the Registrar of Courts to inform, within the time limit established for this purpose by the said court, the Director of the Public Registry (Acts of Civil Status Section) to register such judgment and make the required annotations as stipulated in the said judgment."

Substitution of Article 124 of the Code.

16. Article 124 of the Code shall be substituted by the following new article:

"124. Upon an adoption decree being made, the person in respect of whom the adoption decree is made shall assume the surname of any of the adoptive parents, or the surname of both adoptive parents, in the order of their choice:

Provided that when the adoption decree is made in favour of two spouses who contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017*, then the person in respect of whom the adoption decree is made shall assume the Family Name of the spouses:

Provided further that where the person to be adopted is a child below the age of three years, the adopter may, with the approval of the court, give such child a new name:

Provided further that where the person to be adopted has sufficient understanding, he may choose to retain his biological family name and assume the surname of his adopter or adoptive parents, as the case may be, in accordance with the provisions of this Code."

- 17.** Immediately after paragraph (c) of sub-article (2) of article 125 of the Code there shall be added the following new paragraph: Amendment of Article 125 of the Code.

"(d) where the person to be adopted is the natural offspring of one of the adopters, the court shall in the decree specify whether that adopter is also to be indicated as the natural parent of the person to be adopted,".

- 18.** In sub-article (1) of article 234 of the Code, the words "shall be drawn up in clear and legible characters, and without any abbreviation." shall be substituted by the words "shall be drawn up in clear and legible characters, without any abbreviation and in ISO basic Latin and Maltese characters." Amendment of article 234 of the Code.

- 19.** In sub-article (1) of article 244 of the Code, immediately after the words "in this title" there shall be added the words "in ISO basic Latin and Maltese characters:" and immediately thereafter shall be added the following new proviso: Amendment of article 244 of the Code.

"Provided that the Director shall request a transliteration to ISO basic Latin characters of those details which include characters which are not ISO basic Latin or Maltese."

- 20.** Sub-article (2) of article 250 of the Code shall be substituted by the following new sub-article: Amendment of article 250 of the Code.

"(2) The Office of the Public Registry in Gozo shall, within one (1) month from the last day of the time period mentioned in sub-article (1), transmit to the Office of the Public Registry in Malta a copy of the index of every year."

C 4258

Amendment of
article 251 of
the Code.

21. Article 251 of the Code shall be amended as follows:

(a) in sub-article (1) thereof the words "by the Director of the Public Registry of Malta or the Director of the Public Registry of Gozo" shall be substituted by the words "by the Director of the Public Registry (Acts of Civil Status Section)";

(b) sub-article (3) thereof shall be amended as follows:

(i) the words "The Directors mentioned in sub-article (1) shall also, if required, give a certificate" shall be substituted by the words "The Director mentioned in sub-article (1) shall also, if required, issue a certificate";

(ii) in the first proviso thereof the words "by the Directors mentioned in sub-article (1)" shall be substituted by the words "by the Director mentioned in sub-article (1)"; and

(iii) immediately after the first proviso thereof, as amended, there shall be added the following new provisos:

"Provided further that any indication or reference to any procedure instituted in accordance with the provisions of article 280(2), wherever such indications or references are found in an act of civil status, shall not be reproduced in any copy or extract of such act issued by the Director referred to in sub-article (1), except as may be explicitly directed or authorised by the Court:

Provided further that the Director referred to in sub-article (1) may at his discretion, not reproduce the details of the cause of death on any copy of an act of death, in those cases where the cause of death is considered by him to be of a sensitive nature, except as may otherwise be explicitly ordered or authorised by the Court for a justified reason:"; and

(c) immediately after sub-article (4) thereof there shall be added the following new sub-article:

"(5) The Director referred to in sub-article (1) may, in his discretion include, amend or revoke a date of validity from any certificates or extracts signed by him or by any officer authorised by him to issue the certificates, issued in accordance with this article."

22. In sub-article (5) of article 253 of the Code the words "any officer referred to in sub-article (1) or in sub-article (4) of article 306", shall be substituted by the words "any officer referred to in articles 306(2) or (3)".

Amendment of article 253 of the Code.

23. Article 261 of the Code shall be substituted by the following new article:

Substitution of article 261 of the Code.

"Duties of the court.

261. The court shall in the course of such inspection, ascertain whether the provisions of this Title have been complied with by the Director or by one of the officers mentioned in article 306(2), as the case may be, and it shall be lawful for the court, in respect of any contravention, to inflict upon the Director or on any officer referred to in article 306(2), as the case may be, a fine (*ammenda*) not exceeding eleven euro and sixty-five cents (€11.65):

Provided that where the contravention consists in the omission of anything which is required to be done under this Title and it is not possible for the court to ascertain who was responsible for such omission, the contravention shall be deemed to have been committed by the Director and the punishment shall be inflicted on him."

24. In sub-article (4) of article 270 of the Code the words "for preservation in the Public Registry in Malta" shall be substituted by the words "for preservation in the Office of the Public Registry in Malta".

Amendment of article 270 of the Code.

25. Sub-paragraph (iv) of the proviso to paragraph (e) of sub-article (1) of article 278 of the Code shall be substituted by the following new sub-paragraph:

Amendment of article 278 of the Code.

"(iv) where the provisions of article 280(2) apply, no reference to such fact shall be made in the act of birth, but a legal copy of the written attestation, as the case may be, shall be produced to the Director of the Public Registry, which legal copy shall be kept and preserved together with the act of birth;"

26. Immediately after sub-article (2) of article 280 of the Code

Amendment of article 280 of the Code.

there shall be added the following new sub-articles:

"(3) (a) Notwithstanding the provisions of article 272, the provisions of sub-article (1) shall not apply if before the registration of the birth and where the child is considered to have been conceived and born in wedlock, any one of the spouses who is claiming that the spouse who did not give birth is not the parent of the child, shall serve the other spouse by means of a judicial letter which contains a declaration that the child is not the child of the spouse of the parent who gave birth. The spouse who shall have been served with the judicial letter shall, within fifteen (15) working days from the date of service, by means of a note filed in the acts of the said judicial letter, declare whether he has any objection to such declaration.

(b) Where the spouse to whom the judicial letter has been served does not oppose such declaration, or does not file a note within fifteen (15) working days from its service, the name of the spouse of the parent who gave birth shall not be entered into the act of birth as being the name of the parent of the child and the child may be recognised by the person who claims to be the parent who did not give birth before the Public Registry in the act of birth.

(c) Where the spouse who has been served with the judicial letter opposes such declaration means of a note within fifteen (15) working days of service of the judicial letter, the provisions of sub-article (1) shall apply, and the name of the spouse of the parent who gave birth shall be entered in the act of birth as being the parent of the child.

(4) The judicial letter as well as the note filed in accordance with sub-article (3) shall be filed in the Civil Court (Family Section) and the content thereof shall be confirmed under oath before a Commissioner for Oaths in accordance with the Commissioner for Oaths Ordinance:

Provided that for the judicial letter and the note filed in accordance with sub-article (3) to be registered, the applicant shall also file with the Director of the Public Registry a legal copy of the judicial letter, including proof of service, and a legal copy of the note filed in the records of the case, if this is the case. The applicant shall also submit to the Director of the Public Registry with proof that no note has been filed or that the note has not been filed within the time stipulated in sub-article (3). Upon receipt of the said documents, the Director of the Public Registry, shall register the parents of the child accordingly."

27. The proviso to sub-article (1) of article 295 of the Code shall be substituted by the following new proviso: Amendment of article 295 of the Code.

"Provided that where the competent civil court delivers:

(a) a judgment or a decree of personal separation, these shall be registered in accordance with article 35(3);
or

(b) a judgment or a decree of divorce, these shall be registered in accordance with article 66A(4)."

28. Article 306 of the Code shall be substituted by the following new article: Substitution of article 306 of the Code.

"Director of the Public Registry (Acts of Civil Status Section) and officers in the Public Registry.

306. (1) The Office of the Public Registry (Acts of Civil Status Section) in Malta as well as the one in Gozo shall be placed under the responsibility of one (1) officer referred to in this article as the Director of the Public Registry (Acts of Civil Status Section), hereinafter referred to as the Director, who shall also act as the Treasurer of the Public Registry (Acts of Civil Status Section), and who receives on behalf of the Government, the payments of fees in accordance with the fees in Part I of the First Schedule.

(2) Both the Office of the Public Registry (Acts of Civil Status Section) as well as the Office in Gozo may also have an officer or officers who hold the degree of Doctor of Laws or equivalent qualification, and a warrant to practice as an advocate or as a notary public in the Maltese Islands and who perform duties in the Public Registry (Acts of Civil Status Section). These officers may exercise all, or any of the functions which are, in accordance with any provision of this Code or of any other law assigned to the Director, and that law shall be construed accordingly.

(3) In the exercise of any such function, the officers referred to in sub-article (2) shall have the same powers and the same duties as are conferred or imposed upon the Director, without prejudice to the provisions of sub-article (5).

(4) Before entering upon the duties of their office, the Director and officers referred to in this article shall take before the Court of Appeal the oath of allegiance provided in the Constitution, and the oath of office as follows:

"I..... promise and swear to observe faithfully all the Laws of Malta relating to my office and to perform faithfully and with all honesty and exactness the duties of Director/ Officer in the Public Registry to the best of my knowledge and ability. So help me God."

(5) The officers referred to in this article shall, in the exercise of their functions in accordance with this Code or any other law be subject to the authority, direction and control of the Director.

(6) The words "signed by the Director", "accepted by the Director" or words having similar effect, with reference to certificates of civil status or to submissions of Form V in accordance with article 278A, shall be deemed to include any seal, emblem or signature made or processed by photographic means, by print or in any other form at the discretion of the Director as authenticated by the signature of the officer issuing the certificates, or who processes submissions of Form V in accordance with article 278A, authorised for that purpose by the Director.

(7) The Director of the Public Registry (Acts of Civil Status Section) shall be the only competent person to represent in any capacity the Public Registry (Acts of Civil Status Section) in any legal proceedings in accordance with this Code or any other law.

(2) Both the Office of the Public Registry (Acts of Civil Status Section) as well as the Office in Gozo may also have an officer or officers who hold the degree of Doctor of Laws or equivalent qualification, and a warrant to practice as an advocate or as a notary public in the Maltese Islands and who perform duties in the Public Registry (Acts of Civil Status Section). These officers may exercise all, or any of the functions which are, in accordance with any provision of this Code or of any other law assigned to the Director, and that law shall be construed accordingly.

(3) In the exercise of any such function, the officers referred to in sub-article (2) shall have the same powers and the same duties as are conferred or imposed upon the Director, without prejudice to the provisions of sub-article (5).

(4) Before entering upon the duties of their office, the Director and officers referred to in this article shall take before the Court of Appeal the oath of allegiance provided in the Constitution, and the oath of office as follows:

"I..... promise and swear to observe faithfully all the Laws of Malta relating to my office and to perform faithfully and with all honesty and exactness the duties of Director/ Officer in the Public Registry to the best of my knowledge and ability. So help me God."

(5) The officers referred to in this article shall, in the exercise of their functions in accordance with this Code or any other law be subject to the authority, direction and control of the Director.

(6) The words "signed by the Director", "accepted by the Director" or words having similar effect, with reference to certificates of civil status or to submissions of Form V in accordance with article 278A, shall be deemed to include any seal, emblem or signature made or processed by photographic means, by print or in any other form at the discretion of the Director as authenticated by the signature of the officer issuing the certificates, or who processes submissions of Form V in accordance with article 278A, authorised for that purpose by the Director.

(7) The Director of the Public Registry (Acts of Civil Status Section) shall be the only competent person to represent in any capacity the Public Registry (Acts of Civil Status Section) in any legal proceedings in accordance with this Code or any other law.

(8) Wherever in any law a reference is made to the words "Director of the Public Registry" or to the "Public Registry", with regard to acts of civil status, such reference shall be construed as referring to the Director of the Public Registry (Acts of Civil Status Section) or to the Offices of Public Registry (Acts of Civil Status Section) of Malta or of Gozo placed under his responsibility, as the case may be."

PART V

Amendments to the Notarial Profession and Notarial Archives Act

Amendments to the Notarial Profession and Notarial Archives Act. Cap. 55.

29. This Part amends the Notarial Profession and Notarial Archives Act and shall be read and construed as one with the Notarial Profession and Notarial Archives Act, hereinafter in this Part referred to as the "principal Act".

Amendment of article 3 of the principal Act.

30. Sub-article (2) of article 3 of the principal Act shall be amended as follows:

(a) the words "except the Office of Director or Assistant Director of the Public Registry" shall be substituted by the words "except the Office of Director of the Public Registry (Enrolments and Searches Section) or of Director of the Public Registry (Acts of Civil Status Section) or of a Notary Public who performs his duties in the Public Registry (Enrolments and Searches Section) or in the Public Registry (Acts of Civil Status Section)"; and

(b) in the proviso thereof the words "Provided that the Director or the Assistant Director of Public Registry" shall be substituted by the words "Provided that the Director of the Public Registry (Enrolments and Searches Section) or the Director of the Public Registry (Acts of Civil Status Section) or the Notary Public who performs his duties in the Public Registry (Enrolments and Searches Section) or in the Public Registry (Acts of Civil Status Section)".

Addition of new article to the principal Act.

31. Immediately after article 3 of the principal Act, as amended,

there shall be added the following new article:

"Interpretation.

3A. In the provisions of this Act the words "Director of the Public Registry" or "Public Registry", shall, wherever they occur, unless it is otherwise provided in this Act, refer to the Director of the Public Registry (Enrolments and Searches Section) or the Offices of Public Registry (Enrolments and Searches Section) of Malta or of Gozo placed under his responsibility, as the case may be."

32. In sub-article (3) of article 14 of the principal Act the words "the office of Director or Assistant Director of the Public Registry" shall be substituted by the words "the office of Director of the Public Registry (Enrolments and Searches Section) or of Director of the Public Registry (Acts of Civil Status Section)".

Amendment of article 14 of the principal Act.

33. In sub-article (6) of article 22 of the principal Act the words "Director or Assistant Director of the Public Registry" shall be substituted by the words "Director of the Public Registry (Enrolments and Searches Section) or Director of the Public Registry (Acts of Civil Status Section) or of a Notary Public delegated to perform the duties of the Director in the Public Registry (Enrolments and Searches Section) or in the Public Registry (Acts of Civil Status Section)".

Amendment of article 22 of the principal Act.

34. In sub-article (1) of article 110 of the principal Act the words "the Public Registry" shall be substituted by the words "the Public Registry (Enrolments and Searches Section) and the Public Registry (Acts of Civil Status Section)".

Amendment of article 110 of the principal Act.

PART VI Amendments to the Public Registry Act

35. This Part amends the Public Registry Act and shall be read and construed as one with the Public Registry Act, hereinafter in this Part referred to as the "principal Act".

Amendments to the Public Registry Act. Cap. 56.

36. Article 2 of the principal Act shall be substituted by the following new article:

Substitution of article 2 of the principal.

"Office of the Public Registry (Enrolments and Searches Section) in Malta and another in Gozo.

2. There shall be a Public Registry Office in Malta and another in Gozo for the registration of causes of preference among creditors for the enrolment of acts requiring registration in order to be effective with regard to third parties, and for all other registrations required by law."

37. Article 3 of the principal Act shall be substituted by the

Substitution of article 3 of the principal Act.

following new article:

"Director of the Public Registry (Enrolments and Searches Section) and officers in the Public Registry.

3. (1) The Office of the Public Registry (Enrolments and Searches Section) in Malta as well as in Gozo shall be placed under the responsibility of one (1) officer referred to as the Director of the Public Registry (Enrolments and Searches Section), hereinafter in this article to be known as the Director, who shall also be the Treasurer of the Public Registry (Enrolments and Searches Section), and who receives on behalf of the Government, the payments of fees in accordance with the Tariffs in the First Schedule.

(2) Both the Office of the Public Registry (Enrolments and Searches Section) in Malta as well as in Gozo may also have an officer or officers who hold the degree of Doctor of Laws or equivalent qualification and a warrant to practise as an advocate or as a notary public in the Maltese Islands and who perform duties in the Public Registry (Enrolments and Searches Section). These officers may exercise all or any of the functions which are, under any provision of this Act or of any other law, assigned to the Director, and that law shall be construed accordingly.

(3) Wherever in this Act or in any law a reference is made to the words "Director of the Public Registry" or to the "Public Registry", with regard to registrations of causes of preference among creditors, the enrolment of acts which have to be registered to be effective with regard to third parties, and any other registration which is mandatory at law, such reference shall be construed as a reference to the Director of the Public Registry (Enrolments and Searches Section) or to the Public Registry Offices (Enrolments and Searches Section) of Malta and of Gozo placed under his responsibility, as the case may be.

(4) Notwithstanding the provisions of sub-article (2), any reference to the Director in articles 35 and 37 shall not be construed as including a reference to any other officer referred to in this article.

(5) Before entering upon the duties of their office, the Director and the officers referred to in this article shall take before the Court of Appeal the oath of allegiance established in the Constitution, and the oath of office as follows:

"I..... promise and swear to observe faithfully all the Laws of Malta relating to my office and to perform faithfully and with all honesty and exactness the duties of Director/ Officer in the Public Registry to the best of my knowledge and ability. So help me God."

(6) The officers referred to in this article shall, in the exercise of their functions in accordance with this Act or any other law, be subject to the authority, direction and control of the Director.

(7) The Director of the Public Registry (Enrolments and Searches Section) shall be the only competent person to represent in any capacity the Public Registry (Enrolments and Searches Section) in any legal proceedings in accordance with this Act or under any other law."

38. Article 4 of the principal Act shall be substituted by the following new article:

Substitution of article 4 of the principal Act.

"Office where registrations and enrolments are to be made.

4. (1) In the Office of Malta or in Gozo there shall be made all registrations of the causes of preference with respect to debtors, as well as all enrolments relating to acts received by notaries or of judgments or decrees delivered by the courts of justice.

(2) When the acts, judgments or decrees relate to immovable property, the note of enrolment shall be filed in the Office where the immovable property which is to be transferred is situated:

Provided that where the note of enrolment of acts received by notaries includes immovable property situated in the island of Malta as well as in the islands of Gozo or Comino, the note shall be filed in the Office of Malta where the payment is processed, whilst a copy of the said note shall be filed by the notary in the Office of Gozo without the need of further payment:

Provided further that in the case of other acts, judgments or decrees which relate to immovable property situated both in the island of Malta as well as in the islands of Gozo or Comino, the note of enrolment shall be filed in the Office of Malta where the payment is being made, whilst a copy of the said note shall be filed by the person requesting the enrolment, or by the advocate, notary or legal procurator in the office of Gozo without the need of an additional payment.

(3) A note of enrolment of a will shall be filed in the Office of the island where the testator resides at the time of publication of the will.

(4) In any other case, where in the note of enrolment no immovable is being transferred, the notary shall file the said note in the Office of the island where the notary conducts his legal profession.

(5) Notes regarding registrations of cause of preference respecting debtors shall be filed in the Office of the Public Registry of the island where the debtor is officially resident, as specified in the note itself.

(6) For the purposes of registrations and enrolments of notes in the case of a company, they shall be filed in the Office of the island where the company has its registered office.

(7) Together with the note of enrolment of acts received by notaries, there shall be filed the full payment due to the Director of the Public Registry (Enrolments and Searches Section) in accordance with the tariffs established in this Act or in any other law. In the absence of such payment, the note of enrolment shall not be deemed as duly filed."

Amendment of article 5 of the principal Act.

39. Article 5 of the principal Act shall be amended as follows:

(a) sub-article (3) thereof shall be substituted by the following new sub-article:

"(3) A note for the enrolment of an act or for the registration of a cause of preference and any note of reference to the same shall be transmitted to the Director by electronic means and with the qualified electronic signature of the person signing the note, which shall be considered as a true and authentic copy for all purposes of law provided that it is also signed by the Director by means of the qualified electronic signature in accordance with the definition provided in Regulation (EU) No. 910/2014 of the European Parliament and the Council of the 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market:

Provided that the Director may, in cases of *force majeure*, accept that where it is so required by law that a note, as referred to in this article, is deposited in the Public Registry in a manual manner, this shall be typewritten or printed in dark, clear, easily legible and

indelible characters, on paper authorised by the Director, and it shall be deposited at the Public Registry, together with a clear copy thereof. Such note shall be transcribed by the Director on the electronic system against the payment of a further fee which may be established by the said Director from time to time."; and

(b) in sub-article (5) thereof, immediately after the words "his capacity of creditor or debtor.", there shall be added the following words "Such signature may also be made, where adequate systems are provided for such purpose, by means of the electronic signature in accordance with the definition given in Regulation (EU) No. 910/2014 of the European Parliament and the Council of the 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market.".

40. Immediately after article 5 of the principal Act, as amended, there shall be added the following new article: Addition of new article to the principal Act.

"Applicability of article 4. **5A.** The provisions of article 4 shall apply *mutatis mutandis* to any other official document issued by a court or authority, the enrolment of which is required according to any other law."

41. In article 10 of the principal Act the words "The Director shall not receive any note which is signed only" shall be substituted by the words "In the cases where, because of the circumstances of the case, a note is not filed by electronic means, the Director shall not receive any note which is signed only". Amendment of article 10 of the principal Act.

42. Article 12 of the principal Act shall be amended as follows: Amendment of article 12 of the principal Act.

(a) the proviso thereof shall be substituted by the following new proviso:

"Provided that when any such indicated day happens to be a public holiday as well as on the day after Christmas and the day after New Year's day, the said Offices shall be kept closed:"; and

(b) immediately after the proviso thereto, as substituted, there shall be added the following new provisos:

"Provided further that registrations and enrolments of notes of hypothecs, of causes of preference among creditors and of references shall exclusively be transmitted electronically on the portal so created for this purpose, and these shall be processed by the Director

C 4270

during the hours and working days according to a notice published in the Gazette:

Provided further that where notes are transmitted electronically, these shall be processed by the Director in the same progressive order of time and date in which they would have been transmitted in the electronic system. Additionally, where a note is not accepted by the Director for any reason prescribed by law, he shall process the immediately following note in the same progressive order of time and date."

Amendment of article 13 of the principal Act.

43. Article 13 of the principal Act shall be amended as follows:

(a) in sub-article (1) thereof, the words "and shall sign his name thereto." shall be substituted by the words "and shall sign his name thereto also by means of the electronic signature in accordance with the definition provided for in Regulation (EU) No. 910/2014 of the European Parliament and the Council of the 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market.";

(b) in sub-article (2) thereof, the words "with the last note filed in each year." shall be substituted by the words "with the last note filed in every year, in the same progressive order of time and date in which they would have been transmitted in the electronic system:" and immediately thereafter there shall be added the following new proviso:

"Provided that where the Director is not satisfied of the regularity of any note for any reason prescribed by law, the Director shall proceed with the processing of the next following note in the same progressive order of time and date in which they would have been transmitted in the electronic system."; and

(c) immediately after sub-article (2) thereof, as amended, there shall be added the following new sub-article:

"(3) A note shall be considered as registered or enrolled in the Public Registry, as the case may be, at the moment that due payment is effected in the system."

Substitution of article 23 of the principal Act.

44. Article 23 of the principal Act shall be substituted by the

following new article:

"The registers and the notes shall be accessible to the public.

23. The registers and the notes which are registered shall be accessible to the public in such place and, or electronic site specified by the Director."

45. In sub-article (3) of article 24 of the principal Act, immediately after the words "where in virtue of any other provision of the said Code," there shall be added the words:

Amendment of article 24 of the principal Act.

Cap. 540.

"or where in virtue of the provisions of the Gender Identity, Gender Expression and Sex Characteristics Act,".

46. Article 25 of the principal Act shall be amended as follows:

Amendment of article 25 of the principal Act.

(a) in sub-article (1) thereof the words "The Director of the Gozo office shall transmit to the Director of the Malta office" shall be substituted by the words "The Office of the Public Registry of Gozo shall transmit to the Office of the Public Registry of Malta"; and

(b) in sub-article (3) thereof the words "The Director of the Gozo office shall also transmit to the Director of the Malta office" shall be substituted by the words "The Office of the Public Registry of Gozo shall also transmit to the Office of the Public Registry of Malta".

47. In sub-article (1) of article 28 of the principal Act, the words "signed by the Director of the Public Registry" shall be substituted by the words "signed by the Director".

Amendment of article 28 of the principal Act.

48. Article 29 of the principal Act shall be amended as follows:

Amendment of article 29 of the principal Act.

(a) the marginal note thereof shall be substituted by the following new marginal note:

"Reference to Registrations in the Office of Gozo.";

(b) in sub-article (1) thereof, the words "The Director of the Malta Office shall mention, separately, in the certificates given out by him" shall be substituted by the words "The Director shall indicate separately, in the certificate issued by him from the Office of Malta"; and

(c) in sub-article (2) thereof, the words "The Director of the Gozo Office shall in all cases include in his certificate" shall be substituted by the words "The Director shall always include, in the certificates issued by the Office of Gozo".

VERŽJONI ELETTRONIKA

C 4272

Amendment of article 31 of the principal Act. **49.** In article 31 of the principal Act the words "The Director of the Public Registry" shall be substituted by the words "The Director".

Amendment of article 32 of the principal Act. **50.** In article 32 of the principal Act the words "The Director of the Public Registry" shall be substituted by the words "The Director".

Amendment of article 33 of the principal Act. **51.** In article 33 of the principal Act the words "The Director of the Public Registry" shall be substituted by the words "The Director".

Amendment of article 34A of the principal Act. **52.** In sub-article (3) of article 34A of the principal Act the words "The Director of the Public Registry" shall be substituted by the words "The Director".

Substitution of the First Schedule to the principal Act. **53.** The First Schedule to the principal Act shall be substituted by the following new Schedule:

"FIRST SCHEDULE
TARIFF
(Article 3)

- A. Privileges and hypothecs
1. For every note for registration or of renewal of registration where the amount of debt:
- | | |
|-----------------------------------------------------------|--------|
| (a) does not exceed €2,300.00 | €2.50 |
| (b) exceeds €2,300.00 but does not exceed €46,600.00..... | €25.50 |
| (c) exceeds €46,600.00..... | €25.50 |
- and a further payment of €2.50 in respect of every €2,300.00 or part of €2,300.00 over and above the initial €46,600.00
- | | |
|-------------------------------------------------|-------|
| (d) where the amount of debt is not stated..... | €2.50 |
|-------------------------------------------------|-------|
- For every note of registration where the debt is an annuity or a pension, the fees laid down in the foregoing scale shall be charged as follows:
- (a) if the annuity is constituted in perpetuity or for twenty (20) years or more, or for an indefinite period, the fee is to be assessed on the total amount payable during the period of twenty (20) years;
- (b) if the annuity is constituted for a definite period of less than twenty (20) years, the fee is to be assessed on the total amount payable during such period;
- (c) if the annuity is constituted for the life or lives of any person or persons, the fee is to be assessed on the total amount payable during the period of twelve (12) years.
2. For every note relating to an assignment, a reduction, or cancellation including the relative reference to be entered in the registers
- | | |
|--|-------|
| | €4.00 |
|--|-------|

B. Enrolments

- | | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 3. | For every note for the enrolment of a public will, for every note for the enrolment of the opening of a secret will, and for every note containing a declaration <i>causa mortis</i> | €6.50 |
| 4. | For every declaration to renounce an inheritance, every note of renunciation made on the taking of monastic vows, of an endowment, of a marriage contract without the conveyance of immovables, of a counter declaration to a marriage contract, of personal separation and cessation of the community of acquests, and for any other note relating to any power of attorney, notarial deed, judgment or decree of a court, where the value involved is not ascertainable | €2.50 |
| 5. | For every other note relating to any notarial deed, judgment, or decree of a court, where the determined value: | |
| | (a) does not exceed €2,300.00 | €2.50 |
| | (b) exceeds €2,300.00 but does not exceed €46,600.00..... | €25.50 |
| | (c) exceeds €46,600.00..... | €25.50 |
| | and a further payment of €2.50 in respect of every €2,300.00 or part of €2,300.00 over and above the initial €46,600.00. | |
| | For every note of enrolment relating to an annuity or a pension the fees laid down in the foregoing scale shall be levied as follows: | |
| | (a) if the annuity is constituted in perpetuity, or for twenty (20) years or more, or for an indefinite period, the fee is to be assessed on the total amount payable during the period of twenty (20) years; | |
| | (b) if the annuity is constituted for a definite period of less than twenty (20) years, the fee is to be assessed on the total amount payable during such period; | |
| | (c) if the annuity is constituted for life or lives of any person or persons, the fee is to be assessed on the total amount payable during the period of twelve (12) years. | |
| 6. | For every reference to be entered in the registers | €1.50 |
| 7. | For every registration of an application of a European Certificate of Succession or for the registration of a European Certificate of Succession or for the registration of a rectification, modification, or withdrawal of a European Certificate of Succession | €20.00 |

C. Applications, Searches and Certificates

VERŽJONI ELETTRONIKA

C 4274

- C1. For every application for a search for entries against a particular individual or company (where the details do not correspond, two (2) or more applications have to be submitted and shall be deemed to have always been necessary), provided that where the application is submitted by a government department the application fee shall be reduced by half €16.00
- (a) For every copy, irrespective of the number of pages, of a note of preference, reference, enrolment or other record forming part of the search..... €3.00
- Provided that where the applicant:
- (i) orders such copy through a remote site, even when such record does not form part of the search; or
- (ii) accesses the remote site on the status of his own applications for a search, no extra charge shall be levied as is due for the copy or search as the case may be.
- (b) Where as part of the search, instead of a full copy of the note, only an indication thereof is given, such as "GPP" for guarantee of peaceful possession "D/M" for different maternity, or similar note in lieu of the full copy..... €1.00
- C2. When the application refers to the verification and certification of non-computerised searches, in addition to the minimum application fee mentioned in item C1 of this Schedule, as well as in addition to the charge mentioned in the same item whenever a particular note is not recorded in the searches presented for verification and certification, a copy of the missing note is provided with the result, including the verification of notes of reference in respect of particular notes of preference not forming part of an official search application, a charge per match as follows:
- (a) for the first 99 matches €0.50
- (b) where the number is 100 matches but does not exceed 200, charge per match within this band €0.15
- (c) where the number is 200 matches but does not exceed 500, charge per match within this band €0.15

	(d) where the number is 500 matches but does not exceed 1000, charge per match within this band.....	€0.10
	(e) where the number is 1000 matches or over, charge per match within this band.....	€0.10
C3.	Request to update an official search issued during the ninety (90) days prior to the request.....	€4.00
C4.	For a special certificate (Public Registry Certificate) of any entry issued as a true copy of any entry following an <i>ad hoc</i> request in accordance with article 30 and not forming part of an official search.....	€4.00
C5.	For every certificate relating to the wills made by any particular person irrespective of the number of pages (including the fee for the search):	
	(a) where an application does not require a search in pre-1972 records - for account holders	€9.00
	(b) in all other cases - for account holders	€13.00
	(c) where an application does not require a search in pre-1972 records.....	€10.00
	(d) in all other cases	€14.00
C6.	For accessing the electronic records from a remote site, the charge per search carried out in accordance with the parameters of Parts A or B of the Second Schedule, up to a maximum of fifty (50) records at any one time.....	€13.50
	Provided that irrespective of the number of electronic records available, where the applicant chooses to limit the access, the charge shall be, when those records cover the latest:	
	(a) 30 days as currently available.....	€2.50
	(b) 90 days as currently available.....	€5.50
	(c) 120 days as currently available.....	€8.00".

54. The Second Schedule to the principal Act shall be amended as follows:

Amendment of the Second Schedule to the principal Act.

(a) Form A thereof shall be substituted by the following new Form:

VERŽJONI ELETTRONIKA

C 4276

"FORM A - NOTE FOR REGISTRATION
[Articles 5 (2), 32]

Note for Registration of Progressive No.: _____

CREDITOR

(Details of Debtor)

DEBTOR

(Details of Debtor)

Locality of Property

Street Address of Property

CREDIT

(Details of Credit)

CAUSE OF PREFERENCE

*(Hypothec, Privilege, Legal Hypothec,
etc.)*

Date

Signature of person applying for
registration
(only on the last page of the note)

Director

*(only on the last page of the
note)".*

(b) Form B thereof shall be substituted by the following
new Form:

"FORM B - NOTE OF REFERENCE
[ARTICLE 5(2)]

REFERENCE NO.

TITLE

*(Hypothec No. is to be inserted
here)*

Signature *(only on the last page of the
note)*

Director (*only on the last page of the note*)".

**PART VII
Amendment to the Marriage Act**

55. This Part amends the Marriage Act and shall be read and construed as one with the Marriage Act, hereinafter in this Part referred to as the "principal Act".

Amendment to the Marriage Act.
Cap. 255.

56. In sub-article (1) of article 2 of the principal Act, immediately after the definition "catholic marriage" there shall be added the following new definition:

Amendment to article 2 of the principal Act.

" "Director of the Public Registry" means the Director of the Public Registry (Acts of Civil Status Section);".

**PART VIII
Amendment to the Housing Authority Act**

57. This Part amends the Housing Authority Act and shall be read and construed as one with the Housing Authority Act, hereinafter in this Part referred to as the "principal Act".

Amendment to the Housing Authority Act.
Cap. 261.

58. In article 2 of the Housing Authority Act, immediately after the definition "public officer" there shall be added the following new definition:

Amendment of article 2 of the principal Act.

Cap. 56. " "Public Registry" means the Public Registry as established by the Public Registry Act;".

**PART IX
Amendment to the Land Registration Act**

59. This Part amends the Land Registration Act and shall be read and construed as one with the Land Registration Act, hereinafter in this Part referred to as the "principal Act".

Amendment to the Land Registration Act.
Cap. 296.

60. In article 2 of the Land Registration Act, immediately after the definition "prescribed" there shall be added the following new definition:

Amendment of article 2 of the principal Act.

Cap. 56. " "Public Registry" means the Public Registry as established by the Public Registry Act;".

C 4278

PART X
Amendments to the Gender Identity, Gender Expression and Sex Characteristics Act

Amendments to the Gender Identity, Gender Expression and Sex Characteristics Act. Cap. 540.

61. This Part amends the Gender Identity, Gender Expression and Sex Characteristics Act and shall be read and construed as one with the Gender Identity, Gender Expression and Sex Characteristics Act, hereinafter in this Part referred to as the "principal Act".

Amendment of article 2 of the principal Act.

62. In article 2 of the principal Act, the definition "Director" shall be substituted the following new definition:

" "Director" means the Director of the Public Registry (Acts of Civil Status Section), except where otherwise provided in this Act;"

Amendment of article 4 of the principal Act.

63. Sub-article (4) of article 4 of the principal Act shall be substituted by the following new sub-regulation:

"(4) The Director shall within fifteen (15) days from, the filing of the note of enrolment by the notary in the Public Registry (Enrolments and Searches Section), enter an annotation in the act of birth of the applicant."

Amendment of article 5 of the principal Act.

64. Article 5 of the principal Act shall be amended as follows:

(a) in sub-article (3) thereof the words "deliver to the Director a note" shall be substituted by the words "deliver to the Director of the Public Registry (Enrolments and Searches Section) a note"; and

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

"(4) Without prejudice to the provisions of article 8(1), in the Public Registry (Enrolments and Searches Section) Office in Malta and in Gozo, there shall be kept a register for the registration of notes referred to in sub-article (3)."

PART XI
Amendment to the Government Lands Act

Amendments to the Government Lands Act. Cap. 573.

65. This Part amends the Government Lands Act and shall be read and construed as one with the Government Lands Act, hereinafter in this Part referred to as the "principal Act".

66. In article 2 of the principal Act, immediately after the definition "public purpose" there shall be added the following new definition: Amendment of article 2 of the principal Act.

Cap. 56. "Public Registry" means the Public Registry as established by the Public Registry Act;".

PART XII
Amendments to the Cohabitation Act

67. This Part amends the Cohabitation Act and shall be read and construed as one with the Cohabitation Act, hereinafter in this Part referred to as the "principal Act". Amendments to the Cohabitation Act. Cap. 614.

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

(a) in sub-article (6) thereof for the words "enrol the said deed in the Public Registry, in the Register kept for such purpose by the Director of the Public Registry." shall be substituted by the words "enrol the said deed in the Public Registry (Enrolments and Searches Section).";

(b) sub-article (7) thereof shall be substituted by the following new sub-article:

"(7) A copy of the note of enrolment shall be transmitted within ten (10) working days to the Director of the Public Registry (Acts of Civil Status Section), who shall register the cohabitation in the Register kept by him for the said purpose within ten (10) working days from the date that the copy of the note of enrolment is transmitted to him."; and

(c) immediately after sub-article (7) thereof, as substituted, there shall be added the following new sub-article:

"(8) The Director of the Public Registry (Acts of Civil Status Section) shall when requested, issue a certificate of cohabitation as prescribed in the Schedule.".

69. In sub-article (3) of article 17 of the principal Act the words "to notify the dissolution of cohabitation to the Director of Public Registry within the period allowed for this purpose by the Court, so that the said decree or judgement shall be registered in the Public Registry." shall be substituted by the words "to notify the dissolution of the cohabitation to the Director of the Public Registry (Enrolments and Searches Section) so that the said decree or judgement shall be registered in the Public Registry (Enrolments and Searches Section), as Amendment of article 17 of the principal Act.

C 4280

well as to the Director of the Public Registry (Acts of Civil Status Section) so that he may enter an annotation regarding such fact in the Certificate of Cohabitation."

Amendment of article 21 of the principal Act.

70. In sub-article (3) of article 21 of the principal Act the words "to notify the dissolution of cohabitation to the Director of Public Registry within the period allowed for this purpose by the Court, so that the said decree shall be registered in the Public Registry." shall be substituted by the words "to notify the dissolution of the cohabitation to the Director of Public Registry (Enrolments and Searches Section) so that the said decree shall be registered in the Public Registry (Enrolments and Searches Section), as well as to the Director of the Public Registry (Acts of Civil Status Section) so that he may enter an annotation regarding such fact in the Certificate of Cohabitation."

Amendment of article 25 of the principal Act.

71. In sub-article (2) of article 25 of the principal Act the words "The Director of Public Registry" shall be substituted by the words "The Director of the Public Registry (Acts of Civil Status Section)".

Amendment of article 27 of the principal Act.

72. Sub-article (5) of article 27 of the principal Act shall be substituted by the following new sub-article:

"(5) The Court shall in its judgement, order the Registrar of Courts to notify its judgment to the Director of the Public Registry (Enrolments and Searches Section) within the period allowed for this purpose by the court, so that such judgement is registered in the Public Registry (Enrolments and Searches Section), as well as to the Director of the Public Registry (Acts of Civil Status Section) so that he may enter an annotation regarding such fact in the Certificate of Cohabitation."

PART XIII

Amendments to Subsidiary Legislation

Amendment of the Duplicate Acts of Civil Status Regulations. S.L. 16.02.

73. Sub-regulation (1) of regulation 2 of the Duplicate Acts of Civil Status Regulations shall be substituted by the following new sub-regulation:

"(1) It shall be the duty of the Director of the Public Registry (Acts of Civil Status Section) to prepare duplicate acts of civil status of all such original acts deposited in the Office of the Public Registry in Malta or in the Office of the Public Registry in Gozo which are destroyed or damaged through fire or wear and tear."

74. The Duplicate Notes at the Public Registry Regulations shall be amended as follows:

Amendment of the Duplicate Notes at the Public Registry Regulations. S.L. 56.02.

(a) regulation 2 of thereof shall be amended as follows:

(i) sub-regulation (1) thereof shall be substituted by the following new sub-regulation:

"(1) It shall be the duty of the Director of the Public Registry (Enrolments and Searches Sections) to make duplicate notes of any original notes for the registration of any cause of preference among creditors, notes of reference or notes of enrolment deposited in the Office of the Public Registry in Malta or in the Office of the Public Registry in Gozo, where the original note has been lost, destroyed or damaged and to make a new register in substitution of any register lost, destroyed or damaged."; and

(ii) in sub-regulation (3) thereof the words "shall be carried out on the premises of the Public Registry" shall be substituted by the words "shall be carried out in the Office of the Public Registry".

(b) regulation 4 thereof shall be amended as follows:

(i) sub-regulation (1) thereof shall be substituted by the following new sub-regulation:

"The duplicate notes or new registers prepared in accordance with these regulations shall be authenticated by the Director of the Public Registry (Enrolments and Searches Section) or by an officer mentioned in article 3(2) of the Public Registry Act, and the Director or the said officer shall ensure that the information contained in the duplicate note or new register matches the information contained or which ought to have been contained in the original note or register."; and

Cap. 56.

(ii) in sub-regulation (2) thereof the words "The Director of the Public Registry" shall be substituted by the words "The Director of the Public Registry (Enrolments and Searches Section)".

75. In sub-regulation (1) of regulation 3 of the Conversion of Civil Unions into Marriage Regulations the words "at the office of the Public Registry Malta:" shall be substituted by the words "at the Office of the Public Registry in Malta or at the Office of the Public

Amendment of the Conversion of Civil Unions into Marriage Regulations. S.L. 530.02.

C 4282

Registry in Gozo, as the case may be:".

Amendment of
the Identity
Malta Agency
(Establishment)
Order.
S.L. 595.07.

76. In paragraph (c) of sub-article (2) of article 3 of the Identity Malta Agency (Establishment) Order the words "of the Director of the Public Registry" shall be substituted by the words "of the Director of the Public Registry (Acts of Civil Status Section) and of the Director of the Public Registry (Enrolments and Searches Section)".

PART XIV Transitory Provision

Transitory
provision.

77. The coming into force of this Act shall not have effect on any reference to the Director of the Public Registry and, or the Offices of the Public Registry of Malta or of Gozo placed under his responsibility, as the case may be, in cases or judicial proceedings instituted before the coming into force of this Act.

Objects and Reasons

The objects and reasons of this Bill are aimed at creating a clear distinction between the Public Registry (Enrolments and Searches Section) and the Public Registry (Acts of Civil Status Section), as well as to enact other amendments to the Civil Code and to the Public Registry Act, in order that notaries public and the general public may enjoy a proper service which better respects the rights of the individual, which shall also be supported by electronic means and by the qualified electronic signature.