

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 12,615, 26 ta' Novembru, 1971
Taqsimha C

Nru. 22

26. 11. 71

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli Dott. Anton Buttigieg, B.A., LL.D., M.P., Ministru tal-Gustizzja u Affarijiet tal-Parlament u mogri għall-Ewwel darba fis-Seduta tat-23 ta' Novembru, 1971.

ATT biex ikompli jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, Kap. 15.

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Dr Anton Buttigieg, B.A., LL.D., M.P., Minister of Justice and Parliamentary Affairs and read the First time at the Sitting of the 23rd November, 1971.

AN ACT further to amend the Code of Organization and Civil Procedure, Cap. 15.

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, Kap. 15.

IL-MAESTA' Tagħha r-Reġina, bil-parir u l-kunsens tal-Kamra tad-Deputati ta' Malta, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, harġet b'liġi dan li ġej:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjah l-Att ta' l-1971 li jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili (Emenda Nru. 2), u għandu jin-qara u jiftiehem haġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawnhekk iżjed 'il quddiem imsejjah "il-liġi prinċipali".

Emenda ta' l-artikolu 6 tal-liġi prinċipali.

2. L-artikolu 6 tal-liġi prinċipali għandu jiġi emendat kif ġej:—

(a) il-kliem "li jkun ukoll il-Viċi-President tal-Qorti ta' l-Appell" għandhom jithassru;

(b) minflok il-kliem "quddiem jew il-Qorti Kostituzzjonali jew il-Qorti ta' l-Appell" għandhom jidhlu l-kliem "quddiem il-Qorti Kostituzzjonali"; u

(c) il-kliem "jew tal-Qorti ta' l-Appell, kif ikun meħtieġ" għandhom jithassru.

Emenda ta' l-artikolu 30 tal-liġi prinċipali.

3. Fis-subartikolu (1) ta' l-artikolu 30 tal-liġi prinċipali, minflok il-kliem "il-Viċi-President tal-Qorti Kostituzzjonali, Imħallef reħor tal-Maestà Tagħha" għandhom jidhlu l-kliem "żewġ Imħallfin oħra tal-Maestà Tagħha".

4. Fis-subartikolu (1) ta' l-artikolu 42 tal-liġi prinċipali, minflok il-kliem "mill-Viċi-President u minn Imhalled iehor tal-Maestà Tagħha" għandhom jidhlu l-kliem "u minn żewġ Imhallfin oħra tal-Maestà Tagħha".

Emenda ta' l-artikolu 42 tal-liġi prinċipali.

Għanijiet u Raġunijiet

Il-Għan ta' dan l-Abbozz huwa li jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili hekk li jneħhi l-kariga ta' Viċi-President mill-Kostituzzjoni tal-Qorti ta' l-Appell tal-Maestà Tagħha.

L-Abbozz fih ukoll emenda oħra bħal din għall-kostituzzjoni tal-Bord li jagħmel ir-Regolamenti tal-Qorti.

A BILL

entitled

AN ACT further to amend the Code of Organization and Civil Procedure, Cap. 15.

BE IT ENACTED by Her Majesty the Queen, by and with the advice and consent of the House of Representatives of Malta, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Code of Organization and Civil Procedure (Amendment) (No. 2) Act, 1971, and shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter referred to as "the principal law".

Amendment of section 6 of the principal law.

2. Section 6 of the principal law shall be amended as follows:—

(a) the words "who shall also be Vice-President of the Court of Appeal" shall be deleted;

(b) for the words "before either the Constitutional Court or the Court of Appeal" there shall be substituted the words "before the Constitutional Court"; and

(c) the words "or of the Court of Appeal, as may be required" shall be deleted.

Amendment of section 30 of the principal law.

3. In subsection (1) of section 30 of the principal law, for the words "the Vice-President of the Constitutional Court, another of Her Majesty's Judges" there shall be substituted the words "two others of Her Majesty's Judges".

4. In subsection (1) of section 42 of the principal law, for the words "the Vice-President and another of Her Majesty's Judges" there shall be substituted the words "and two other of Her Majesty's Judges".

Amendment of section 42 of the principal law.

Objects and Reasons

The object of this Bill is to amend the Code of Organization and Civil Procedure so as to remove the office of Vice-President from the Constitution of Her Majesty's Court of Appeal.

The Bill contains a further similar amendment to the constitution of the Rule-Making Board.