

**Nru. 26**

8. 2. 72

**MALTA****KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Dott. Anton Buttigieg, B.A., LL.D., M.P., Ministru tal-Gustizzja u Affarijiet tal-Parlament, u moqri għall-Ewwel darba fis-Seduta tal-14 ta' Diċembru, 1971.

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 14th December, 1971.

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 23.

AN ACT further to amend the Civil Code, Cap. 23.

C. MIFSUD

*Skrivan tal-Kamra tad-Deputati*

C. MIFSUD

*Clerk to the House of Representatives*

## ABBOZZ TA' LIĠI

### msejjah

*ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 23.*

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

Titolu fil-qosor  
u bidu fis-sehħ.

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1972 li jemenda l-Kodiċi Ċivili u għandu jinqara u jiftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjah "il-liġi prinċipal".

(2) Dan l-Att għandu jibda jsehh fil-gurnata li tiġi minnufih wara d-data tal-pubblikazzjoni tiegħu.

Emenda ta'  
l-artikolu 1683  
tal-liġi  
prinċipali.

2. L-artikolu 1683 tal-liġi prinċipali għandu jiġi emendat biż-żieda tal-proviso li ġej mal-paragrafu (b) tiegħu:

"Izda l-jedd ta' preferenza mogħti skond dan il-paragrafu ma japplikax għal bini mibni jew użat bħala kerrejja jew għal bini li jkun jikkonsisti f'appartamenti li, għalkemm ikollhom għall-użu komuni partijiet oħra tal-bini, ikunu mibnija, mikrija, jew okkupati għal użu separatament."

Emenda ta'  
l-Iskeda li tinsab  
mal-liġi  
prinċipali.

3. It-Taqsima I ta' l-Iskeda li tinsab mal-liġi prinċipali għandu jkollha effett skond l-emendi murija fl-Iskeda li tinsab ma' dan l-Att.

## SKEDA

(Artikolu 3)

1. Minflok il-figuri "2s. 6d." li hemm fil-partita 4 għandhom jidhlu l-figuri "5s. 0d."
2. Minflok il-figuri "0s. 6d." li hemm fil-partita 5 għandhom jidhlu l-figuri "1s. 0d."
3. Fil-partita 6, —
  - (a) minflok il-figuri "0s. 4d." għandhom jidhlu l-figuri "0s. 5d."; u
  - (b) il-kliem "(izda d-dritt qatt ma għandu jkun inqas minn sitt soldi)" għandhom jithassru.
4. Minflok il-figuri "1s. 0d.", "1s. 0d." u "2s. 0d." li hemm fil-partita 7 għandhom jidhlu rispettivament il-figuri "2s. 0d.", "2s. 0d." u "5s. 0d."
5. Minflok il-figuri "0s. 9d." li hemm fil-partita 8 għandhom jidhlu l-figuri "1s. 0d."
6. Minflok il-figuri "5s. 0d." li hemm fil-partita 9 għandhom jidhlu l-figuri "6s. 0d."

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### Għanijiet u Ragunijiet

Dan l-Abbozz jemenda l-Kodiċi Ċivili hekk li jitnehħa l-jedd ta' preferenza ta' persuni li jokkupaw il-parti ta' fuq ta' kerrejja jew ta' blokk ta' appartamenti meta jkun hemm kiri ġdid tal-parti ta' isfel ta' l-istess kerrejja jew blokk ta' appartamenti.

Jemenda wkoll it-tariffa tad-drittijiet li għandhom jithallsu fir-Registru Pubbliku hekk li dawk il-figuri jkunu jistgħu jinqalbu aħjar fil-flus il-godda meta tibda ssehħ id-deċimalizzazzjoni.

Ittiehdet l-okkażjoni biex tiġi inkluża fl-imsemmija drittijiet kull bolla li issa tithallas għaliha skond l-Ordinanza dwar it-Taxxa tal-Boll (Kapitlu 68).

**A BILL**

**entitled**

*AN ACT further to amend the Civil Code, Cap. 23.*

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

Short title and commencement.

1. (1) This Act may be cited as the Civil Code (Amendment) Act, 1972, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the principal law”.

(2) This Act shall come into force on the day immediately following the date of its publication.

Amendment of section 1683 of the principal law.

2. Section 1683 of the principal law shall be amended by the addition of the following proviso to paragraph (b) thereof:

“Provided that the right of preference granted under this paragraph shall not apply in the case of any building constructed or used as a common tenement house or of any building consisting of flats which, though having in common other parts of the building, are constructed, leased, or occupied for use separately.”.

Amendment of Schedule to the principal law.

3. Part I of the Schedule to the principal law shall have effect subject to the amendments set out in the Schedule to this Act.

## SCHEDULE

(Section 3)

1. For the figures "2s. 6d." in item 4 there shall be substituted the figures "5s. 0d."

2. For the figures "0s. 6d." in item 5 there shall be substituted the figures "1s. 0d."

3. In item 6, —

(a) for the figures "0s. 4d." there shall be substituted the figures "0s. 5d."; and

(b) the words "(subject to a minimum fee of sixpence)" shall be deleted.

4. For the figures "1s. 0d.", "1s. 0d." and "2s. 0d." in item 7 there shall be substituted respectively the figures "2s. 0d.", "2s. 0d." and "5s. 0d."

5. For the figures "0s. 9d." in item 8 there shall be substituted the figures "1s. 0d."

6. For the figures "5s. 0d." in item 9 there shall be substituted the figures "6s. 0d."

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### Objects and Reasons

This Bill seeks to amend the Civil Code so as to remove the right of preference competent to persons occupying upper premises in a common tenement<sup>t</sup> house or in a block of flats on the occasion of a new lease of lower premises in the same common tenement house or block of flats.

It also amends the tariff of fees payable at the Public Registry so as to make such figures easily convertible to the new currency when the decimalization comes into force.

Occasion has been taken to include in the said fees any stamp now payable separately under the Stamp Duties Ordinance (Chapter 68).