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and purposes of law be deemed to mean "The Registrar of Companies" as defined in articles 400 and 401 of the Companies Act;

(t) "Minister" means, unless not otherwise specified, the Minister responsible for the registration of limited liability companies and commercial partnerships."

General amendment.

**4.** The words "Minister responsible for Justice", wherever they occur, shall be substituted by the word "Minister".

Amendment of article 11 of the Second Schedule to the Code.

**5.** Article 11 of the Second Schedule to the Civil Code shall be amended as follows:

(a) sub-articles (1) and (2) thereof shall be deleted;

(b) sub-articles (3), (4) and (5) thereof shall be renumbered as sub-articles (1), (2) and (3) respectively; and

(c) in sub-article (3) thereof as renumbered, the words "shall form part of the Public Registry" shall be substituted by the words "shall form part of the Malta Business Registry".

Amendment of the marginal note to article 11 of the Second Schedule to the Code.

**6.** The marginal note to article 11 of the Second Schedule to the Code shall be substituted by the words "Duties of the Registrar".

## **PART II**

### **Amendments to the Companies Act**

Amendments to the Companies Act. Cap. 386.

**7.** This Part amends the Companies Act and it shall be read and construed as one with the Companies Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 401 of the principal Act.

**8.** In paragraph (h) of sub-article (1) of article 401 of the principal Act, the words "of such data." shall be substituted by the words "of such data;" and immediately thereafter there shall be added the following new paragraph:

"(i) to exercise the functions of Registrar for other legal persons as listed and specified in the Second Schedule of the Civil Code and the subsidiary legislation made as authorised by the said Second Schedule."



### **PART III**

#### **Consequential Amendments to Subsidiary Legislation**

**9.** This Part amends the Civil Code (Second Schedule) (Register of Beneficial Owners – Associations) Regulations and it shall be read and construed as one with the said Civil Code (Second Schedule) (Register of Beneficial Owners – Associations) Regulations, hereinafter in this Part referred to as "the principal regulations".

Amendments to the Civil Code (Second Schedule) (Register of Beneficial Owners – Associations) Regulations. S.L. 16.17.

**10.** Regulation 2 of the principal regulations shall be amended as follows:

Amendment of regulation 2 of the principal regulations.

(a) the definition "Minister" shall be substituted by the following new definition:

" "Minister" means the Minister responsible for the registration of limited liability companies and commercial partnerships;" and

(b) the definition "Registrar of Legal Persons" shall be deleted.

**11.** In paragraph (d) of sub-regulation (3) of regulation 3 of the principal regulations, the words "Minister responsible for Justice" shall be substituted by the word "Minister".

Amendment of regulation 3 of the principal regulations.

### **PART IV**

#### **Consequential Amendments to Subsidiary Legislation**

**12.** This section amends the Civil Code (Second Schedule) (Register Of Beneficial Owners – Foundations) Regulations and it shall be read and construed as one with the said Civil Code (Second Schedule) (Register Of Beneficial Owners – Foundations) Regulations, hereinafter in this Part referred to as "the principal regulations".

Amendments to the Civil Code (Second Schedule) (Register Of Beneficial Owners – Foundations) Regulations. S.L. 16.18.

**13.** Regulation 2 of the principal regulations shall be amended as follows:

Amendment of regulation 2 of the principal regulations.

(a) the definition "Minister" shall be substituted by the following new definition:

" "Minister" means the Minister responsible for the registration of limited liability companies and commercial partnerships."; and

(b) the definition "Registrar for Legal Persons" shall be

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deleted.

Amendment of  
regulation 3 of  
the principal  
regulations.

**14.** In paragraph (c) of sub-regulation (1) of regulation 3 of the principal regulations, the words "Minister responsible for Justice" shall be substituted by the word "Minister".

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### **Objects and Reasons**

The objects and reasons of this Bill are to amend the Second Schedule to the Civil Code, subsidiary legislation connected to this Schedule and the Companies Act so that the functions of the Registrar for Legal Persons are assumed by the Registrar of Companies and the Minister responsible is changed from the Minister of Justice to the Minister responsible for the registration of commercial partnerships.



