
Nru. 48

30. 9. 83

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Deputat Prim Ministru Anzjan u Ministru tal-Gustizzja u Affarijiet tal-Parlament u moqri għall-Ewwel darba fis-Seduta tad-19 ta' Settembru, 1983.

A BILL introduced by the Honourable Joseph Cassar, M.P., Senior Deputy Prime Minister and Minister of Justice and Parliamentary Affairs and read the First time at the Sitting of the 19th September, 1983.

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

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

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

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Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

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

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

Titolu fil-qosor
u bidu fis-seħh

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' 1-1983 li jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, (Emenda Nru. 2) u għandu jin-qara u jiftiehem ħaġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

(2) Id-dispożizzjonijiet ta' dan l-Att għandhom jibdeu iseħħu f'dik il-ġurnata li l-Ministru responsabbli għall-ġustizzja jista' jistabbilixxi b'avviż fil-Gazzetta, u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet differenti jew għal għanijiet differenti ta' dan l-Att.

Emenda ta'
l-artikolu 46
tal-liġi
prinċipali.

2. Fl-artikolu 46 tal-liġi prinċipali minflok il-kliem "ħamsin lira" kull fejn jinsabu għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin".

Emenda ta'
l-artikolu 47
tal-liġi
prinċipali.

3. Fl-artikolu 47 tal-liġi prinċipali minflok il-kliem "ħamsin lira" għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin".

Emenda ta'
l-artikolu 50
tal-liġi
prinċipali.

4. Fl-artikolu 50 tal-liġi prinċipali minflok il-kliem "tlett mitt lira" għandhom jidhlu l-kliem "ħames mitt lira Maltin".

Emenda ta'
l-artikolu 51
tal-liġi
prinċipali.

5. Fl-artikolu 51 tal-liġi prinċipali minflok il-kliem "tlett mitt lira" kull fejn jinsabu għandhom jidhlu l-kliem "ħames mitt lira Maltin".

6. Fis-subartikolu (2) ta' l-artikolu 226 tal-liġi prinċipali minflok il-kliem "għaxar liri" għandhom jidhlu l-kliem "ħamsin lira Maltin". Emenda ta' l-artikolu 226 tal-liġi prinċipali.
7. Fis-subartikolu (1) ta' l-artikolu 276 tal-liġi prinċipali minflok il-kliem "għaxar liri" għandhom jidhlu l-kliem "ħamsin lira Maltin". Emenda ta' l-artikolu 276 tal-liġi prinċipali.
8. Fis-subartikolu (2) ta' l-artikolu 355 tal-liġi prinċipali minflok il-kliem "ħamsin lira" għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin". Emenda ta' l-artikolu 355 tal-liġi prinċipali.
9. Fl-artikolu 360 tal-liġi prinċipali minflok il-kliem "mitt lira" għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin". Emenda ta' l-artikolu 360 tal-liġi prinċipali.
10. Fis-subartikolu (4) ta' l-artikolu 702 tal-liġi prinċipali minflok il-kliem "għaxar liri" kull fejn jinsabu, għandhom jidhlu l-kliem "ħamsin lira Maltin". Emenda ta' l-artikolu 702 tal-liġi prinċipali.
11. Fl-artikolu 838 tal-liġi prinċipali minflok il-kliem "għaxar liri" għandhom jidhlu l-kliem "ħamsin lira Maltin". Emenda ta' l-artikolu 838 tal-liġi prinċipali.
12. Fl-artikolu 851 tal-liġi prinċipali minflok il-kliem "għaxar liri" għandhom jidhlu l-kliem "ħamsin lira Maltin". Emenda ta' l-artikolu 851 tal-liġi prinċipali.
13. Fl-artikolu 864 tal-liġi prinċipali minflok il-kliem "£20" li hemm fin-nota margġinali li hemm għalih u l-kliem "mitt lira" li hemm fis-subartikolu (1) tiegħu għandhom jidhlu l-kliem "Lm250" u "mitejn u ħamsin lira Maltin" rispettivament. Emenda ta' l-artikolu 864 tal-liġi prinċipali.
14. Fis-subartikolu (3) ta' l-artikolu 869 tal-liġi prinċipali minflok il-kliem "mitt lira" għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin". Emenda ta' l-artikolu 869 tal-liġi prinċipali.
15. Minflok il-kliem "mitt lira" li hemm fl-artikolu 871 tal-liġi prinċipali, għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin". Emenda ta' l-artikolu 871 tal-liġi prinċipali.
16. Minflok il-kliem "mitt lira" li hemm fl-artikolu 879 tal-liġi prinċipali, għandhom jidhlu l-kliem "mitejn u ħamsin lira Maltin". Emenda ta' l-artikolu 879 tal-liġi prinċipali.
17. Minflok il-kliem "mija u ħamsin lira" li hemm fis-subartikolu (3) ta' l-artikolu 883 tal-liġi prinċipali, għandhom jidhlu l-kliem "tlett mitt lira Maltin". Emenda ta' l-artikolu 883 tal-liġi prinċipali.
18. Fit-test Malti ta' l-artikolu 928 tal-liġi prinċipali, minflok il-kliem "jew jekk ebda persuna jew persuni kif imsemmija ma jkollhom dik il-personalit  g uridika distinta" għandhom jidhlu l-kliem "jew jekk ebda persuna jew persuni kif imsemmija ma jkunu mogħtija dik ir-rap-prezentanza g uridika". Emenda ta' l-artikolu 928 tal-liġi prinċipali.

Dispożizzjoni
tranzitorja.

19. L-emendi magħmula bl-artikoli minn 2 sa 17 ta' dan l-Att ma għandhomx japplikaw dwar xi każ li jkun pendent quddiem il-Qorti qabel il-bidu fis-sehħ ta' l-imsemmija artikoli, jew għal xi mandat, jew proroga tiegħu, li jkunu diġa' ġew ippreżentati fir-reġistru tal-Qorti fid-data tal-bidu fis-sehħ ta' dan l-Att.

Għanijiet u Ragunijiet

L-Għan ewlieni ta' l-Abbozz huwa li jżid il-ġurisdizzjoni, minhabba l-valur tat-talba, tal-Qorti tal-Maġistrati tal-Pulizija Ġudizzjarja, bħala qorti ta' l-ewwel grad, u tal-Qorti tal-Maġistrati tal-Pulizija Ġudizzjarja għall-Gzejjer ta' Għawdex u Kemmuna, bħala qorti ta' appell; l-Abbozz ukoll iżid l-inqas ammont li hu meħtieġ għall-ħruġ ta' ċerti mandati.

A BILL

entitled

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

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:—

1. (1) This Act may be cited as the Code of Organisation and Civil Procedure (Amendment) (No. 2) Act, 1983, and shall be read and construed as one with the Code of Organisation and Civil Procedure, hereinafter referred to as “the principal law”. Short title and commencement.

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

2. In section 46 of the principal law for the words “fifty pounds” wherever they occur shall be substituted the words “two hundred and fifty Maltese liri”. Amendment of section 46 of the principal law.

3. In section 47 of the principal law for the words “fifty pounds” there shall be substituted the words “two hundred and fifty Maltese liri”. Amendment of section 47 of the principal law.

4. In section 50 of the principal law for the words “three hundred pounds” there shall be substituted the words “five hundred Maltese liri”. Amendment of section 50 of the principal law.

5. In section 51 of the principal law for the words “three hundred pounds” wherever they occur there shall be substituted the words “five hundred Maltese liri”. Amendment of section 51 of the principal law.

Amendment of section 226 of the principal law.

6. In subsection (2) of section 226 of the principal law for the words “ten pounds” there shall be substituted the words “fifty Maltese liri”.

Amendment of section 276 of the principal law.

7. In subsection (1) of section 276 of the principal law for the words “ten pounds” there shall be substituted the words “fifty Maltese liri”.

Amendment of section 355 of the principal law.

8. In subsection (2) of section 355 of the principal law for the words “fifty pounds” there shall be substituted the words “two hundred and fifty Maltese liri”.

Amendment of section 360 of the principal law.

9. In section 360 of the principal law for the words “one hundred pounds” there shall be substituted the words “two hundred and fifty Maltese liri”.

Amendment of section 702 of the principal law.

10. In subsection (4) of section 702 of the principal law for the words “ten pounds” wherever they occur, there shall be substituted the words “fifty Maltese liri”.

Amendment of section 838 of the principal law.

11. In section 838 of the principal law for the words “ten pounds” there shall be substituted the words “fifty Maltese liri”.

Amendment of section 851 of the principal law.

12. In section 851 of the principal law for the words “ten pounds” there shall be substituted the words “fifty Maltese liri”.

Amendment of section 864 of the principal law.

13. In section 864 of the principal law for the words “£20” appearing in the marginal note thereto and the words “one hundred pounds” in subsection (1) thereof there shall be substituted the words “Lm250” and “two hundred and fifty Maltese liri” respectively.

Amendment of section 869 of the principal law.

14. In subsection (3) of section 869 of the principal law for the words “one hundred pounds” there shall be substituted the words “two hundred and fifty Maltese liri”.

Amendment of section 871 of the principal law.

15. For the words “one hundred pounds” in section 871 of the principal law, there shall be substituted the words “two hundred and fifty Maltese liri”.

Amendment of section 879 of the principal law.

16. For the words “one hundred pounds” in section 879 of the principal law, there shall be substituted the words “two hundred and fifty Maltese liri”.

Amendment of section 883 of the principal law.

17. For the words “one hundred and fifty pounds” in subsection (3) of section 883 of the principal law, there shall be substituted the words “three hundred Maltese liri”.

Amendment of section 928 of the principal law.

18. In the Maltese text of section 928 of the principal law, for the words “jew jekk ebda persuna jew persuni kif imsemmija ma jkolhom dik il-personalità ġuridika distinta” there shall be substituted the words “jew jekk ebda persuna jew persuni kif imsemmija ma jkunu mogħtija dik ir-rappreżentanza ġuridika.”.

19. The amendments made by sections 2 to 17 of this Act shall not apply in respect of any case which was pending before the Courts before the coming into force of the said sections, or to any warrant, or extension thereof, which is already filed in the registry of the Court on the date of the coming into force of this Act.

Transitory
provision.

Objects and Reasons

The main object of the Bill is to increase the jurisdiction, by reason of the value of the claim, of the Court of Magistrates of Judicial Police, as a court of first instance, and of the Court of Magistrates of Judicial Police for the Islands of Gozo and Comino, as an appellate court; the Bill also increases the minimum amount which is necessary for the issue of certain warrants.