
Nru. 102

30. 3. 94

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joe Fenech, M.P., Ministru tal-Gustizzja, u moqri għall-Ewwel darba fis-Seduta tat-28 ta' Marzu, 1994.

A BILL introduced by the Honourable Joe Fenech, M.P., Minister of Justice, and read the First time at the Sitting of the 28th March, 1994.

ATT biex ikompli jemenda l-Kodiċi Civili, Kap. 16.

AN ACT further to amend the Civil Code, Cap. 16.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 16

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

1. Dan l-Att jista' jissejjah l-Att ta' l-1994 li jemenda l-Kodiċi Ċivili (Emenda Nru. 2), u għandu jinqara u jinftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjah "il-liġi prinċipali".

Titolu fil-qosor.

2. L-artikolu 1322 tal-liġi prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 1322 tal-liġi prinċipali.

(a) is-subartikoli (5) u (6) kif inhuma issa għandhom jiġu enumerati mill-ġdid bhala s-subartikoli (6) u (7) tiegħu rispettivament;

(b) dan is-subartikolu ġdid li ġej għandu jiddaħhal minnufih wara s-subartikolu (4) tiegħu:—

“(5) Id-dispożizzjonijiet tas-subartikolu (4) ta' dan l-artikolu għandhom jibqgħu japplikaw ukoll wara li tispicċa l-komunjoni ta' l-akkwisti għal kull raġuni li tkun.”; u

(ċ) fis-subartikolu (7) tiegħu kif enumerat mill-ġdid, minflok il-kliem “fis-subartikolu (5) ta' dan l-artikolu” għandhom jidhlu l-kliem “fis-subartikolu (6) ta' dan l-artikolu”.

Għanijiet u Raġunijiet

L-Għan ta' l-Abbozz huwa sabiex iżomm ir-regola, ukoll wara li tispicċa l-komunjoni ta' l-akkwisti, li bank ma għandux jidhol f'jekk flus li jkunu depożitati f'kont f'isem ta' persuna miżżewġa ikunux jappartjenu għall-komunjoni ta' l-akkwisti jew le.

**A BILL
entitled**

AN ACT further to amend the Civil Code, Cap. 16.

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:—

Short title.

1. This Act may be cited as the Civil Code (Amendment) (No. 2) Act, 1994, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the principal law”.

Amendment of
section 1322
of the
principal law.

2. Section 1322 of the principal law shall be amended as follows:—

(a) the present subsections (5) and (6) shall be renumbered as subsections (6) and (7) thereof respectively;

(b) the following new subsection shall be inserted immediately after subsection (4) thereof:—

“(5) The provisions of subsection (4) of this section shall continue to apply even after the termination of the community of acquests for any reason whatsoever.”; and

(c) in subsection (7) thereof as renumbered, for the words “in subsection (5) of this section” there shall be substituted the words “in subsection (6) of this section”.

Objects and Reasons

The aim of the Bill is to retain the rule, even after the termination of the community of acquests, that a bank shall not enquire whether money deposited into an account in the name of a married person belongs to the community of acquests or not.