
Nru. 134

9. 5. 95

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Michael Refalo, M.P., Ministru tal-Ġustizzja u Kultura, u moqri għall-Ewwel darba fis-Seduta tat-2 ta' Mejju, 1995.

A BILL introduced by the Honourable Michael Refalo, M.P., Minister of Justice and the Arts, and read the First time at the Sitting of the 2nd May, 1995.

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

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

RICHARD J. CAUCHI
Skriwan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Clerk of 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. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1995 li jemenda l-Kodiċi Ċivili (Emenda Nru. 2), u għandu jinqara u jiftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjaħ "il-Kodiċi".

Titolu fil-qosor u bidu fis-seħh.

Kap. 16.

(2) Dan l-Att għandu jibda jseħh fil-15 ta' Mejju, 1995.

2. Minflok il-paragrafi minn (b) sa (d) fl-artiklu 293 tal-Kodiċi għandu jidhol dan li ġej:

Emenda ta' l-artiklu 293 tal-Kodiċi.

“(b) l-isem, il-kunjom, id-data u lok tat-twelid, id-dokument ta' l-identità u l-lok tar-residenza tal-miżżewġin;

(ċ) l-isem, il-kunjom, id-data u lok tat-twelid u lok tar-residenza tax-xhieda li jkunu dehru fit-tieg;

(d) l-isem u l-kunjom tal-missier, u l-isem, il-kunjom u kunjom xhubiet l-omm tal-miżżewġin;”.

Sostituzzjoni tal-Formuli E u K fit-Taqsima II ta' l-Iskeda li tinsab mal-Kodiċi.

3. Minflok il-Formula E u l-Formula K fit-Taqsima II ta' l-Iskeda li tinsab mal-Kodiċi, għandhom jidhlu rispettivament il-Formula E u l-Formula K li jidhru fl-Iskeda li tinsab ma' dan l-Att.

Emenda tat-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi.

4. Fit-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi, taht l-intestatura "ATT TAŻ-ŻWIEĠ":—

(a) minflok il-kliem "professjoni, sengha jew stat ieħor, età, post tat-twelid" fil-paragrafu (b) għandhom jidhlu l-kliem "data u post tat-twelid"; u

(b) minflok il-paragrafu (ċ) għandu jidhol dan li ġej:

"(ċ) Isem u kunjom tal-missier u isem, kunjom u kunjom xhubiet l-omm tar-raġel u tal-mara;".

Transitorja.

5. Id-dispożizzjonijiet tat-Taqsima III ta' l-Iskeda li tinsab mal-Kodiċi kif tkun fis-seħħ qabel il-bidu fis-seħħ ta' dan l-Att, għandha tkompli tapplika għal dawk l-Atti taż-Żwieġ li ġew reġistrati fir-Reġistru Pubbliku qabel il-bidu fis-seħħ ta' dan l-Att.

SKEDI
FORMULA E
[ARTIKLU 293]

ATT TAŻ-ŻWIEĠ
ACT OF MARRIAGE

DATA TA' L-ATT;
DATE OF THE ACT. MR No.(1)

DIKJARAZZJONI TAR-RAGĠEL U L-MARA:
DECLARATION OF THE HUSBAND AND WIFE:

Ahna hawn taht iffirmani middikjaraw li fil-preżenza ta' (2) u tax-xhieda hawn taht imsemmija iżże-wwiġna fi(3) fi(4)
We the undersigned hereby declare that we have in the presence of and of the undermentioned witnesses contracted marriage at

Jien hawn taht iffirmani (il-mara) niddikjara li: * niehu l-kunjom tar-raġel / *niżmjom kunjom xbuħiti wara ż-żwieġ. (*hassar fejn ma japplikax).
I the undersigned (the wife) declare that I choose to: *adopt the surname of my husband / *retain my maiden surname after marriage. (*delete where not applicable).

TAGHRIF DWAR IL-RAGĠEL/MIDŻERWIEĠ PARTICULARS OF THE HUSBAND

TAGHRIF DWAR IL-MARA/MIDŻERWIEĠ PARTICULARS OF THE WIFE

| | | |
|-----|--|------|
| (5) | Isen u Kunjom Name and Surname | (9) |
| (6) | Data u Post tal-Twelid, u Dokument ta' Identifikazzjoni Date and Place of Birth, and Identification Document | (10) |
| (7) | Fejta Jgħoghod / Toghħod Place of Residence | (11) |
| (8) | Isen u Kunjom il-Missier, u Isen, Kunjom u Kunjom Xhoblet l-Omm Name and Surname of Father, and Name, Surname and Maiden Surname of Mother | (12) |

ADDENDA

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|------|
| (22) |
|------|

TAGHRIF DWAR IX-XHIEDA

PARTICULARS OF THE WITNESSES

TAGHRIF DWAR IX-XHIEDA

PARTICULARS OF THE WITNESSES

| | | | |
|------|------|------|------|
| (13) | (16) | (19) | (22) |
| (14) | (17) | (20) | (23) |
| (15) | (18) | (21) | (24) |

.....(25)
(Firma tar-Raġel/Husband's Signature)

.....(26)
(Firma tal-Mara/Wife's Signature)

.....(27)
(Firm tax-Xhieda/Witnesses' Signatures)

Id-dikjarazzjonijiet ta' hawn fuq ġew iffirmani quddiemni.
The above declarations were signed in my presence.

Firma tar-Registrazzjoni ta' Żwieġ(28)
Signature of Marriage Registrar

| | |
|---|---|
| (29) | (30) |
| Data tad-dhul ta' l-Att. Date of receipt of the Act. | Numru wara l-lehor tar-Registru Nru. Progressive number of Registration No. |
| | (31) |
| | Firma tad-Direttur jew ta' uffiċjal lehor li jagħmel floku. Signature of Director or other officer authorized to act in his stead. |

FORMULA K

[ARTIKLU 251]

REGĠSTRU PUBBLIKU
PUBLIC REGISTRYregistrazzi ta' uffiċċju
registered in the

Jiena hawn taht iffirmit, b'dan nicċertifika illi dan ta' hawn taht huwa **EXTRACT** veru mill-Att taż-Żwieġ Nru. *I, the undersigned, do hereby certify that the following is a true EXTRACT from the Act of Marriage No.*

tar-Registru Pubbliku, il-Belt, Valletta, Malta, Victoria, Ghawdex, skond id-dispożizzjonijiet tal-Kodiċi Ċivili, (Kap. 16).
Public Registry Office, Valletta, Malta, Victoria, Gozo, in accordance with the provisions of the Civil Code, (Cap. 16).

| Partikolaritajiet dwar <i>Particulars Respecting</i> | Isem u kunjom <i>Name and surname</i> | Eta jew data tat-twelid <i>Age or date of birth</i> | Post tat-twelid <i>Place of birth</i> | Ġenituri tal-miżżewġin <i>Parents of husband and wife</i> |
|--|--|--|--|--|
| Ir-raġel <i>The husband</i> | | | | |
| Il-mara <i>The wife</i> | | | | |
| Post u data taż-żwieġ <i>Place and date of marriage</i> | Il-mara għażlet li iżżomm kunjom xububitha maż-żwieġ. (Nassar fejn ma japplikax). <i>The wife chose to retain her surname on marriage. (delete where not applicable).</i> | | | |

Dritt imballas
Fee paidUFFIĊĊJU TAR-REGĠSTRU PUBBLIKU - MALTA/GHAWDEX
PUBLIC REGISTRY OFFICE - MALTA/GOZODIRETTUR
DIRECTOR

Ghanijiet u Raġunijiet

L-Għan ta' l-Abbozz hu sabiex jissostitwixxi l-Att taż-Żwieġ li għandu jiġi reġistrat fir-Reġistru Pubbliku b' Att ġdid li ma jkun fih ebda referenza għall-professjoni jew stat ieħor tal-miżżewġin, tal-ġenituri tagħhom u tax-xhieda tagħhom.

**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 and commencement.

Cap. 16.

1. (1) This Act may be cited as the Civil Code (Amendment No. 2) Act, 1995, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the Code”.

(2) This Act shall come into force on the 15th May, 1995.

Amendment of section 293 of the Code.

2. For paragraphs (b) to (d) in section 293 of the Code there shall be substituted the following:

“(b) the name, surname, date and place of birth, identification document and place of residence of the parties;

(c) the name, surname, date and place of birth and place of residence of the witnesses present at the solemnization of the marriage;

(d) the name and surname of the father, and the name, surname and maiden surname of the mother of the parties;”.

3. For Form E and Form K in Part II of the Schedule to the Code, there shall be substituted respectively the Form E and Form K appearing in the Schedule to this Act.

Substitution
of Forms E and K
in Part II
of the Schedule
to the Code.

4. In Part III of the Schedule to the Code, under the heading "ACT OF MARRIAGE":—

Amendment
of Part III of
the Schedule
to the Code.

(a) for the words "profession, trade or other status, age, place of birth" in paragraph (b) there shall be substituted the words "date and place of birth"; and

(b) for paragraph (c) there shall be substituted the following:

"(c) Name and surname of father and name, surname and maiden surname of mother of the husband and wife;"

5. The provisions of Part III of the Schedule to the Code as in force before the coming into force of this Act, shall continue to apply to Acts of Marriage entered in the Public Registry before the coming into force of this Act.

Transitory.

ATT TAŻ-ŻWIEĠ **ACT OF MARRIAGE** DATA TA' L-ATT: MR No.(1)
DATE OF THE ACT:

DIKJARAZZJONI TAR-RAĠEL U L-MARA:
DECLARATION OF THE HUSBAND AND WIFE:

Ahna hawn taht iffirmati niddikjaraw li fil-preżenza ta'(2) u tax-xhieda hawn taht imsemmija żżewwiġna fi(3) fi(4)
We the undersigned hereby declare that we have in the presence of(2) and of the undermentioned witnesses contracted marriage at(3) on (Date / Date)

Jien hawn taht iffirmati (il-mara) niddikjara li * niehu l-kunjom tar-raġel / *inzomm kunjom xhubli wara l-żwieġ. (*hassar fejn ma japplikax).
I the undersigned (the wife) declare that I choose to: *adopt the surname of my husband / *retain my maiden surname after marriage. (*delete where not applicable).

TAGHRIF DWAR IR-RAĠEL MŻEŻWIEĠ PARTICULARS OF THE HUSBAND

| | | |
|-----|---|------|
| (5) | Isim u Kunjom Name and Surname | (9) |
| (6) | Data u Post ta' Twelid, u Dokument ta' Identifikazzjoni Date and Place of Birth, and Identification Document | (10) |
| (7) | Fajja Jughod / Toghod Place of Residence | (11) |
| (8) | Isim u Kunjom il-Missier, u Isim, Kunjom u Kunjom Xhubli l-Omm Name, Surname and Maiden Surname of Mother | (12) |

ADDENDA

| |
|------|
| (32) |
|------|

TAGHRIF DWAR IS-XHIEDA PARTICULARS OF THE WITNESSES

| | | | |
|------|---|------|------|
| (13) | Isim u Kunjom Name and Surname | (19) | (22) |
| (14) | Data u Post ta' Twelid Date and Place of Birth | (20) | (23) |
| (15) | Fajja Jughod/Toghod Place of Residence | (21) | (24) |

TAGHRIF DWAR IS-XHIEDA PARTICULARS OF THE WITNESSES

.....(25)
(Firma tar-Raġel/Husband's Signature)

.....(26)
(Firma tal-Mara/Wife's Signature)

.....(27)
(Firm tax-Xhieda/Witnesses' Signatures)

Id-dikjarazzjonijiet ta' hawn fuq ġew iffirmati quddiem.
The above declarations were signed in my presence.

Firma tar-Registrazzjoni tal-Żwieġ(28)
Signature of Marriage Registrar

| | | | |
|---|---|------|--|
| (29) | Data tad-dhul ta' l-Att. Date of receipt of the Act. | (30) | Numru wara l-lehor tar-Registru Nru. Progressive number of Registration No. |
| Firma tad-Direttur jew ta' uffiċjal lehor li jagħmel floku. Signature of Director or other officer authorized to act in his stead. | | (31) | |

FORM K

[SECTION 251]

REGISTRU PUBBLIKU
PUBLIC REGISTRYregiſtrat fl-uffiċċju
registered in the

Jiena hawn taht iſſirmat, b' dan niċċertifika illi dan ta' hawn taht huwa **EXTRACT** veru mill-Att taż-Zwieġ Nru. *I, the undersigned, do hereby certify that the following is a true EXTRACT from the Act of Marriage No.*

tar-Registru Pubbliku, il-Belt, Valletta, Malta, Victoria, Ghawdex, skond id-dispożizzjonijiet tal-Kodiċi Civili, (Kap. 16).
Public Registry Office, Valletta, Malta, Victoria, Gozo, in accordance with the provisions of the Civil Code, (Cap. 16).

| Partikolaritajiet dwar <i>Particulars Respecting</i> | Isem u kunjom <i>Name and surname</i> | Eta jew data tat-twelid <i>Age or date of birth</i> | Post tat-twelid <i>Place of birth</i> | Genituri tal-mizzewġin <i>Parents of husband and wife</i> |
|--|---|--|--|--|
| Ir-rajel <i>The husband</i> | | | | |
| Il-mara <i>The wife</i> | | | | |
| Post u data taż-żwieġ <i>Place and date of marriage</i> | Il-mara għażlet li iżżomni kunjom xsubitba maż-żwieġ (hassar fejn ma japplikax). <i>The wife chose to retain her surname on marriage. (delete where not applicable).</i> | | | |

UFFIĊĊJU TAR-REGISTRU PUBBLIKU – MALTAGHAWDEX
PUBLIC REGISTRY OFFICE – MALTAGOZO

Debit imballan
Fee paid

DIRETTUR
DIRECTOR

Objects and Reasons

The Object of the Bill is to substitute the Act of Marriage to be entered in the Public Registry by a new Act which does not contain any reference to the profession or other status of the parties to the marriage, of their parents and of the witnesses.