

**MALTA**

**ATT Nru. IV ta' l-1994**

ATT mahruġ b'ligi mill-Parlament ta' Malta.

**ATT biex jemenda l-Kodiċi Kriminali, Kap. 9.**

**ACT No. IV of 1994**

AN ACT enacted by the Parliament of Malta.

**AN ACT to amend the Criminal Code, Cap. 9.**

Naghti l-kunsens tieghi.

(L.S.)

ĊENSU TABONE  
President

11 ta' Frar, 1994

**ATT Nru. IV ta' l-1994**

*ATT biex jemenda l-Kodiċi Kriminali, Kap. 9.*

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

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1994 li jemenda l-Kodiċi Kriminali, u għandu jinqara u jiftiehem haġa waħda mal-Kodiċi Kriminali, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

Titolu fil-qosor  
u bidu fis-seħh.

(2) Id-dispożizzjonijiet li ġejjin ta' dan l-Att għandhom jibdew fis-seħh f'dik id-data li l-Ministru responsabbli għall-ġustizzja jista' jistabbilixxi b'avviż fil-Gazzetta, u dati differenti jistgħu jiġu hekk stabbiliti għal dispożizzjonijiet differenti ta' dan l-Att.

2. Minflok il-paragrafu (g) ta' l-artikolu 87 tal-liġi prinċipali għandu jidhol dan li ġej:

Emenda ta'  
l-artikolu 87  
tal-liġi prinċipali.

"(g) jekk id-delitt ikun sar bħala mezz biex persuna tiġi mġieghla tagħmel xi haġa jew toqghod għal xi haġa li toffendi l-mistħija tas-sess ta' dik il-persuna."

3. Minflok is-subartikoli (2), (3), (4) u (5) ta' l-artikolu 197 tal-liġi prinċipali għandu jidhol dan li ġej:

Emenda ta'  
l-artikolu 197  
tal-liġi prinċipali.

“ta’ mara  
mizzewga  
jew ta’  
raġel  
mizzewweg  
taht l-età,  
jew ta’  
minuri,  
mir-raġel  
jew mill-  
mara jew  
mit-tutor.

(2) L-istess piena tinghata lir-raġel jew lill-mara jew lit-tutor illi, bi vjolenza jew b’theddud, iġieghel jew iġġieghel, jew, bil-qerq, iħajjar jew thajjar għall-prostituzzjoni lill-mara tiegħu jew lir-raġel tagħha, li jkunu taht l-età, jew lill-minuri li tiegħu jkollu jew ikollha t-tutela.

ta’  
dixxendent  
jew mara  
mizzewga  
jew raġel  
mizzewweg  
ta’ l-età,  
minn  
axxendent  
jew mir-  
raġel jew  
mill-mara.

(3) L-axxendent jew ir-raġel jew il-mara illi, bi vjolenza jew b’theddud, iġieghel jew iġġieghel, jew, bil-qerq iħajjar jew thajjar għall-prostituzzjoni lid-dixxendent jew lill-mara tiegħu jew lir-raġel tagħha, li jkunu ta’ l-età, jehel jew tehel, meta jinsabu haġja, il-piena ta’ prigunerija minn sena sa erba’ snin, bir-reklużjoni jew mingħajrha.

Kon-  
segwenzi  
tal-  
kundanna.

(4) Il-kundanna taht dan l-artikolu ġġib it-telfa ta’ kull awtorità u ta’ kull jedd mogħtija lill-hati fuq il-persuna jew il-beni tar-raġel jew tal-mara jew tad-dixxendent li bi hsara tiegħu jew tagħha jkun sar ir-reat, u, għat-tutor, it-tneħħija tiegħu mit-tutela u l-interdizzjoni perpetwa mill-eżerċizzju ta’ kull kariga oħra ta’ tutor.”.

Emenda ta’  
l-artikolu 200  
tal-liġi prinċipali.

4. Fis-subartikolu (2) ta’ l-artikolu 200 tal-liġi prinċipali, minflok il-kliem “wara li jisraq tifla, jizzewwigha,” għandhom jidhlu l-kliem “wara li jisraq persuna, jizzewweg lil dik il-persuna,”.

Emenda ta’  
l-artikolu 203  
tal-liġi prinċipali.

5. L-artikolu 203 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu, minflok il-kelma “sentejn” kull fejn din tinsab għandhom jidhlu l-kliem “tliet snin”;

(b) fis-subartikolu (2) tiegħu, minflok il-kliem “tas-subartikolu (5)” għandhom jidhlu l-kliem “tas-subartikolu (4)”;

(ċ) fis-subartikolu (3) tiegħu, minflok il-kliem “tas-setgħa ta’ missier” fil-paragrafu (b) tat-tieni proviso, għandhom jidhlu l-kliem “tas-setgħa ta’ ġenitur”.

Emenda ta’  
l-artikolu 204  
tal-liġi prinċipali.

6. L-artikolu 204 tal-liġi prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (ċ) tal-proviso li hemm mas-subartikolu (1) tiegħu, minflok il-kliem “mir-raġel jew mit-tutor tal-persuna minuri,” għandhom jidhlu l-kliem “mir-raġel jew mill-mara jew mit-tutor tal-persuna minuri,”; u

(b) fis-subartikolu (2) tiegħu —

(i) minflok il-kliem “tas-subartikolu (4) u (5)” għandhom jidhlu l-kliem “tas-subartikolu (4)”;

(ii) minflok il-kliem “mir-raġel,” għandhom jidhlu l-kliem “mir-raġel jew mill-mara.”

7. Minflok l-artikolu 205 tal-liġi prinċipali għandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 205 tal-liġi prinċipali.

“Min iġieghel jew iħajjar għall-prostituzzjoni persuna ta' l-età.

205. Kull min, biex jissodisfa ż-żina ta' haddieħor, iġieghel bil-vjolenza, jew iħajjar b'qerq, persuna ta' l-età, għall-prostituzzjoni, jekk il-fatt ma jkunx jikkostitwixxi delitt akbar, jehel, meta jinsab hati, il-piena ta' prigunerija għal żmien mhux iżjed minn sentejn, bir-rekluzzjoni jew mingħajrha:

Iżda l-piena tkun ta' prigunerija minn sena sa erba' snin, jekk id-delitt isir —

(a) b'abbuż ta' awtorità, ta' fiduċja jew ta' relazzjonijiet familjari; inkella

(b) bħala drawwa jew bi hsieb ta' qliegh.”

8. Fl-artikolu 240 tal-liġi prinċipali, minflok il-kliem “Jekk mara li tiled tarbija,” għandhom jidhlu l-kliem “Jekk persuna li minnufih wara t-twelid ta' tarbija,”

Emenda ta' l-artikolu 240 tal-liġi prinċipali.

9. Minflok l-artikolu 352 tal-liġi prinċipali għandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 352 tal-liġi prinċipali.

“Dmir tal-Pulizija Esekuttiva li tgharraf lill-persuni sugġetti għall-arrest.

352. L-uffiċjal tal-Pulizija Esekuttiva li jarresta jew jagħmel xi perkwiżizzjoni għandu jgharraf lill-persuna sugġetta għall-arrest jew għall-perkwiżizzjoni, meta tkun hemm, bis-setgħa tiegħu u bir-raġuni ta' l-arrest jew tal-perkwiżizzjoni, kemm-il darba ma jkunx qabadha fil-fatt.”

10. Fis-subartikolu (2) ta' l-artikolu 359 tal-liġi prinċipali, minflok il-kliem “u l-isem tal-persuna li” għandhom jidhlu l-kliem “u l-isem tal-persuna, jekk ikun magħruf, li”.

Emenda ta' l-artikolu 359 tal-liġi prinċipali.

11. Minflok is-subartikolu (1) ta' l-artikolu 391 tal-liġi prinċipali għandu jidhol dan li ġej:

Emenda ta' l-artikolu 391 tal-liġi prinċipali.

“Eżami tax-xhieda.

(1) Ix-xhieda jiġu eżaminati mill-qorti. L-isem u l-kunjom tax-xhud, isem missieru u, meta x-xhud ikun persuna

Kap. 258.

li għaliha japplika l-artikolu 3 ta' l-Att dwar il-Karti ta' l-Identità, in-numru, jekk ix-xhud ikun jafu, tal-karta ta' l-identità tiegħu mahruġa taht l-imsemmi Att, kif ukoll il-lok tat-twelid u ta' fejn joqgħod ix-xhud u l-ilsien li bih jagħti x-xiehda tiegħu, għandhom jitnizzlu fil-bidu nett ta' kull xiehda:

Iżda l-qorti tista' f'ċirkostanzi eċċezzjonali u sabiex tipprovdi għas-sigurezza tax-xhud, tħalli barra l-partikolaritajiet ta' hawn fuq, hlief għall-isem u l-kunjom tax-xhud u l-ilsien li bih jagħti x-xiehda tiegħu, u tagħmel nota f'dan is-sens fl-atti tal-kawża.”.

Emenda ta' l-artikolu 392 tal-liġi prinċipali.

**12.** Is-subartikolu (1) ta' l-artikolu 392 tal-liġi prinċipali għandu jigi emendat kif ġej:

(a) fil-paragrafu (a) tiegħu, minflok il-kliem “l-isem ta' missieru” għandhom jidhlu l-kliem “l-isem u l-kunjom ta' missieru”; u

(b) il-paragrafu (b) tiegħu għandu jithassar.

Emenda ta' l-artikolu 516 tal-liġi prinċipali.

**13.** Minflok is-subartikolu (3) ta' l-artikolu 516 tal-liġi prinċipali għandhom jidhlu dawn is-subartikoli li ġejjin:

“(3) Għandu jkun hemm Bord li jkun magħmul mill-Prim Imħallef, minn imħallef nominat mill-President ta' Malta minn fost l-imħallfin li ordinarjament joqogħdu fil-Qorti Kriminali, mill-Avukat Ġenerali, minn Maġistrat nominat mill-Ministru tal-Ġustizzja, u mill-president tal-Kamra ta' l-Avukati b'setgħa li jagħmlu regoli msejhin Regoli tal-Qorti għal kull wiehed mill-iskopijiet imsemmija fl-artikolu 29 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, safejn applikabbli, billi r-riferenza għal dak il-kodiċi f'dak l-artikolu tkun tiftiehem bhala riferenza għal dan il-kodiċi:

Iżda xejn f'dawn ir-regoli m'għandu jkun inkompatibbli jew kuntrarju għad-dispożizzjonijiet ta' dan il-kodiċi jew ta' liġijiet oħra.

(4) Il-Bord jista' jaġixxi minkejja kull vakanza fost l-għadd tal-membri tiegħu iżda m'għandux jaġixxi jekk għall-inqas il-Prim Imħallef u żewġ membri oħra ma jkunux preżenti.

(5) Ir-regoli magħmula mill-Bord huma suġġetti għall-approvazzjoni tal-President ta' Malta u għandhom jigu ppubblikati fil-Gazzetta tal-Gvern.”.

Emenda ta' l-artikolu 518 tal-liġi prinċipali.

**14.** Fl-artikolu 518 tal-liġi prinċipali, minflok il-kliem “hlief lill-partijiet fil-kawża” għandhom jidhlu l-kliem “hlief lill-Avukat Ġenerali, lill-partijiet fil-kawża”.

Emenda ta' l-artikolu 530 tal-liġi prinċipali.

**15.** Is-subartikolu (2) ta' l-artikolu 530 tal-liġi prinċipali għandu jigi emendat kif ġej:

(a) minflok il-paragrafu (a) tal-proviso tiegħu, għandu jidhol dan li ġej:

“(a) ta’ xhud ta’ età żghira li, jekk jitqiegħed fil-post tax-xhieda, jista’, bil-misthija jew xort’ohra, jinfixel jew jaqbd u l-biża’ waqt li jkun qed jixhed u b’hekk ikun ta’ hsara għall-finijiet tal-gustizzja;”;

(b) minflok il-kliem “età jew mard,” fil-paragrafu (b) tal-proviso tiegħu, għandhom jidhlu l-kliem “xjuħija, mard jew kondizzjoni fiżika,”.

- 16.** Minflok l-artikolu 532 tal-liġi prinċipali għandu jidhol dan li ġej:
- Sostituzzjoni ta’ l-artikolu 532 tal-liġi prinċipali.
- “Setgħa tal-qorti li tirregola t-tmexxija tal-kawża, eċċ.
532. Bla hsara għad-dispożizzjonijiet tas-subartikoli (3), (4) u (5) ta’ l-artikolu 516, il-qorti għandha s-setgħa li tagħti ordnijiet sabiex ix-xogħol jitmexxa sewwa u bla dewmien, u biex jiġi mħares u miżmum il-bon-ordni tas-seduti tagħha, basta li f’dawn l-ordnijiet ma jkun hemm xejn kuntrarju għal-liġi.”.
- 17.** Minnufih wara s-subartikolu (2) ta’ l-artikolu 604 tal-liġi prinċipali għandu jidhol is-subartikolu ġdid li ġej:
- Emenda ta’ l-artikolu 604 tal-liġi prinċipali.
- “(3) Persuna li tkun qed tiegħu hsieb ta’ familja jew ta’ persuna li tkun tbatni minn xi mard fiżiku jew mentali hi wkoll meħlusa milli sservi ta’ ġurat.”.
- 18.** L-artikolu 605 tal-liġi prinċipali għandu jiġi emendat kif ġej:
- Emenda ta’ l-artikolu 605 tal-liġi prinċipali.
- (a) il-proviso li hemm għas-subartikolu (1) tiegħu għandu jithassar; u
- (b) is-subartikolu (14) tiegħu għandu jithassar.
- 19.** Minnufih wara s-subartikolu (5) ta’ l-artikolu 607 tal-liġi prinċipali għandhom jiżdiedu dawn is-subartikoli li ġejjin:
- Emenda ta’ l-artikolu 607 tal-liġi prinċipali.
- “(6) Fil-każ ta’ persuna msemmija fl-artikolu 604, talba biex din ma sservix ta’ ġurat tista’ ssir permezz ta’ ittra indirizzata lir-registratur, u dik l-ittra għandha titqies bħala rikors għall-finijiet kollha ta’ dan l-artikolu.
- (7) Qabel ma tehles persuna milli sservi ta’ ġurat kif provdut fis-subartikoli (2) u (5) ta’ dan l-artikolu u fis-subartikolu (5) ta’ l-artikolu 611, il-qorti tista’ titlob li tisma’ lill-persuna li titlob dak il-helsien bil-ġurament”.
- 20.** (1) Mhux aktar tard minn tletin ġurnata mill-bidu fis-seħħ taż-żewġ artikoli immedjatement qabel dan, il-Kummissarju tal-Pulizija, żewġ maġistrati u r-Registratur tal-Qrati Superjuri għandhom jagħmlu listi godda ta’ ġurati, ġurati speċjali u primi ġurati kif provdut fl-artikolu 605 tal-Kodiċi Kriminali, kif emendat b’dan l-Att, u d-dispożizzjonijiet kollha ta’ dak l-artikolu jkunu japplikaw, *mutatis mutandis*, għal-listi godda, b’dan illi l-pubblikazzjoni tal-listi kif provdut fis-subartikolu (5) ta’ l-imsemmi artikolu għandha ssir kemm jista’ jkun malajr wara li l-listi jkunu saru, u l-pubblikazzjoni tal-listi ikkorreguti msemmija fis-subartikolu (9) u li normalment issir fl-ewwel hmistax-il ġurnata tax-xahar ta’ Novembru għandha ssir mhux aktar tard minn xahrejn mill-ewwel pubblikazzjoni tal-listi.
- Dispożizzjonijiet transitorji.

(2) Il-listi godda ta' ġurati, ġurati speċjali u primi ġurati magħmula u ppubblikati kif hawn aktar 'l fuq intqal għandhom jissostitwixxu l-listi eżistenti sa dak iż-żmien li listi jergġhu jigu magħmula u ppubblikati kif provdut fl-artikolu 605 ta' l-imsemmi kodiċi.”.

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 224 ta' l-1 ta' Frar, 1994.

RICHARD J. CAUCHI  
*Skrivan tal-Kamra tad-Deputati.*

LAWRENCE GONZI  
*Speaker*

I assent.

(L.S.)

ĊENSU TABONE  
President

11th February, 1994

**ACT No. IV of 1994**

*AN ACT to amend the Criminal Code, Cap. 9.*

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 Criminal Code (Amendment) Act, 1994, and shall be read and construed as one with the Criminal Code, hereinafter referred to as “the principal law”. Short title and commencement.

(2) The following 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 of this Act.

2. For paragraph (g) of section 87 of the principal law there shall be substituted the following: Emenda ta' l-artikolu 87 tal-ligi principali.

“(g) if the crime is committed as a means of compelling a person to do an act or to submit to treatment injurious to the modesty of that person’s sex.”.

3. For subsections (2), (3), (4) and (5) of section 197 of the principal law there shall be substituted the following: Amendment of section 197 of the principal law.

**“Prostituting of spouse under age or of minor by husband or wife or tutor. (2) The same punishment shall be applied to any husband or wife or tutor who, by the use of violence or by threats, compels, or, by deceit, induces to prostitution his or her spouse under age or the minor under his or her tutorship.**

**Prostituting of descendant or spouse of age, by ascendant or husband or wife. (3) If the ascendant or the husband or wife, by the use of violence or by threats, compels, or, by deceit, induces the descendant or his or her spouse, of age, to prostitution, he or she shall, on conviction, be liable to imprisonment of a term from one to four years, with or without solitary confinement.**

**Consequences of conviction. (4) A conviction under this section shall entail the forfeiture of every authority and right granted to the offender over the person or property of the husband or wife or of the descendant to whose prejudice the offence shall have been committed, and, in the case of the tutor, his removal from the tutorship and his perpetual disability from holding the office of tutor.”.**

Amendment of section 200 of the principal law.

**4. In subsection (2) of section 200 of the principal law, for the words “after abducting a girl, shall marry her,” there shall be substituted the words “after abducting a person, shall marry such person,”.**

Amendment of section 203 of the principal law.

**5. Section 203 of the principal law shall be amended as follows:**

**(a) in subsection (1) thereof, for the word “two” wherever it occurs, there shall be substituted the word “three”;**

**(b) in subsection (2) thereof, for the words “of subsection (5)” there shall be substituted the words “of subsection (4)”;** and

**(c) in subsection (3) thereof, for the words “of paternal authority” in paragraph (b) of the second proviso, there shall be substituted the words “of parental authority”.**

Amendment of section 204 of the principal law.

**6. Section 204 of the principal law shall be amended as follows:**

**(a) in paragraph (c) of the proviso to subsection (1) thereof, for the words “by the husband or tutor of the minor,” there shall be substituted the words “by the husband or wife or tutor of the minor,”; and**

**(b) in subsection (2) thereof —**

**(i) for the words “of subsections (4) and (5)” there shall be substituted the words “of subsection (4)”;** and

**(ii) for the words “by the husband,” there shall be substituted the words “by the husband or the wife,”.**

7. For section 205 of the principal law there shall be substituted the following:

Substitution of section 205 of the principal law.

"Compelling or inducing person of age to prostitution.

205. Whosoever in order to gratify the lust of any other person, by the use of violence, compels or, by deceit, induces a person of age, to practise prostitution, shall, where the act committed does not constitute a more serious offence, be liable, on conviction, to imprisonment for a term not exceeding two years, with or without solitary confinement:

Provided that the offence shall be punishable with imprisonment for a term from one to four years, if it is committed —

(a) with abuse of authority, of trust or of domestic relations; or

(b) habitually or for gain."

8. In section 240 of the principal law, for the words "Any woman who, being delivered of a child," there shall be substituted the words "Any person who, immediately after the delivery of a child,".

Amendment of section 240 of the principal law.

9. For section 352 of the principal law there shall be substituted the following:

Substitution of section 352 of the principal law.

"Duty of the Executive Police to inform persons subject to arrest or search

352. The officer of the Executive Police effecting any arrest or search shall inform the person subject to such arrest or search, if present, of his authority and of the reason for the arrest or search, unless he shall have detected such person in the very act of committing the offence."

10. In subsection (2) of section 359 of the principal law, for the words "and the name of the person by whom" there shall be substituted the words "and the name of the person, if known, by whom".

Amendment of section 359 of the principal law.

11. For subsection (1) of section 391 of the principal law there shall be substituted the following:

Amendment of section 391 of the principal law.

"Examination of witnesses. Cap. 258.

(1) The witnesses shall be examined by the court. The name and surname of the witness, the name of his father and, if the witness is a person to whom section 3 of the Identity Card Act applies, the number, if known to the witness, of his identity card issued under the said Act, as well as the place of

birth and abode of the witness and the language in which he shall have deposed, shall be noted down at the head of every deposition:

Provided that the court may, in exceptional circumstances and to provide for the safety of the witness, omit the above particulars, other than the name and surname of the witness and the language in which he shall have deposed, making a note to that effect in the record of the proceedings.”.

Amendment of section 392 of the principal law.

**12.** Subsection (1) of section 392 of the principal law shall be amended as follows:

(a) in paragraph (a) thereof, for the words “the name of his father” there shall be substituted the words “the name and surname of his father”; and

(b) paragraph (b) thereof shall be deleted.

Amendment of section 516 of the principal law.

**13.** For subsection (3) of section 516 of the principal law there shall be substituted the following subsections:

“(3) There shall be a Board composed of the Chief Justice, a judge appointed by the President of Malta from among the judges ordinarily sitting in the Criminal Court, the Attorney General, a magistrate appointed by the Minister of Justice, and the president of the Chamber of Advocates with power to make rules to be called Rules of Court for any of the purposes referred to in section 29 of the Code of Organization and Civil Procedure, in so far as applicable, the reference to that code in that section being construed as a reference to this code:

Provided that nothing contained in such rules shall be inconsistent with, or repugnant to, the provisions of this code or any other law.

(4) The Board may act notwithstanding any vacancy in its membership but shall not act unless at least the Chief Justice and two other members are present.

(5) Any rules made by the Board shall be subject to the approval of the President of Malta and shall be published in the Gazette.”.

Cap. 12.

Amendment of section 518 of the principal law.

**14.** In section 518 of the principal law, for the words “except by or to the parties concerned” there shall be substituted the words “except by or to the Attorney General, by or to the parties concerned”.

Amendment of section 530 of the principal law.

**15.** Subsection (2) of section 530 of the principal law shall be amended as follows:

(a) for paragraph (a) of the proviso thereof, there shall be substituted the following:

“(a) of a witness of tender age who, if placed in the witness-box, might, from shyness or otherwise, become

confused or frightened in giving evidence and thereby prejudice the ends of justice;” and

(b) for the words “age or infirmity,” in paragraph (b) of the proviso thereof, there shall be substituted the words “old age, infirmity or physical condition,”.

16. For section 532 of the principal law there shall be substituted the following:

Substitution of section 532 of the principal law.

“Power of court to regulate conduct and despatch of business, etc.

532. Subject to the provisions of subsections (3), (4) and (5) of section 516, the court shall have power to give directions for the conduct and despatch of business and for the enforcement and maintenance of good order during its sittings, provided that nothing contained in such directions shall be contrary to law.”.

17. Immediately after subsection (2) of section 604 of the principal law there shall be added the following new subsection:

Amendment of section 604 of the principal law.

“(3) A person who has the care of a family or of a person who suffers from any physical or mental infirmity shall also be exempt from serving as a juror.”.

18. Section 605 of the principal law shall be amended as follows:

Amendment of section 605 of the principal law.

- (a) the proviso to subsection (1) thereof shall be deleted; and
- (b) subsection (14) thereof shall be deleted.

19. Immediately after subsection (5) of section 607 of the principal law there shall be added the following subsections:

Amendment of section 607 of the principal law.

“(6) In the case of a person referred in section 604, a request not to serve as a juror may be made by means of a letter addressed to the registrar, and such letter shall be deemed to be an application for all purposes of this section.

(7) Before exempting a person from serving as a juror as provided in subsections (2) and (5) of this section and in subsection (5) of section 611, the court may require to hear on oath the person requesting such exemption.”.

20. (1) Not later than thirty days from the coming into force of the last two preceding sections, the Commissioner of Police, two magistrates and the Registrar of the Superior Courts shall draw up new lists of jurors, special jurors and foremen as provided in section 605 of the Criminal Code, as amended by this Act, and all the provisions of the said section shall, *mutatis mutandis*, apply to the new lists, so however that the publication of the lists as provided in subsection (5) of that section shall be effected as soon as possible after the lists have been drawn up, and the publication of the amended lists referred to in subsection (9) and which would normally be effected in the first fifteen days of the month of November shall be effected not later than two months after the first publication of the lists.

Transitory provisions.

(2) The new lists of jurors, special jurors and foremen drawn up and published as aforesaid shall replace existing lists until such time as lists are again compiled and published as provided in section 605 of the said code.”

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Passed by the House of Representatives at Sitting No. 224 of the 1st February, 1994.

LAWRENCE GONZI  
*Speaker*

RICHARD J. CAUCHI  
*Clerk to the House of Representatives*

