

MALTA

ATT Nru III tal-2021

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT sabiex ikompli jemenda l-Kodiċi Kriminali, Kap. 9.

ACT No. III of 2021

AN ACT enacted by the Parliament of Malta.

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

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE VELLA
President

2 ta' Frar, 2021

ATT Nru III tal-2021

ATT sabiex ikompli 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 tal-istess, hareġ b'ligi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2021 li jemenda l-Kodiċi Kriminali (Emenda Nru 2) u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Kodiċi Kriminali, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi".

Titolu fil-qosor.

Kap. 9.

2. Minnufih wara l-artikolu 700 tal-Kodiċi għandu jiżdied l-artikolu ġdid li ġej:

Żieda ta' artikolu ġdid fil-Kodiċi.

"Prezentata ta' atti ġudizzjarji permezz ta' mezzi elettronici.

701. Il-Ministru responsabbli għall-ġustizzja jista' jagħmel regolamenti li jipprovdu għal jew jippermettu:

(a) li jiġu preżentati atti ġudizzjarji permezz ta' mezzi elettronici,

(b) it-trażmissjoni u n-notifika permezz ta' mezzi elettronici ta' atti ġudizzjarji, proċedimenti tal-qorti, dokumentazzjoni u notifiki, u mingħajr preġudizzju għall-ġeneralità ta' dak imsemmi qabel, dawk ir-regolamenti jistgħu jipprovdu għal:

(i) forma ta' atti ġudizzjarji li jitwettqu permezz ta' mezzi elettronici;

(ii) it-trażmissjoni, preżentata u notifika ta' atti b'taġmir elettroniku;

(iii) żamma ta' *records* tal-qorti permezz ta' mezzi elettronici u b'mod kif dawn ir-*records* għandhom jiġu awtentikati u kif għandhom jinħarġu kopji minnhom u jiġu awtentikati;

(iv) id-drittijiet li jistgħu jintalbu fir-rigward tal-użu ta' dawk il-mezzi elettronici b'rabta mat-twettiq, trażmissjoni, preżentata jew notifika ta' atti ġudizzjarji, u għat-twettiq ta' kopji ta' *records* tal-qorti; u

(v) kull haġa oħra konsegwenzjali jew inċidentali għal dan inklużi dawk id-dispożizzjonijiet tranżitorji li l-Ministru jista' jidhirlu li jkunu meħtieġa jew spedjenti u li għandhom x'jaqsmu magħhom."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 421 tas-27 ta' Jannar, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

GEORGE VELLA
President

2nd February, 2021

ACT No. III of 2021

AN ACT to further 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. The short title of this Act is the Criminal Code (Amendment No. 2) Act, 2021 and this Act shall be read and construed as one with the Criminal Code, hereinafter referred to as "the Code".

Short title.

Cap. 9.

2. Immediately after article 700 of the Code, there shall be added the following new article:

Addition of new article to the Code.

"Filing of judicial documents by electronic means.

701. The Minister responsible for justice may make regulations providing for or permitting the:

(a) filing of judicial acts by electronic means,

(b) transmission and notification by electronic means of judicial acts, court proceedings, documentation and notifications, and without prejudice to the generality of the foregoing, those regulations may provide for:

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(i) the form of judicial acts performed by electronic means;

(ii) the transmission, filing and service of documents by electronic equipment;

(iii) keeping court records by electronic means and the way that such records are to be authenticated and how copies are to be issued and authenticated;

(iv) the fees that may be charged in respect of the use of those electronic means in connection with the making, transmission, filing or service of judicial acts, and for the making of copies of records of the court; and

(v) anything consequential or incidental thereto including such transitional provisions as the Minister may deem necessary or expedient and relating thereto."

Passed by the House of Representatives at Sitting No. 421 of the 27th January, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA