Verzjoni Elettronika

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,727, 29 ta' Ottubru, 2021
Taqsima A

MALTA

ATT Nru LXII tal-2021

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

ATT biex ikompli jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, Kap. 12.

ACT No. LXII of 2021

AN ACT enacted by the Parliament of Malta.

AN ACT to further amend the Code of Organization and Civil Procedure, Cap. 12.

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Nagħti l-kunsens tiegħi.

(L.S.) **DOLORES CRISTINA**
Aġent President

29 ta' Ottubru, 2021

ATT Nru LXII tal-2021

ATT sabiex ikompli jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, Kap. 12.

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

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2021 li jemenda l-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili (Emenda Nru 2) u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi". Titolu fil-qosor. Kap. 12.

2. Is-subartikolu (1) tal-artikolu 381 tal-Kodiċi għandu jiġi emendat b'dan li ġej: Emenda tal-artikolu 381 tal-Kodiċi.

(a) fil-paragrafu (b) tiegħu, il-kliem "pensjoni jew *allowance* oħra ta' persuna li tinħarġilha pensjoni mingħand il-Gvern" għandhom jiġu sostitwiti bil-kliem "pensjoni privata jew kwalunkwe pensjoni, benefiċċju jew allowance oħra maħruġa mill-Gvern jew gvern barrani ieħor:

Iżda fil-każ ta' pensjonijiet privati u pensjonijiet maħruġa minn gvernijiet barranin l-ammont li

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mhux sekwestrabbli m'għandux jeċċedi l-ammont stabbilit għall-ogħla pensjoni maħruġa mill-Gvern;"; u

(b) fil-paragrafu (h) tiegħu, il-kliem "u ittri ta' kreditu." għandhom jiġu sostitwiti bil-kliem "u ittri ta' kreditu;" u minnufih wara għandhom jiġu miżjuda dawn il-paragrafi ġodda li ġejjin:

"(i) benefiċċji jew sussidji maħruġa mill-Awtorità tad-Djar;

(j) kontijiet bankarji li huma użati biss u esklussivament biex jirċievu fihom depożiti skont il-paragrafi (b), (ċ) u (i). Banek li huma indikati bħala sekwestratarji f'mandat ta' sekwestru għandhom jiżguraw li dawn il-kontijiet ma jiġux milquta bl-effetti tal-istess mandat ta' sekwestru:

Iżda l-banek huma obbligati li jiftħu, u jżommu miftuħa, il-kontijiet bankarji għall-għanijiet hawn fuq imsemmija.".

Emenda tal-artikolu 382 tal-Kodiċi.

3. Fis-subartikolu (1) tal-artikolu 382 tal-Kodiċi l-kliem "Fil-każ ta' salarju, paga, benefiċċju, pensjoni jew *allowance* imsemmija fl-artikoli 381(1)(a) u (b), ħlief għal kull benefiċċju, pensjoni, *allowance* jew għajnuna msemmija fl-Att dwar is-Sigurtà Soċjali" għandhom jiġu sostitwiti bil-kliem "Fil-każ ta' kwalunkwe salarju jew paga msemmija fl-artikolu 381(1)(a)".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 501 tal-25 ta' Ottubru, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

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I assent.

(L.S.)

DOLORES CRISTINA
Acting President

29th October, 2021

ACT No. LXII of 2021

AN ACT to further amend the Code of Organization and Civil Procedure, Cap. 12.

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 Code of Organization and Civil Procedure (Amendment No. 2) Act, 2021 and this Act shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter referred to as "the Code". Short title. Cap. 12.

2. Sub-article (1) of article 381 of the Code shall be amended by the following: Amendment of article 381 of the Code.

(a) in paragraph (b) thereof, the words "other allowance of any person pensioned by the Government" shall be substituted by the words "a private pension or any other pension, benefit or allowance issued by the Government or other foreign government:

Provided that in the case of private pensions and pensions issued by foreign governments the amount which is not subject to attachment shall not exceed the

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amount established for the highest pension issued by the Government;"; and

(b) in paragraph (h) thereof, the words "and letters of credit." shall be substituted by the words "and letters of credit;" and immediately thereafter there shall be added the following new paragraphs:

"(i) benefits or subsidies issued by the Housing Authority;

(j) bank accounts which are used solely and exclusively to receive therein deposits in accordance with paragraphs (b), (c) and (i). Banks which are indicated as garnishees in a garnishee order shall ensure that these accounts are not affected by the same garnishee order:

Provided that banks are obliged to open, and maintain, bank accounts for the above-mentioned purposes.".

Amendment of article 382 of the Code.

3. In sub-article (1) of article 382 of the Code the words "In the case of any salary, wage, benefit, pension or allowance mentioned in article 381(1)(a) and (b) except for any benefit, pension, allowance or assistance mentioned in the Social Security Act" shall be substituted by the words "In the case of any salary or wage mentioned in article 381(1)(a)".

Passed by the House of Representatives at Sitting No. 501 of the 25th October, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

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Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***

Prezz/*Price*
€0.36