VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,769, 18 ta' Jannar, 2022
Taqsima C

Nru. 258

18. 01. 2022

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Edward Zammit Lewis, M.P., Ministru għall-Ġustizzja u l-Governanza, u moqri għall-Ewwel darba fis-Seduta tal-10 ta' Jannar 2022.

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

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Edward Zammit Lewis, M.P., Minister for Justice and Governance, and read the First time at the Sitting of the 10th January 2022.

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

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex 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:-

Titolu fil-qosor.

Kap. 12.

1. It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2022 li jemenda l-Att dwar il-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili (Emenda Nru 5) u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi".

Emenda tal-artikolu 912 tal-Kodiċi.

2. Il-paragrafu (b) tal-artikolu 912 tal-Kodiċi għandu jiġi emendat kif ġej:

(a) il-kliem "li l-valur nett tagħhom jammonta għal, jew ikun aktar minn, sitt elef disa' mija u tmienja u tmenin euro u tnax-il ċenteżmu (6,988.12)," għandhom jiġu sostitwiti bil-kliem "li l-valur nett tagħhom jammonta għal, jew ikun aktar minn, tlettax-il elf euro (€13,000),"; u

(b) minnufih wara l-ewwel proviso tiegħu għandu jiżdied il-proviso ġdid li ġej:

"Iżda wkoll fil-kalkolu tal-valur nett imsemmi, għandu jittieħed kont tal-kera mħallsa għall-proprjetà użata bħala r-residenza prinċipali, mal-preżentazzjoni ta' kuntratt reġistrat skont il-liġi u rċevuti ta' ħlas rilevanti; u għandu jittieħed kont tal-manteniment li għandu jitħallas

lill-konjuġi l-ieħor u t-tfal, maħruġa permezz ta' ordni mill-Qorti, mal-preżentazzjoni ta' evidenza rilevanti tal-ħlas:".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma li tiġi aġġornata l-liġi eżistenti attwali sabiex persuni fil-faqar ikun jista' jkollhom liġi ta' ttestjar tal-mezzi aktar ġusta u raġonevoli li tirrifletti l-għoli tal-ħajja attwali ta' nies ifqar fis-soċjetà.

A BILL
entitled

AN ACT to 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:-

Short title.

Cap. 12.

1. The short title of this Act is the Code of Organization and Civil Procedure (Amendment No. 5) Act, 2022 and this Act shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter referred to as "the Code".

Amendment of article 912 of the Code.

2. Paragraph (b) of article 912 of the Code shall be amended as follows:

(a) the words "the net value whereof amounts to, or exceeds, six thousand and nine hundred and eighty-eight euro and twelve cents (6,988.12)," shall be substituted by the words "the net value whereof amounts to, or exceeds, thirteen thousand euro (€13,000),"; and

(b) immediately after the first proviso thereof there shall be added the following new proviso:

"Provided further that in calculating the said net asset value, account shall be taken of the rent paid for the property used as the main residence, upon presentation of a registered contract according to law and relevant payment receipts; and account shall be taken of the maintenance payable to the other spouse and children,

issued by a Court order, upon presentation of relevant evidence of payment:".

Objects and Reasons

The objects and reasons of this Bill are to update the current existing law in order to enable indigent people a more fair, reasonable means testing law which would reflect the current cost of living of poorer people in society.

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