Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,959, 15 ta' Novembru, 2022
Taqsima C

Nru 27

15. 11. 2022

MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Jonathan Attard, M.P., Ministru għall-Ġustizzja, u moqri għall-Ewwel darba fis-Seduta tal-25 ta' Ottubru 2022.

ATT sabiex jemenda l-Kodiċi Ċivili, Kap. 16.

Raymond Scicluna
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Jonathan Attard, M.P., Minister for Justice, and read the First time at the Sitting of the 25th October 2022.

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

Raymond Scicluna
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjaħ

ATT sabiex 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 tal-istess, ħareġ b'liġi dan li ġej:-

1. It-titolu ta' dan l-Att hu l-Att tal-2022 li jemenda l-Kodiċi Ċivili u dan l-Att għandu jinqara u jinftiehem ħaġa waħda mal-Kodiċi Ċivili, hawn iżjed 'il quddiem imsejjaħ "il-Kodiċi". Titolu fil-qosor. Kap. 16.

2. Fis-subartikolu (5) tal-artikolu 54 tal-Kodiċi, il-kliem "skont il-każ." għandhom jiġu sostitwiti bil-kliem "skont il-każ:" u minnufih wara għandu jiżdied il-proviso ġdid li ġej: Emenda tal-artikolu 54 tal-Kodiċi.

"Iżda għall-finijiet ta' dan is-subartikolu, il-qorti tista' wkoll tordna lid-Direttur Ġenerali tas-Sigurtà Soċjali sabiex jittrasferixxi porzjon ta' kontribuzzjonijiet tas-sigurtà soċjali tal-konjuġi responsabbli għall-manteniment lill-konjuġi li jkollha tirċievi l-manteniment.".

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex jagħti s-setgħa lill-Qorti sabiex tikkunsidra t-trasferiment tal-kontribuzzjonijiet tas-sigurtà soċjali bejn il-miżżewġin bħala rimedju addizzjonali sabiex ikun jista' jintlaħaq bilanċ ġust u ekwu bejn il-konjuġi f'każijiet tas-separazzjoni. Partikolarment, fejn waħda mill-konjuġi jkollha nuqqas ta' kontribuzzjonijiet f'isimha minħabba l-ħtieġa li tieħu ħsieb id-dar, il-parti l-oħra u t-trobbija tat-tfal fiż-żwieġ.

A BILL
entitled

AN ACT 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.
Cap. 16.

1. The short title of this Act is the Civil Code (Amendment) Act, 2022 and this Act shall be read and construed as one with the Civil Code, hereinafter referred to as "the Code".

Amendment of article 54 of the Code.

2. In sub-article (5) of article 54 of the Code, the words "as the case may be." shall be substituted by the words "as the case may be:" and immediately after there shall be added the following new proviso:

"Provided that for the purposes of this sub-article, the court may also order the Director General of Social Security to transfer a portion of social security contributions of the spouse liable to supply maintenance to the spouse to whom maintenance is due.".

Objects and Reasons

The objects and reasons of this Bill are to empower the Court to consider the transferring of social security contributions between spouses as an additional remedy to reach a fair and equitable balance between spouses in cases of separation. Particularly, in those cases where one of the spouses did not accrue enough social security contributions in his/her name because s/he had to take care of the household, the other party and the upbringing of the children of the marriage.

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