

Nru. 78

10. 7. 84

MALTA**KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Deputat Prim Ministru Anzjan u Ministru tal-Gustizzja u Affarijiet tal-Parlament u moqri għall-Ewwel darba fis-Seduta ta' 1-20 ta' Ġunju, 1984.

A BILL introduced by the Honourable Joseph Cassar, M.P., Senior Deputy Prime Minister and Minister of Justice and Parliamentary Affairs and read the First time at the Sitting of the 20th June, 1984.

ATT biex ikompli jemenda l-Kodiċi Civili, Kap. 23.

AN ACT further to amend the Civil Code, Cap. 23.

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Kodiċi Ċivili, Kap. 23.

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

Titolu fil-qosor
u bidu fis-sehh.

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1984 li jemenda l-Kodiċi Ċivili, u għandu jinqara u jiftiehem haġa waħda mal-Kodiċi Ċivili, hawnhekk iżjed 'il quddiem imsejjah "il-liġi prinċipali".

(2) Dan l-Att għandu jibda jsehh fis-seba' jum wara l-publikazzjoni tiegħu fil-Gazzetta.

Emenda ta'
l-artikolu
1582A tal-liġi
prinċipali.

2. Is-subartikolu (7) ta' l-artikolu 1582A tal-liġi prinċipali għandu jiġi emendat kif ġejj:

(a) il-paragrafi (ċ) u (d) tiegħu għandhom jiġu numerati mill-ġdid bħala paragrafi (e) u (f) rispettivament; u

(b) minnufih wara l-paragrafu (b) tiegħu għandhom jiżdiedu l-paragrafi godda li ġejjin:

“(ċ) iċ-ċedola għandu jkun fiha:

(i) l-isem u l-kunjom tal-persuna ta' l-enfitewta, il-post tat-twelid tagħha, il-post ta' residenza tagħha, il-professjoni tagħha, is-sengħa jew stat ieħor tagħha, isem missierha u isem u kunjom xbubit ommha, jew fil-każ ta' korp ta' persuni l-isem korporat ta' dak il-korp ta' persuni u l-partikolaritajiet dwar il-korporazzjoni tiegħu;

(ii) l-isem u l-kunjom tal-persuna msemmija fiċ-ċedola, il-post tat-twelid tagħha, il-post ta' residenza tagħha, il-professjoni tagħha, is-sengħa jew stat ieħor tagħha, isem missierha, u isem u kunjom xbubit ommha, jew partikolaritajiet oħra biex jidentifikaw lil dik il-persuna, jew fil-każ ta' korp ta' persuni l-isem korporat ta' dak il-korp ta' persuni u l-partikolaritajiet dwar il-korporazzjoni tiegħu; u

(iii) l-indikazzjoni skond l-artikolu 7 ta' l-Att dwar ir-Registru Pubbliku ta' l-immobbli li dwaru ċ-ċens mifdi kien jithallas; Kap. 93

(d) l-enfitewta għandu jehmez maċ-ċedola pjanta li turi l-kobor u l-lok ta' l-immobbli li jkun sugġett għaċ-ċens mifdi;";

u

(ċ) fil-paragrafu (f) tiegħu kif numerat mill-ġdid minflok il-kliem "kopja taċ-ċedola tiġi notifikata" għandhom jidhlu l-kliem "żewġ kopji taċ-ċedola jiġu notifikati".

3. Fis-subartikolu (4) ta' l-artikolu 2091 tal-liġi prinċipali min-flok il-kelma "sentejn" għandhom jidhlu l-kliem "erba' snin". Emenda ta' l-artikolu 2091 tal-liġi prinċipali.

Għanijiet u Ragunijiet

L-Għan ta' dan l-Abbozz huwa li jipprovdi għall-partikolaritajiet li għandhom jinnizżlu fiċ-ċedola ta' fidwa ta' ċens li ssir skond l-artikolu 1582A tal-Kodiċi Ċivili.

A BILL

entitled

AN ACT further to amend the Civil Code, Cap. 23.

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 and commencement.

1. (1) This Act may be cited as the Civil Code (Amendment) Act, 1984, and shall be read and construed as one with the Civil Code, hereinafter referred to as "the principal law".

(2) This Act shall come into force on the seventh day after its publication in the Gazette.

Amendment of section 1582A of the principal law.

2. Subsection (7) of section 1582A of the principal law shall be amended as follows:

(a) paragraphs (c) and (d) thereof shall be renumbered respectively as paragraphs (e) and (f); and

(b) immediately after paragraph (b) thereof there shall be added the following new paragraphs:

"(c) the schedule shall contain:

(i) the name and surname of the person of the emphyteuta, his place of birth, his place of residence, his profession, trade or other status, his father's name and his mother's name and maiden surname, or in the case of a body of persons the corporate name of such body of persons and the particulars relative to its incorporation;

(ii) the name and surname of the person named in the schedule, his place of birth, his place of residence, his profession, trade or other status, his father's name and his mother's name and maiden surname, or other particulars sufficient to identify such person, or in the case of a body of persons the corporate name of such body of persons and the particulars relative to its incorporation; and

(iii) the designation in accordance with section 7 of the Public Registry Act of the immovable in relation to which the ground-rent redeemed was payable; Cap. 93

(d) The emphyteuta shall attach to the schedule a plan showing the extent and location of the immovable subject to the ground-rent redeemed;"; and

(c) in paragraph (f) thereof as renumbered for the words "a copy" there shall be substituted the words "two copies".

3. In subsection (4) of section 2091 of the principal law for the words "two years" there shall be substituted the words "four years". Amendment of section 2091 of the principal law.

Objects and Reasons

The Object of this Bill is to provide for the particulars that are to be included in the schedule of redemption of ground-rent made in accordance with section 1582A of the Civil Code.