

MALTA

ATT Nru. XXIV ta' l-1989

ACT No. XXIV of 1989

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

AN ACT enacted by the Parliament of Malta.

**ATT biex jemenda l-Att dwar iċ-
Cittadinanza Maltija (Kap. 188).**

**AN ACT to amend the Maltese Citizen-
ship Act (Cap. 188).**

Naghti l-kunsens tiegħi.

(L.S.)

ĊENSU TABONE
President

28 ta' Lulju, 1989

ATT Nru. XXIV ta' l-1989

ATT biex jemenda l-Att dwar iċ-Ċittadinanza Maltija (Kap. 188)

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 ġej:

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1989 li jemenda l-Att dwar iċ-Ċittadinanza Maltija, u għandu jinqara u jiftiehem haġa wahda ma' l-Att dwar iċ-Ċittadinanza Maltija, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu tit-qosor u bidu fis-sehh.

Kap. 188

(2) Dan l-Att għandu jibda jsehh fl-1 ta' Awissu, 1989.

2. It-"TAQSIM TA' L-ATT" ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' it-Taqsim ta' l-Att fl-Att prinċipali.

(a) Minflok it-Taqsima II tiegħu, għandu jidhol dan li ġej:

"Taqsima II Ċittadinanza b'Naturalizzazzjoni 3-7";

(b) minflok il-kliem:

"SKEDI

L-Ewwel Skeda
It-Tieni Skeda"

għandhom jidhlu l-kliem:

“SKEDA:

Ġurament ta' Lealtà.”.

Emenda ta' l-artikolu 2 ta' l-Att prinċipali.

3. Is-subartikolu (1) ta' l-artikolu 2 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) it-tifsira ta' “il-Commonwealth” għandha tithassar;

(b) minflok it-tifsira ta' “frustier” għandha tidhol din it-tifsira ġdida li ġejja:

“ “frustier” tfisser persuna li ma tkunx ċittadin ta' Malta;”;

(ċ) minflok it-tifsira ta' “pajjiż stangier” għandha tidhol din it-tifsira ġdida:

“ “pajjiż strangier” tfisser pajjiż ieħor li ma jkunx Malta;”;

(d) it-tifsira ta' “persuna protetta Ingliza” għandha tithassar; u

(e) minnufih wara t-tifsira ta' “preskritt” għandha tidhol din it-tifsira ġdida li ġejja:

“ “apolidi” tfisser priv minn kull nazzjonalità u “persuna apolidi” għandha tiftiehem skond hekk.”.

Sostituzzjoni tat-Taqsima II ta' l-Att prinċipali.

4. Minflok it-Taqsima II ta' l-Att Prinċipali għandha tidhol din it-Taqsima ġdida li ġejja:

“TAQSIMA II

Ċittadinanza b'Naturalizzazzjoni

Naturalizzazzjoni ta' frustieri jew persuni apolidi.

3. (1) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (5) ta' dan l-artikolu, frustier jew persuna apolidi, li jkun persuna ta' l-età u ta' kapaċità sħiħa, meta jagħmel applikazzjoni għal hekk lill-Ministru bil-mod preskritt, jista' jingħata ċertifikat ta' naturalizzazzjoni bħala ċittadin ta' Malta jekk jissodisfa lill-Ministru —

(a) li jkun irrisjeda f'Malta matul il-perjodu ta' tnax-il xahar minnufih qabel id-data ta' l-applikazzjoni; u

(b) li, matul is-sitt snin minnufih qabel l-imsemmi perjodu ta' tnax-il xahar, ikun irrisjeda f'Malta għal perjodi li jammontaw b'kollox għal mhux anqas minn erba' snin; u

(ċ) li jkun jaf biżżejjed l-ilsien Malti jew l-ilsien Inġliż; u

(d) li jkun ta' kondotta tajba; u

(e) li jkun ċittadin tajjeb ta' Malta:

Iżda l-Ministru jista', jekk ikun jidhiru xieraq fi-ċirkostanzi speċjali ta' xi każ partikulari, jippermetti illi perjodi ta' residenza li jkunu okkorrew iktar qabel is-sitt snin li jiġu minnufih qabel id-data ta' l-applikazzjoni jitqiesu fil-kalkolu tas-snin kollha msemmija fil-paragrafu (b) ta' dan is-subartikolu.

(2) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (5) ta' dan l-artikolu, kull persuna ta' l-eta' u ta' kapaċità sħiħa mwiela barra minn Malta tista', meta tagħmel applikazzjoni għal hekk lill-Ministru bil-mod preskritt, tingħata ċertifikat ta' naturalizzazzjoni bħala ċittadini ta' Malta —

(a) jekk missierha, jew fil-każ ta' persuna imwiela fi jew wara l-1 ta' Awissu, 1989, jekk xi wiehed mill-ġenituri tagħha, ikun sar, jew kieku ma mietx kien isir, ċittadin ta' Malta bis-saħħa tas-subartikolu (2) ta' l-artikolu 22 tal-Kostituzzjoni, jew

(b) jekk missierha, jew fil-każ ta' persuna imwiela fi jew wara l-1 ta' Awissu, 1989, jekk xi wiehed mill-ġenituri tagħha, fil-ħin tat-twelid ta' dik il-persuna, kien, jew kieku ma mietx kien ikun, ċittadin ta' Malta bis-saħħa tas-subartikolu (2) ta' l-artikolu 25 tal-Kostituzzjoni.

(3) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (5) ta' dan l-artikolu, kull persuna ta' l-eta' u ta' kapaċità sħiħa li —

(a) tkun emigrat minn Malta (sew qabel, fi jew wara l-21 ta' Settembru, 1964) u, billi kienet ċittadin ta' Malta bis-saħħa ta' l-artikolu 22(1) jew 25(1) tal-Kostituzzjoni, temmet milli tkun ċittadin bħal dak; jew

(b) emigrat minn Malta qabel il-21 ta' Settembru, 1964 u kieku ma kienx għax temmet milli tkun ċittadin tar-Renju Unit u Kolonji qabel dik il-ġurnata, kienet issir ċittadin ta' Malta bis-saħħa ta' l-artikolu 22(1) tal-Kostituzzjoni,

tista', wara li tagħmel applikazzjoni għal hekk lill-Ministru bil-mod preskritt, tingħata ċertifikat ta' naturalizzazzjoni bħala ċittadin ta' Malta.

(4) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (5) ta' dan l-artikolu, kull minn ikollu l-eta' u l-kapaċità meħtieġa li jipprova li huwa dixxendent ta' persuna imwiela Malta u li jkun ċittadin ta' pajjiż li ma jkunx il-pajjiż li jkun jirrisjedi fih, u li jkollu l-aċċess tiegħu għall-pajjiż li

tieghu hu ċittadin ristrett, jista' wara li jagħmel it-talba tieghu għaldaqstant lill-Ministru bil-mod preskritt, jingħata ċertifikat ta' naturalizzazzjoni bhala ċittadini ta' Malta:

Izda dik il-persuna ma jkollhiex jedd li tingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta skond id-dispożizzjonijiet ta' dan is-subartikolu jekk il-Ministru jkun sodisfatt li l-ghoti taċ-ċittadinanza lil dik il-persuna jmur kontra l-interess pubbliku.

(5) Persuna ma tingħatax ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta skond is-subartikoli ta' qabel ta' dan l-artikolu jekk u sakemm ma tkunx għamlet dikjarazzjoni bil-miktub fil-formula preskritta dwar il-volontà tagħha li tirrinunzja kull nazzjonalità jew ċittadinanza ohra li jista' jkollha u ma tkunx ħadet il-ġurament ta' lealtà fil-formula speċifikata fl-Iskeda li tinsab ma' dan l-Att.

(6) Bla ħsara għad-dispożizzjonijiet tas-subartikoli (7) u (8) ta' dan l-artikolu persuna jkollha dritt, wara li tagħmel applikazzjoni lill-Ministru bil-mod preskritt, li tingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta jekk tissodisfa lill-Ministru li hija u dejjem kienet apolidi, u —

(a) li twieldet Malta, jew

(b) li missierha kien ċittadin ta' Malta fid-data tat-twelid tagħha bis-saħħa tad-dispożizzjonijiet tas-subartikolu (2) ta' l-artikolu 22 jew tas-subartikolu (2) ta' l-artikolu 25 tal-Kostituzzjoni jew li ommha kienet f'dik id-data ċittadin ta' Malta.

(7) Persuna msemija fil-paragrafu (a) tas-subartikolu (6) ta' dan l-artikolu ma jkollhiex dritt tingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta skond id-dispożizzjonijiet ta' dak is-subartikolu jekk il-Ministru jkun sodisfatt —

(a) li ma kenitx ordinarjament residenti f'Malta matul il-perjodu ta' ħames snin li jintemmu mad-data ta' l-applikazzjoni; jew

(b) li jew kienet misjuba hatja f'xi pajjiż ta' reat kontra s-sigurtà ta' l-Istat jew kienet kundannata f'xi pajjiż għal piena restrittiva tal-libertà personali għal żmien ta' mhux anqas minn ħames snin.

(8) Persuna msemija fil-paragrafu (b) tas-subartikolu (6) ta' dan l-artikolu ma jkollhiex dritt tingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta skond id-dispożizzjonijiet ta' dak is-subartikolu jekk il-Ministru jkun sodisfatt —

(a) li ma kenitx ordinarjament residenti f'Malta

matul il-perjodu ta' tliet snin li jintemmu mad-data ta' l-applikazzjoni tagħha; jew

(b) li kienet misjuba hatja f'xi pajjiż ta' reat kontra s-sigurtà ta' l-Istat.

Minuri.

4. (1) Il-Ministru jista' jagħmel b'mod li tifel jew tifla minuri ta' xi ċittadin ta' Malta jingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta wara applikazzjoni magħmula bil-mod preskritt mill-persuna li skond il-liġi jkollha awtorità fuqu.

(2) Il-Ministru jista', f'dawk iċ-ċirkostanzi speċjali li jidhirlu xieraq, jagħmel b'mod li xi minuri jingħata ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta.

Effett ta' reġistrazzjoni jew naturalizzazzjoni bhala ċittadin.

5. (1) Bla ħsara għad-dispożizzjonijiet tas-subartikolu (2) ta' dan l-artikolu, persuna reġistrata bhala ċittadin ta' Malta skond l-artikolu 23, 24 jew 26 tal-Kostituzzjoni jew li tkun ingħatat ċertifikat ta' naturalizzazzjoni taht dan l-Att issir ċittadin ta' Malta b'reġistrazzjoni jew b'naturalizzazzjoni, skond kif ikun il-każ, fid-data li fiha tiġi reġistrata jew naturalizzata.

(2) Jekk persuna ta' l-età li tkun ingħatat ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta skond dan l-Att barra mis-subartikolu (6) ta' l-artikolu 3 tiegħu ma tipproduċix lil dak l-uffiċjal li l-Ministru jista' jinnomina għal hekk, għeluq tliet xhur minn meta tkun hekk ingħatat ċertifikat ta' naturalizzazzjoni jew għeluq dak il-perjodu l-ieħor li l-Ministru jew dak l-uffiċjal jista' jippermetti, prova biżżejjed biex tissodisfa lil dak l-uffiċjal li hija rrinunzjat kull nazzjonalità jew ċittadinanza oħra li seta' kellha, iċ-ċertifikat ta' naturalizzazzjoni ta' dik il-persuna bhala ċittadin ta' Malta tiġi mħassra u titqies li qatt ma kienet hekk naturalizzata.

Għoti lura ta' ċittadinanza.

6. Meta persuna ttemm jew tkun temmet milli tkun ċittadin ta' Malta minhabba li r-rinunzja tagħha taċ-ċittadinanza ta' pajjiż ieħor, għalkemm tkun saret fiż-żmien stabbilit mil-liġi, ma kenitx magħmula b'mod validu skond il-liġi tal-pajjiż li tiegħu hi tkun irrinunzjat iċ-ċittadinanza, u l-Ministru jkun sodisfatt li dik ir-rinunzja tkun saret f'ċirkostanzi li fihom l-imsemmija persuna kienet ġustifikata li taħseb li saret b'mod validu, il-Ministru għandu, fuq applikazzjoni ta' l-istess persuna, jagħtiha ċertifikat ta' naturalizzazzjoni bhala ċittadin ta' Malta b'effett mid-data li fiha hi temmet li tkun ċittadin tali għar-raġuni hawn fuq imsemmija.”.

5. Minflok is-subartikolu (1) ta' l-artikolu 8 ta' l-Att prinċipali għandu jidhol dan li ġej:

Emenda ta' l-artikolu 8 ta' l-Att prinċipali.

“(1) Jekk xi ċittadin ta' Malta ta' l-età u ta' kapaċità shiha li jkun ukoll nazzjonali ta' pajjiż strangier, jagħmel dikjarazzjoni bil-mod preskritt ta' rinunzja taċ-ċittadinanza ta' Malta, il-Ministru jista' jordna li d-dikjarazzjoni tiġi reġistrata; u mar-reġistrazzjoni dik il-persuna għandha ttemm milli tkun ċittadin ta' Malta.”.

Emenda ta' l-artikolu 12 ta' l-Att prinċipali.

6. Is-subartikolu (2) ta' l-artikolu 12 ta' l-Att prinċipali għandu jiġi enumerat mill-ġdid bħala subartikolu (3) tiegħu, u minflok is-subartikolu (1) tiegħu għandu jidhol dan li ġej:

“(1) F’dan l-Att —

(a) kull riferenza għall-missier ta' persuna għandha, dwar persuna mwiġda barra miż-żwieġ u mhux legittimata, tiftiehem bħala riferenza għall-omm ta' dik il-persuna;

(b) kull riferenza għall-missier ta' persuna li tkun giet adottata legalment qabel l-1 ta' Jannar, 1977, għandha tiftiehem bħala riferenza għall-adottant u fil-każ ta' adożzjoni minn żewġ persuni flimkien, għall-adottant raġel; u

(c) kull riferenza għall-ġenituri ta' persuna li tkun giet adottata legalment fi jew wara l-1 ta' Awissu, 1989, u li kienet fil-ġurnata effettiva ta' l-adożzjoni tagħha taht l-età ta' għaxar snin, għandha tiftiehem bħala riferenza għall-adottanti.

(2) Għall-finijiet ta' dan l-Att:

(a) l-adożzjoni ta' xi persuna li ssir fi jew wara l-1 ta' Jannar, 1977, u qabel l-1 ta' Awissu, 1989, ma għandhiex ikollha effett u għandha titqies daqslikieku ma saritx; u

(b) l-adożzjoni ta' xi persuna li ssir fi jew wara l-1 ta' Awissu, 1989, li fil-ġurnata effettiva ta' l-adożzjoni tagħha kellha għaxar snin jew iktar, ma għandhiex ikollha effett u għandha titqies daqslikieku ma saritx.”.

7. Minflok l-Iskedi li jinsabu ma' l-Att prinċipali għandu jidhol dan li ġej:

“SKEDA

Ġurament ta' Lealtà

(Artikoli 3 u 5)

Jiena, _____ solennement nahlef/
niddikjara li nkun verament fidil u leali lejn il-Poplu u r-Repubblika ta' Malta u lejn il-Kostituzzjoni tagħha. (Hekk Alla jghinni).”.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 272 ta' l-20 ta' Lulju, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

ĊENSU TABONE
President

28th July, 1989

ACT No. XXIV of 1989

AN ACT to amend the Maltese Citizenship Act (Cap. 188).

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. (1) This Act may be cited as the Maltese Citizenship (Amendment) Act, 1989, and shall be read and construed as one with the Maltese Citizenship Act, hereinafter referred to as “the principal Act.”

Short title
and
commencement.
Cap. 188

(2) This Act shall come into force on 1st August, 1989.

2. The “ARRANGEMENT OF ACT” in the principal Act shall be amended as follows:—

Amendment
of the
Arrangement
of Act in the
principal Act.

(a) For Part II therein there shall be substituted the following:

“Part II Citizenship by Naturalisation 3-7”;

(b) for the words:

“SCHEDULES

First Schedule
Second Schedule”

there shall be substituted the words

"SCHEDULE

Oath of allegiance."

Amendment of
section 2
of the
principal Act.

3. Subsection (1) of section 2 of the principal Act shall be amended as follows:

(a) the definition of "the Commonwealth" is to be deleted;

(b) for the definition of "alien" there shall be substituted the following new definition:

" "alien" means a person who is not a citizen of Malta;"

(c) for the definition of "foreign country" there shall be substituted the following new definition:

" "foreign country" means a country other than Malta;"

(d) the definition of "British protected person" shall be deleted; and

(e) immediately after the definition of "prescribed" there shall be added the following new definition:

" "stateless" means destitute of any nationality and "stateless person" shall be construed accordingly."

Substitution
of Part II
of the
principal Act.

4. For Part II of the principal Act there shall be substituted the following new Part:

"PART II

Citizenship by Naturalisation

Naturalisa-
tion of
aliens or
stateless
persons.

3. (1) Subject to the provisions of subsection (5) of this section, an alien or a stateless person, being a person of full age and capacity, on making application therefor to the Minister in the prescribed manner, may be granted a certificate of naturalisation as a citizen of Malta if he satisfies the Minister —

(a) that he has resided in Malta throughout the period of twelve months immediately preceding the date of application; and

(b) that, during the six years immediately preceding the said period of twelve months, he has resided in Malta for periods amounting in the aggregate to not less than four years; and

(c) that he has an adequate knowledge of the Maltese or the English language; and

- (d) that he is of good character; and
- (e) that he would be a suitable citizen of Malta:

Provided that the Minister may, if he so thinks fit in the special circumstances of any particular case, allow periods of residence earlier than six years before the date of application to be reckoned in computing the aggregate mentioned in paragraph (b) of this subsection.

(2) Subject to the provisions of subsection (5) of this section, any person of full age and capacity born outside Malta may, on making application therefor to the Minister in the prescribed manner, be granted a certificate of naturalisation as a citizen of Malta —

(a) if his father, or in the case of a person born on or after the 1st August, 1989, if either of his parents became, or would but for his death have become, a citizen of Malta by virtue of subsection (2) of section 22 of the Constitution, or

(b) if his father, or in the case of a person born on or after the 1st August, 1989, if either of his parents, at the time of that person's birth, was, or would but for his death have been, a citizen of Malta by virtue of subsection (2) of section 25 of the Constitution.

(3) Subject to the provisions of subsection (5) of this section, any person of full age and capacity who —

(a) has emigrated from Malta (whether before, on or after the 21st September, 1964) and, having been a citizen of Malta by virtue of section 22(1) or 25(1) of the Constitution, has ceased to be such a citizen; or

(b) emigrated from Malta before the 21st September, 1964 and, but for his having ceased to be a citizen of the United Kingdom and Colonies before that day, would have become a citizen of Malta by virtue of section 22(1) of the Constitution,

may, on making application therefor to the Minister in the prescribed manner, be granted a certificate of naturalisation as a citizen of Malta.

(4) Subject to the provisions of subsection (5) of this section, any person of full age and capacity who proves descent from a person born in Malta and who is a citizen of a country other than the country in which he resides, and whose access to the country of which he is a citizen is restricted, may on making application therefor to the Minister in the prescribed manner, be granted a certificate of naturalisation as a citizen of Malta:

Provided that such person shall not be entitled to be granted a certificate of naturalisation as a citizen of Malta under the provisions of this subsection if the Minister is satisfied that the grant of citizenship to such person is contrary to the public interest.

(5) A person shall not be granted a certificate of naturalisation as a citizen of Malta under the foregoing subsections of this section unless and until he has made a declaration in writing in the prescribed form of his willingness to renounce any other nationality or citizenship he may possess and has taken an oath of allegiance in the form specified in the Schedule to this Act.

(6) Subject to the provisions of subsections (7) and (8) of this section, a person shall be entitled, on making application to the Minister in the prescribed manner, to be granted a certificate of naturalisation as a citizen of Malta if he satisfies the Minister that he is and always has been stateless, and —

(a) that he was born in Malta, or

(b) that his father was a citizen of Malta at the date of his birth by virtue of the provisions of subsection (2) of section 22 or subsection (2) of section 25 of the Constitution or that his mother was at that date a citizen of Malta.

(7) A person referred to in paragraph (a) of subsection (6) of this section shall not be entitled to be granted a certificate of naturalisation as a citizen of Malta under the provisions of that subsection if the Minister is satisfied —

(a) that he has not been ordinarily resident in Malta throughout the period of five years ending with the date of the application; or

(b) that he has either been convicted in any country of an offence against the security of the State or has been sentenced in any country to a punishment restrictive of personal liberty for a term of not less than five years.

(8) A person referred to in paragraph (b) of subsection (6) of this section shall not be entitled to be granted a certificate of naturalisation as a citizen of Malta under the provisions of that subsection if the Minister is satisfied —

(a) that he has not been ordinarily resident in Malta throughout the period of three years ending with the date of his application; or

(b) that he has been convicted in any country of an offence against the security of the State.

Minors.

4. (1) The Minister may cause the minor child of any citizen of Malta to be granted a certificate of naturalisation as a citizen of Malta upon application made in the prescribed manner by the person who according to law has authority over him.

(2) The Minister may, in such special circumstances as he thinks fit, cause any minor to be granted a certificate of naturalisation as a citizen of Malta.

Effect of registration or naturalisation as a citizen.

5. (1) Subject to the provisions of subsection (2) of this section, a person registered as a citizen of Malta under section 23, 24 or 26 of the Constitution or granted a certificate of naturalisation under this Act shall become a citizen of Malta by registration or naturalisation, as the case may be, on the date on which he is registered or naturalised.

(2) If a person of full age who is granted a certificate of naturalisation as a citizen of Malta under this Act other than subsection (6) of section 3 thereof does not produce to such officer as the Minister may designate in that behalf, within three months of being granted such certificate of naturalisation or within such further period as the Minister or such officer may allow, evidence sufficient to satisfy such officer that he has renounced any other nationality or citizenship which he may have possessed, the certificate of naturalisation of that person as a citizen of Malta shall be cancelled and he shall be deemed never to have been so naturalised.

Restoration of citizenship.

6. Where a person ceases or has ceased to be a citizen of Malta because his renunciation of the citizenship of another country, although made within the time established by law, was not validly made according to the law of the country whose citizenship he has renounced, and the Minister is satisfied that such renunciation was made in circumstances in which the said person was justified to believe that it was validly made, the Minister shall, on the application of the same person, grant him a certificate of naturalisation as a citizen of Malta with effect from the date on which he ceased to be such citizen for the reason stated above.”.

5. For subsection (1) of section 8 of the principal Act there shall be substituted the following:

Amendment of section 8 of the principal Act.

“(1) If any citizen of Malta of full age and capacity who is also a national of a foreign country makes a declaration in the prescribed manner of renunciation of citizenship of Malta, the Minister may cause the declaration to be registered; and upon registration, that person shall cease to be a citizen of Malta.”.

6. Subsection (2) of section 12 of the principal Act shall be renumbered as subsection (3) thereof and for subsection (1) thereof there shall be substituted the following:

Amendment of section 12 of the principal Act.

“(1) In this Act —

(a) any reference to the father of a person shall, in relation to a person born out of wedlock and not legitimated be construed as a reference to the mother of that person;

(b) any reference to the father of a person who was lawfully adopted before the 1st January, 1977, shall be construed as a reference to the adopter and in the case of a joint adoption, the male adopter; and

(c) any reference to the parents of a person who was lawfully adopted on or after the 1st August, 1989, and who was on the effective date of his adoption under the age of ten years, shall be construed as a reference to the adopters.

(2) For the purposes of this Act:

(a) an adoption of any person made on or after the 1st January, 1977, and before the 1st August, 1989, shall be without effect and shall be treated as if it had not been made; and

(b) an adoption of any person made on or after the 1st August, 1989, who on the effective date of his adoption was ten years or over, shall be without effect and shall be treated as if it had not been made.”.

Amendment to the schedules to the principal Act.

7. For the schedules to the principal Act there shall be substituted the following:

“SCHEDULE

Oath of Allegiance

(Sections 3 and 5)

I, _____ solemnly swear/affirm that I will bear true faith and allegiance to the People and the Republic of Malta and its Constitution. (So help me God).”.

Passed by the House of Representatives at Sitting No. 2/2 of the 20th July, 1989.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives