



MALTA

ATT Nru. XXXVI ta' l-1979

ACT No. XXXVI of 1979

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

AN ACT enacted by the Parliament of Malta.

ATT biex ikompli jemenda l-Ordinanza dwar il-Kummissjunarji b'setgha li jagħtu Ġurament, Kap. 120.

AN ACT further to amend the Commissioners for Oaths Ordinance, Cap. 120.



Nagħti l-kunsens tiegħi.

Anton Gattapea

President

23 ta' Novembru, 1979

ATT Nru. XXXVI ta' l-1979

ATT biex ikompli jemenda l-Ordinanza dwar il-Kummissjunarji b'setgħa li jagħtu Ġurament, Kap. 120.

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:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1979 li jemenda l-Ordinanza dwar il-Kummissjunarji b'setgħa li jagħtu Ġurament, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar il-Kummissjunarji b'setgħa li jagħtu Ġurament, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

Sostituzzjoni ta' l-artikolu 2 tal-liġi prinċipali.

2. Minflok l-artikolu 2 tal-liġi prinċipali għandu jidhol dan li ġej:

"Hatra ta' Kummissjunarji b'setgħa li jagħtu ġurament.

2. (1) Il-Ministru responsabbli għall-gustizzja jista' minn żmien għal żmien, b'*warrant* iffirmit minnu, jahtar persuni, li jkunu uffiċjali pubbliċi, avukati, nutara pubbliċi, jew prokuraturi legali, bħala Kummissjunarji b'setgħa li jagħtu ġurament, u jista' f'kull żmien ihassar kull hatra bħal dik.

(2) Il-Ministru responsabbli għall-gustizzja jista' wkoll, minn żmien għal żmien, jahtar persuni, ikunu jew ma jkunux uffiċjali pubbliċi, li jkunu qed jaqdu funzjonijiet li għandhom x'jaqsmu mas-servizz barrani tal-Gvern f'xi pajjiż barra minn Malta biex ikunu Kummissjunarji b'setgħa li jagħtu ġurament f'dak il-pajjiż, u jista' f'kull żmien ihassar kull hatra bħal dik.

(3) Il-hatra ta' uffiċjal pubbliku bħala Kummissjunarju b'setgħa li jagħti ġurament u kull hatra taħt isubartikolu (2) ta' dan l-artikolu jistgħu jkunu jew personali jew bl-isem tal-kariga jew tal-funzjonijiet moqdija minn dik il-persuna hekk maħtura.

(4) Kull ħatra magħmula taħt dan l-artikolu għandha tiġi ppubblikata fil-Gazzetta, u kull ħatra bħal dik magħmula wara l-1 ta' Jannar, 1980 għandu jkollha effett biss mid-data ta' dik il-pubblikazzjoni."

3. Minflok l-artikolu 4 tal-liġi prinċipali għandu jidhol dan li ġej:

Sostituzzjoni
ta' l-artikolu 4
tal-liġi
prinċipali.

"4. (1) Kull Kummissjunarju b'setgħa li jagħti għurament għandu, qabel ma jagħti l-għurament, jissodisfa ruħu mill-identità tal-persuna li qed tiegħu l-għurament u li dik il-persuna tifhem sewwa dak li tkun se taħlef.

(2) L-identità tal-persuna li tkun qed tiegħu l-għurament għandha tiġi żgurata bil-produzzjoni tal-karta ta' identità uffiċjali, tal-passaport jew ta' xi dokument uffiċjali ieħor."

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 330 tal-21 ta' Novembru, 1979.



Skrivan tal-Kamra tad-Deputati



Speaker



I assent.

Anton Gatt
President

23 November, 1979

ACT No. XXXVI of 1979

AN ACT further to amend the Commissioners for Oaths Ordinance, Cap. 120.

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.

1. This Act may be cited as the Commissioners for Oaths (Amendment) Act, 1979, and shall be read and construed as one with the Commissioners for Oaths Ordinance, hereinafter referred to as "the principal law".

Substitution of section 2 of the principal law.

2. For section 2 of the principal law there shall be substituted the following:

"Appoint-
ment of
Commis-
sioners for
Oaths.

2. (1) The Minister responsible for justice may from time to time, by warrant under his hand, appoint persons, being public officers, advocates, notaries public, or legal procurators, to be Commissioners for Oaths, and may at any time revoke any such appointment.

(2) The Minister responsible for justice may also, from time to time, appoint persons, whether or not they are public officers, performing functions relating to the foreign service of the Government in any country outside Malta to be Commissioners for Oaths in that country, and may at any time revoke any such appointment.

(3) The appointment of a public officer to be a Commissioner for Oaths and any appointment under subsection (2) of this section may be made either personally or by the designation of the office held or the functions performed by the person to be so appointed.

(4) Every appointment made under this section shall be published in the Gazette, and every such appointment made after 1st January, 1980 shall have effect only from the date of such publication.”

3. For section 4 of the principal law there shall be substituted the following:

Substitution of section 4 of the principal law.

“4. (1) Every Commissioner for Oaths shall, before administering any oath, satisfy himself as to the identity of the person taking the oath and that such person thoroughly understands what he is going to swear to.

(2) The identity of the person taking the oath shall be ascertained by the production of the official identity card, passport or other similar official document.”

Passed by the House of Representatives at Sitting No. 330 of the 21st November, 1979.



Clerk to the House of Representatives



Speaker