

MALTA

ATT Nru XXII tal-2025

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

ATT sabiex jemenda diversi liġijiet dwar żwieġ tat-tfal u żwieġ furzat u sabiex jipprovdi għal kwistjonijiet anċillari u konsegwenzjali għalihom.

ACT No. XXII of 2025

AN ACT enacted by the Parliament of Malta.

AN ACT to amend various laws on child marriage and forced marriage and to provide for matters which are ancillary and consequential thereto.

Nagħti l-kunsens tiegħi.

(L.S.)

MYRIAM SPITERI DEBONO
President

29 ta' Lulju, 2025

ATT Nru XXII tal-2025

ATT sabiex jemenda diversi ligijiet dwar żwieġ tat-tfal u żwieġ furzat u sabiex jipprovdi għal kwistjonijiet ancillari u konsegwenzjali għalihom.

Il-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, harget b'ligi dan li ġej:-

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2025 li jemenda Diversi Ligijiet dwar Żwieġ tat-Tfal u Żwieġ Furzat. Titolu fil-qosor u bidu fis-sehh.

(2) Dan l-Att għandu jidhol fis-sehh f'dik id-data li l-Ministru responsabbli għall-ugwaljanza u l-Ministru responsabbli għall-politika soċjali u għad-drittijiet tal-minuri jistgħu, b'avviż fil-Gazzetta jistabbilixxu, u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet u, jew għanijiet differenti ta' dan l-Att.

TAQSIMA I
EMENDA GĦALL-KODIĊI KRIMINALI

2. Din it-Taqsima temenda l-Kodiċi Kriminali u għandha tinqara u tinftiehem haġa waħda mal-Kodiċi Kriminali, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ il-"Kodiċi". Emenda għall-Kodiċi Kriminali. Kap. 9.

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Emenda tal-artikolu 251G tal-Kodiċi.

3. Fil-proviso għall-artikolu 251G tal-Kodiċi l-kliem "effett legali." għandhom jiġu sostitwiti bil-kliem "effett legali:" u minnufih wara għandhom jiġu miżjuda dawn il-provisos godda li ġejjin:

"Iżda wkoll għall-finijiet ta' dan l-artikolu, żwieġ għandu jfisser kwalunkwe ċerimonja reliġjuża jew ċivili taż-żwieġ, sew jekk legalment vinkolanti jew xort'oħra:

Iżda wkoll għall-finijiet ta' dan l-artikolu, meta ż-żwieġ ma jkunx legalment vinkolanti, iż-żwieġ għandu jkun soċjalment rikonoxxut li jkollu effetti simili għaž-żwieġ."

Emenda tal-artikolu 251GA tal-Kodiċi.

4. Fl-artikolu 251GA tal-Kodiċi l-kliem "erbgħa sa sitt snin." għandhom jiġu sostitwiti bil-kliem "erba' (4) sa sitt (6) snin:" u minnufih wara għandhom jiġu miżjuda l-provisos godda li ġejjin:

"Iżda għall-finijiet ta' dan l-artikolu, żwieġ għandu jfisser kwalunkwe ċerimonja reliġjuża jew ċivili taż-żwieġ, sew jekk legalment vinkolanti jew xort'oħra:

Iżda wkoll għall-finijiet ta' dan l-artikolu, meta ż-żwieġ ma jkunx legalment vinkolanti, iż-żwieġ għandu jkun soċjalment rikonoxxut li jkollu effetti simili għaž-żwieġ."

TAQSIMA II EMENDI GĦALL-KODIĊI ĊIVILI

Emendi għall-Kodiċi Ċivili. Kap. 16.

5. Din it-Taqsima temenda l-Kodiċi Ċivili u għandha tinqara u tinftiehem haġa waħda mal-Kodiċi Ċivili, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ il-"Kodiċi".

Emenda tal-artikolu 189 tal-Kodiċi.

6. Fis-subartikolu (4) tal-artikolu 189 tal-Kodiċi l-kliem "1035, 1036 u 1241" għandhom jiġu sostitwiti bil-kliem "1035 u 1036".

Thassir tal-artikolu 1241 tal-Kodiċi.

7. L-artikolu 1241 tal-Kodiċi għandu jiġi mħassar.

Emenda tal-artikolu 1744 tal-Kodiċi.

8. Il-paragrafu (ċ) tal-artikolu 1744 tal-Kodiċi għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(ċ) il-minuri."

Thassir tal-artikolu 1807 tal-Kodiċi.

9. L-artikolu 1807 tal-Kodiċi għandu jiġi mħassar.

TAQSIMA III EMENDA GĦALL-ATT DWAR IŻ-ŻWIEĠ

Emenda għall-Att dwar iż-Żwieġ. Kap. 255.

10. Din it-Taqsima temenda l-Att dwar iż-Żwieġ u għandha tinqara u tinftiehem haġa waħda mal-Att dwar iż-Żwieġ, hawn iżjed 'il

quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

11. L-artikolu 3 tal-Att prinċipali għandu jiġi sostitwit bl-artikolu ġdid li ġej:

Sostituzzjoni tal-artikolu 3 tal-Att prinċipali.

"Età taż-
żwieġ. 3. Żwieġ li jsir bejn persuni li waħda minnhom tkun taħt l-età ta' tmintax (18)-il sena għandu jkun null u bla effett."

12. Fil-paragrafu (b) tal-artikolu 18 tal-Att prinċipali l-kliem "tad-domicilju rispettiv tagħha." għandhom jiġu sostitwiti bil-kliem "tad-domicilju rispettiv tagħha:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

Emenda tal-artikolu 18 tal-Att prinċipali.

Kap. 16. "Iżda minkejja d-dispożizzjonijiet tal-artikolu 244 tal-Kodiċi Ċivili, l-ebda żwieġ ma għandu jkun validu għall-finijiet kollha tal-liġi f'Malta jekk isir bejn persuni li waħda minnhom tkun taħt l-età ta' tmintax (18)-il sena."

TAQSIMA IV EMENDA GHALL-ATT DWAR IL-KOABITAZZJONI

13. Din it-Taqsima temenda l-Att dwar il-Koabitazzjoni u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Koabitazzjoni, hawn iżjed 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda għall-Att dwar il-Koabitazzjoni. Kap. 614.

14. L-artikolu 4 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 4 tal-Att prinċipali.

(a) fil-paragrafu (a) tas-subartikolu (1) tiegħu l-kliem ", sakemm mhux awtorizzata skont il-liġi fit-termini tas-subartikolu (3)" għandhom jiġu mħassra; u

(b) is-subartikolu (3) tiegħu għandu jiġi mħassar.

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 369 tat-23 ta' Lulju, 2025.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

MYRIAM SPITERI DEBONO
President

29th July, 2025

ACT No. XXII of 2025

AN ACT to amend various laws on child marriage and forced marriage and to provide for matters which are ancillary and consequential thereto.

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) The short title of this Act is the Various Laws relating to Child Marriage and Forced Marriage (Amendment) Act, 2025. Short title and commencement.

(2) This Act shall come into force on such date or dates as the Minister responsible for equality and the Minister responsible for social policy and the rights of minors, may by notice in the Gazette establish, and different dates may be so established for different provisions and, or purposes of this Act.

PART I
AMENDMENT TO THE CRIMINAL CODE

2. This Part amends the Criminal Code and shall be read and construed as one with the Criminal Code, hereinafter in this Part referred to as the "Code". Amendment to the Criminal Code. Cap. 9.

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Amendment of article 251G of the Code.

3. In the proviso to article 251G of the Code the words "effect at law." shall be substituted by the words "effect at law:" and immediately thereafter there shall be added the following new provisos:

"Provided further that for the purposes of this article, marriage shall mean any religious or civil ceremony of marriage, whether or not legally binding:

Provided further that for the purposes of this article, when the marriage is not legally binding, the marriage shall be socially recognised as having similar effects as a marriage."

Amendment of article 251GA of the Code.

4. In article 251GA of the Code the words "four to six years." shall be substituted by the words "four (4) to six (6) years:" and immediately thereafter there shall be added the following new provisos:

"Provided that for the purposes of this article, marriage shall mean any religious or civil ceremony of marriage, whether or not legally binding:

Provided further that for the purposes of this article, when the marriage is not legally binding, the marriage shall be socially recognised as having similar effects as a marriage."

PART II AMENDMENTS TO THE CIVIL CODE

Amendments to the Civil Code. Cap. 16.

5. This Part amends the Civil Code and shall be read and construed as one with the Civil Code, hereinafter in this Part referred to as the "Code".

Amendment of article 189 of the Code.

6. In sub-article (4) of article 189 of the Code the words "1035, 1036 and 1241" shall be substituted by the words "1035 and 1036".

Deletion of article 1241 of the Code.

7. Article 1241 of the Code shall be deleted.

Amendment of article 1744 of the Code.

8. Paragraph (c) of article 1744 of the Code shall be substituted by the following new paragraph:

"(c) minors."

Deletion of article 1807 of the Code.

9. Article 1807 of the Code shall be deleted.

**PART III
AMENDMENT TO THE MARRIAGE ACT**

10. This Part amends the Marriage Act and shall be read and construed as one with the Marriage Act, hereinafter in this Part referred to as the "principal Act".

Amendment to the Marriage Act.
Cap. 255.

11. Article 3 of the principal Act shall be substituted by the following new article:

Substitution of article 3 of the principal Act.

"Age for marriage. 3. Marriage contracted between persons either of whom is under the age of eighteen (18) years shall be null and void."

12. In paragraph (b) of article 18 of the principal Act the words "capable of contracting marriage." shall be substituted by the words "capable of contracting marriage:" and immediately thereafter there shall be added the following new proviso:

Amendment of article 18 of the principal Act.

Cap. 16. "Provided that notwithstanding the provisions of article 244 of the Civil Code, no marriage shall be valid for all purposes of law in Malta if contracted between persons either of whom is under the age of eighteen (18) years."

**PART IV
AMENDMENT TO THE COHABITATION ACT**

13. This Part amends the Cohabitation Act and shall be read and construed as one with the Cohabitation Act, hereinafter in this Part referred to as the "principal Act".

Amendment to the Cohabitation Act.
Cap. 614.

14. Article 4 of the principal Act shall be amended as follows:

Amendment of article 4 of the principal Act.

(a) in paragraph (a) of sub-article (1) thereof the words ", unless that person is so authorised by law in terms of sub-article (3)" shall be deleted; and

(b) sub-article (3) thereof shall be deleted.

VERŻJONI ELETTRONIKA

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Passed by the House of Representatives at Sitting No. 369 of the
23rd July, 2025.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA