ABBOZZ TA' LIĠI
imsejjaħ

ATT biex ikompli jemenda l-Kodici Ċivili, Kap. 16.

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

1. It-titolu fil-qosor ta' dan l-Att hu Att ta1-2009 li jemenda l-Kodiċi Ċivili (Emenda Nru. 2), u għandu jinqara u jiftiehem ħaġa waħda mal-Kodiċi Ċivili, hawn iżjed 'il quddiem f'dan l-Att imsejjaħ "il-Kodiċi". Titolu fil-qosor.

2. Is-subartikolu (2) tal-artiklu 114 tal-Kodiċi għandu jiġi emendat kif ġej: Jemenda l-artikolu 114 tal-Kodiċi.

(a) minflok il-kliem "li jkunu ilhom miżżewġin għal żmien ta' mhux anqas minn tliet snin u jkunu jgħixu flimkien," għandhom jidħlu l-kliem "li jkunu miżżewgin lil xulxin u li jkunu jgħixu flimkien,"; u

(b) fil-proviso li hemm miegħu, minflok il-kliem "u li r-raġel u l-mara jkunu ilhom miżżewġin mhux anqas minn tliet snin" għandhom jidħlu l-kliem "u li r-raġel u l-mara jkunu miżżewġin lil xulxin".

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz hu sabiex iġib fis-seħħ id-disposizzjonijiet tas-sentenza tal-Qorti Kostituzzjonali fil-kawża bl-ismijiet Ruth Debono Sultana u Silvio Debono v Dipartiment għal *Standards* fil-Ħarsien Soċjali u Ministru għall-Politika Soċjali tat-3 ta' April, 2009.

A BILL
entitled

AN ACT further 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:-

1. The short title of this Act is the Civil Code (Amendment) (No. 2) Act, 2009, and it shall be read and construed as one with the Civil Code, hereinafter referred to as "the Code". Short title.

2. Sub-article (2) of article 114 of the Code shall be amended as follows:- Amendment of article 114 of the Code.

(a) for the words "who have been married for a period of not less than three years and are living together," there shall be substituted the words "who have been married to each other and are living together,"; and

(b) in the proviso thereto, for the words "and that the spouses have been married for less than three years" there shall be substituted the words "and that the spouses are married to each other".

Objects and Reasons

The object of this Bill is to bring into force the provision of the judgment delivered by the Constitutional Court *in res* Ruth Debono Sultana and Silvio Debono vs Department for Social Welfare Standards and Minister for Social Policy on the 3rd April, 2009.