

Nagħti l-kunsens tiegħi.

(L.S.)

GEORGE ABELA  
President

14 ta' Dicembru, 2010

**ATT Nru. XX tal-2010**

*ATT biex ikompli jemenda l-Kodiċi 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'ligi dan li ġej:-

**1.** It-titolu fil-qosor ta' dan l-Att hu Att ta' 2010 li jemenda l-Kodiċi Ċivili, u għandu jinqara u jiftiehem haġa 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 jidhlu l-kliem "li jkunu miżżewġin lil xulxin u li jkunu jgħixu flimkien,"; u

(b) fil-proviso li hemm miegħu, il-kliem "li r-raġel u l-mara jkunu ilhom miżżewġin għal anqas minn tliet snin u" għandhom jiġu mħassra.

**3.** Minnufih wara s-subartikolu (1) tal-artikolu 116 tal-Kodiċi, għandu jizdied dan il-proviso ġdid li ġej: Emenda tal-artikolu 116 tal-Kodiċi.

“Iżda wkoll fir-rigward ta’ adozzjoni bejn pajjiż u ieħor kif imfisser fl-artikolu 2 ta’ l-Att dwar l-Amministrazzjoni ta’ l-Adozzjoni, adozzjoni magħmula skond il-proċeduri dwar l-adozzjoni stabbiliti minn dan il-Kodiċi u regolamenti magħmula taħtu u l-Att dwar l-Amministrazzjoni ta’ l-Adozzjoni, u awtorizzata mill-awtorità kompetenti barranija f’dak il-pajjiż li tkun saret skond il-liġi fil-pajjiż barrani tista’ tkun rikonoxxuta f’Malta permezz ta’ digriet ta’ adozzjoni minkejja l-fatt li l-persuna li tkun ser tiġi adottata ma kenitx kontinwament fil-kura u l-pussess tar-rikorrent għal mill-inqas tliet xhur konsekuttivi minnufih qabel id-data tad-digriet ta’ adozzjoni.”.

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 294 tas-7 ta’ Diċembru, 2010.

MICHAEL FRENDO  
*Speaker*

PAULINE ABELA  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

GEORGE ABELA  
President

14th December, 2010

**ACT No. XX of 2010**

*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) Act, 2010, and it shall be read and construed as one with the Civil Code, hereinafter referred to as “the Code”. Short title.

**2.** Subarticle (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, the words “that the spouses have been married for less than three years and” shall be deleted.

**3.** Immediately after subarticle (1) of article 116 of the Code there shall be added the following new proviso: Amendment of article 116 of the Code.

“Provided further that in the case of intercountry adoptions as defined in article 2 of the Adoption Administration Act, an adoption made in accordance with the adoption procedures under this Code and any regulations made thereunder and the Adoption Administration Act, and certified by the competent authority of the country of adoption as having been made lawfully in that country may be recognised in Malta by means of an adoption decree notwithstanding that the person to be adopted has not been continuously in the care and possession of the applicant for at least three consecutive months immediately preceding the date of the adoption decree.”.

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Passed by the House of Representatives at Sitting No. 294 of 7th December, 2010.

MICHAEL FRENDU  
*Speaker*

PAULINE ABELA  
*Clerk to the House of Representatives*