

I assent.

(L.S.)

GUZÈ CASSAR
Acting President

9th July, 1999

ACT No. XI of 1999

*AN ACT to amend the Code of Organization and Civil Procedure,
Cap. 12.*

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. This Act may be cited as the Code of Organization and Civil Procedure (Amendment) Act, 1999, and shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter referred to as "the Code".

Short title.

Cap. 12.

2. Subsections (3) and (4) of section 533 of the Code shall be deleted.

Amendment of
section 533 of the
Code.

3. Immediately after section 535 of the Code there shall be added the following section:

Addition of new
section 535A to the
Code.

"Opening of
wills older
than one
hundred and
fifty years.

535A. (1) Where any secret wills have been received by the registrar in accordance with the provisions of this Title but have not been withdrawn by the testators, or opened and published, and one hundred and fifty years have elapsed since the date of the presentation of the wills, the registrar shall prepare and publish a list of the said wills in the Gazette.

(2) After the publication of the list mentioned in subsection (1) of this section in the Gazette, the court shall establish a day and time in which the wills mentioned in the list shall be opened in public without the necessity of their being read. The court shall then order that the said wills be transmitted to the Archivist of Notarial Acts who shall register these wills in a book to be kept by him and the other provisions of this Title regarding opening and publication of secret wills shall not apply. The Court shall draw up a *procès-verbal* of the opening of the said wills, which shall only state the date and place of their opening, and whether the document so published contains a will or not. A copy of such *procès-verbal*, together with those wills shall be transmitted to the Archivist of Notarial Acts, and from that date such wills shall be open to inspection and to the issue of copies thereof.

Passed by the House of Representatives at Sitting No. 126 of the 21st June, 1999.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives