L.N. 281 of 2008

CODE OF ORGANIZATION AND CIVIL PROCEDURE (CAP. 12)

Designation of Courts Regulations, 2008

IN virtue of the powers conferred by article 1009B of the Code of Organization and Civil Procedure, the Minister for Justice and Home Affairs, has made the following regulations:-

Citation and coming into force.

1. (1) The title of these regulations is the Designation of Courts Regulations, 2008.

(2) These regulations shall be deemed to have come into force on the 1st May, 2004.

Designation of Courts for civil and commercial matters (excluding family matters). Cap. 12.

2. (1) For the purpose of any rules of court made in terms of article 29 of the Code of Organization and Civil Procedure regarding the implementation of the Council Regulations referred to in sub-regulation (2), the courts mentioned in that sub-regulation are hereby being designated as the competent courts.

(2) The courts mentioned in sub-regulation (1) designated as the competent courts for the purpose of implementing the following Council Regulations are as follows:

(a) the Civil Court, First Hall and the Court of Magistrates (Gozo) (General Jurisdiction Section) in its superior jurisdiction for the purpose of Council Regulation (EC) No 1348/2000 of the 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters published in the Official Journal of the European Communities on 30 June 2000;

(b) the Civil Court, First Hall, the Civil Court (Family Section), the Court of Magistrates (Malta) and the Court of Magistrates (Gozo) sitting in its inferior jurisdiction and the Court of Magistrates (Gozo) (General Jurisdiction Section) sitting in its superior jurisdiction for the purposes of Council Regulation (EC) No 1206/2001 of the 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters published in the Official Journal of the European Communities on 27 June 2001; and

(c) the Civil Court, First Hall, the Court of Magistrates (Gozo) (General Jurisdiction Section) in its superior

jurisdiction, the Court of Appeal, the Registrar, Civil Courts and Tribunals and the Registrar Gozo Courts and Tribunals for the purposes of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters published in the Official Journal of the European Communities on 16 January 2001.

Designation of Courts for family matters. Cap. 12.

3. For the purpose of any rules of court made in terms of article 29 of the Code of Organization and Civil Procedure regarding the implementation of Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility published in the Official Journal of the European Communities on 14 December 2004, the Civil Court (Family Section) and the Court of Magistrates (Gozo) (Family Section) (Superior Jurisdiction) are hereby being designated as the competent courts.

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