

I assent.

(L.S.)

AGATHA BARBARA
President

18th April, 1986

ACT No. XII of 1986

AN ACT further to amend the Civil Code (Cap. 23).

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 Civil Code (Amendment) Act, 1986 and shall be read and construed as one with the Civil Code, hereinafter referred to as “the principal law”. Short Title.

2. Immediately after subsection (4) of section 106 of the principal law there shall be added the following new subsection: Amendment of section 106 of the principal law.

“(5) Notwithstanding the provisions of subsection (1) of this section, a natural child born and acknowledged by the father, before the first day of January, 1966 and who is neither known by the surname of the mother nor has assumed the surname of his father in virtue of subsection (2) (b) of this section, or the descendants of such child, may retain the surname, being a surname other than that of the mother or of the father, which the child has assumed and which shall be declared by the Court that he has always borne, and the proviso to paragraph (b) of subsection (2) of this section shall apply to such declaration.”.

3. Subsection (2) of section 276 of the principal law is hereby repealed. Amendment of section 276 of the principal law.

4. In subsection (2) of section 315 of the principal law for the words “Form C” there shall be substituted the words “Form CC”. Amendment of section 315 of the principal law.

5. In subsection (1) of section 2157 of the principal law, for the words “besides the particulars stated in the registration of the debt or claim assigned” there shall be substituted the words “the progressive number and the year of the registration.”. Amendment of section 2157 of the principal law.

Amendment of
section 2170 of
the principal law.

6. Section 2170 of the principal law shall be amended as follows:
- (a) paragraph (a) thereof shall be deleted;
 - (b) paragraphs (b), (c) and (d) thereof shall be respectively renumbered (a), (b) and (c); and
 - (c) in paragraph (a) thereof, as renumbered, after the word "number" there shall be inserted the words "and the year".

Amendment of
Schedule to the
principal law.

7. In Part II of the Schedule to the principal law, for the words "FORM C" relating to section 315 of that law, there shall be substituted the words "FORM CC".

Consequential
amendment.

8. The enactment mentioned in the first column of the Schedule to this Act shall have effect subject to the amendments specified in relation thereto in the second column of that Schedule.

Transitory
provision.

9. Sections 5 and 6 of this Act shall be deemed to have come into force on the first day of January, 1980.

SCHEDULE

(Section 8)

Enactment	Extent of Amendment
Public Registry Act, Cap. 93.	In subsection (3) of section 24, for the words "or subsection (4) of section 106" there shall be substituted the words "or subsections (4) and (5) of section 106".

Passed by the House of Representatives at Sitting No. 337 of the 16th April, 1986.

DANIEL MICALLEF
Speaker

C. MIFSUD
Clerk to the House of Representatives