

I assent.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

10th July, 2015

ACT No. XIX of 2015

AN ACT to amend the Code of Organization and Civil Procedure, Cap. 12, and to provide for matters ancillary or consequential thereto.

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 Code of Organization and Civil Procedure (Amendment) Act, 2015, and this Act 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. Immediately after article 519G of the Code, there shall be added the following new article:

Addition of new article to the Code.

"Appointment of guardians.

519GA. (1) The Minister responsible for Persons with Disability shall nominate a pool of guardians as he may deem fit, consisting of advocates, legal procurators, social workers and other experts, to perform the duties of guardians.

(2) A list of the members of the pool appointed as aforesaid shall be published in the Gazette.

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(3) The persons appointed under the provisions of this article shall perform their duties in rotation unless the Guardianship Board deems fit to appoint a particular guardian to suit the needs of a particular guardianship application.

(4) The rotation shall be according to the order in which the names of the persons appointed are placed on the rota unless there is some reasonable objection against the person whose turn it is on the rota, in which case the person immediately next on the rota shall be selected and the person objected to as aforesaid shall be entitled to the next turn in regard to which there shall be no objection.

(5) The provisions of articles 519F, 519G, 519H, 519I and 519J relating to functions, duties and responsibilities of guardians shall *mutatis mutandis* apply to the pool of guardians.

(6) In case of misconduct, negligence or any reasonable objection to any guardian selected from the rota to perform the duties of guardian, the Board shall have the power to remove him from the case and to appoint another guardian from the rota in his stead."

Passed by the House of Representatives at Sitting No. 283 of the 1st July, 2015.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

