

I assent.

(L.S.)

AGATHA BARBARA
President

26th April, 1983

ACT No. VI of 1983

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:—

Short title.

1. This Act may be cited as the Civil Code (Amendment) Act, 1983, and shall be read and construed as one with the Civil Code, hereinafter referred to as “the principal law”.

Amendment of
section 1029
of the
principal law.

2. Section 1029 of the principal law shall be amended by the substitution for the words “Any obligation” in subsection (2) thereof, of the words “Saving the provisions of section 1948 and of any other provision of this Code or of any other law, any obligation”.

Amendment of
section 1090
of the
principal law.

3. Section 1090 of the principal law shall be amended as follows:

(a) in subsection (1) thereof for the words “five per cent” there shall be substituted the words “eight per cent”; and

(b) in subsection (2) thereof the words “the interest is computed at the rate of six per cent a year; and” shall be deleted.

Amendment of
section 1182
of the
principal law.

4. In section 1182 of the principal law for the words “in the interest on the sum due at the rate of five per cent per annum, or where the obligation arises from a commercial transaction, at the rate of six per cent per annum” there shall be substituted the words “in the interests on the sum due at the rate of eight per centum per annum”.

5. Subsection (4) of section 1948 of the principal law shall be substituted by the following subsection:

Amendment of
section 1948
of the
principal law.

(4) Where a loan is made by a bank licensed under the Banking Act, 1970, or a loan is raised at any time after July 1st, 1982, by the issue of bonds, debentures or other securities, and a rate of interest higher than eight per centum per annum has been fixed by order made under section 22 of the said Act and applicable to such loan or, with respect to a loan made or raised as aforesaid, a rate of interest higher than eight per centum has been approved by the Minister responsible for finance specifically in respect of that loan, the foregoing provisions of this section shall apply to such loan, to the extent and for such time and subject to such conditions as such higher rate of interest is applicable or approved as aforesaid, as if the rate of interest fixed or approved as aforesaid were the maximum rate of interest chargeable in accordance with subsection (1) of this section.”.

Passed by the House of Representatives at Sitting No. 94 of the 25th April, 1983.

DANIEL MICALLEF
Speaker

C. MIFSUD
Clerk to the House of Representatives