

I assent.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

4th March, 2016

ACT No. XIV of 2016

AN ACT to further amend the Civil Code, Cap. 16.

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. (1) The short title of this Act is the Civil Code (Amendment No. 2) Act, 2016, and this Act shall be read and construed as one with the Civil Code, hereinafter referred to as "the Code".

Short title and
commencement.
Cap.16.

(2) This Act shall come into force on 1st April, 2016.

2. In sub-article (3) of article 495 of the Code, including the provisos thereto, for the words "ten years", wherever they occur, there shall be substituted the words "three years".

Amendment of
article 495 of
the Code.

3. In sub-article (1) of article 495A of the Code, for the words "ten years" there shall be substituted the words "three years".

Amendment of
article 495A of
the Code.

4. Article 495B of the Code shall be substituted by the following:

Substitution of
article 495B of
the Code.

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"Transitory provision in respect of articles 495 and 495A and obligation to register under the Land Registration Act.

495B. (1) The period of three years stipulated in articles 495(3) and 495A(1) shall apply in respect of all co-owned property to which the said sub-articles apply which on or after the 1st April 2016 shall have been held in common by the co-owners thereof for a period of at least three years.

(2) The periods of ten years previously provided for in articles 495(3) and 495A(1) (prior to their amendment) and of five years previously provided for in article 495B (prior to its substitution) respectively and as in force prior to the 1st April 2016 shall no longer apply as from the 1st April 2016.

Cap. 296.

(3) Immovable property transferred on the basis of a court decision given under article 494(1) and not being situated within a land registration area for the purposes of the Land Registration Act shall, notwithstanding the provisions of any other law, be deemed to constitute a land registration area for the purposes of the said Act and it shall be registered in the Land Registry by the Notary who publishes the deed of transfer at the expense of the transferee."

Passed by the House of Representatives at Sitting No. 363 of the 1st March, 2016.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

