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L.N. 93 of 2018

CODE OF ORGANIZATION AND CIVIL PROCEDURE (CAP. 12)

Civil Procedure (Regulation of Registries, Archives and Functions of Director General (Courts) and other Court Executive Officers (Amendment) Regulations, 2018

IN exercise of the powers conferred to him by article 1009A of the Code of Organization and Civil Procedure, the Minister for Justice, Culture and Local Government has made the following regulations:-

Title and commencement.

1. (1) The title of these rules is the Civil Procedure (Regulation of Registries, Archives and Functions of Director General (Courts) and other Court Executive Officers (Amendment) Regulations, 2018 and they shall be read and construed as one with the Civil Procedure (Regulation of Registries, Archives and Functions of Director General (Courts) and Other Court Executive Officers) Regulations, hereinafter referred to as "the principal regulations". S.L. 12.21

(2) These regulations shall come into force on the 9th April, 2018.

Adds new regulations to the principal regulations.

2. Immediately after regulation 6 of the principal regulations there shall be added following new regulations:

"Running of the online mechanism.

6A. (1) There shall be an electronic mechanism by means of which the judicial acts indicated in Schedule annexed with these regulations may be filed online in the courts mentioned in the said Schedule annexed with these regulations.

(2) These regulations shall apply only to those judicial acts indicated in the electronic mechanism mentioned in sub-regulation (1).

(3) Any advocate or legal procurator who wants to file a judicial act, as indicated in these rules, in the civil courts by electronic means, may do so by filing the application online through the appropriate site and paying the fee prescribed by law.

Responsibility of the Registrar and date when acts are deemed filed.

6B. (1) The registrar or persons delegated by him may receive judicial acts mentioned in these regulations filed by electronic means.

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(2) The registrar shall issue a copy of the judicial act filed online and the said copy issued by the registrar shall for all intents and purposes of law be considered as the original.

(3) Judicial acts filed by electronic means shall, for all intents and purposes of law, be deemed as if they have been filed directly in the registry of the same courts:

Provided that when a judicial act is filed by electronic means outside registry opening hours as established by these regulations, such act shall be deemed to have been filed on the first following day of the opening of the said registry.".

Adds new Schedule to the principal regulations.

3. Immediately after regulation 12 of the principal regulations, there shall the added the following new Schedule:

"**Schedule**
(Regulation 6A)

Court	**Judicial Act**
The First Hall of the Civil Court	(i) judicial letters which do not require the administration of the oath by the person filing such act
The Civil Court (Commercial Section)	(i) sworn applications (ii) applications that initiate a contentious procedure.
The Courts of Magistrates (Malta) The Courts of Magistrates (Gozo)	(i) judicial letters which do not require the administration of the oath by the person filing such act (ii) applications that initiate a contentious procedure

".

Repeal of S.L. 12.29 and S.L. 12.30.

4. Filing of Judicial Letters by Electronic Means in the Courts of Malta and Gozo Regulations and the Filing of Applications by Electronic Means in the Court of Magistrates (Malta) and the Court of Magistrates (Gozo) in its inferior jurisdiction Regulations are hereby repealed.

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