Verżjoni Elettronika

L.N. 141 of 2020

LEGAL AND OTHER TIME PERIODS (SUSPENSION AND INTERRUPTION) ACT (CAP. 609)

General Provisions applying to the Suspension of Legal and Judicial Times Regulations, 2020

IN EXERCISE of the powers conferred by article 3 of the Legal and Other Time Periods (Suspension and Interruption) Act, the Minister of justice has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the General Provisions applying to the Suspension of Legal and Judicial Times Regulations, 2020.

(2) These regulations shall be deemed to have come into force on the 2nd April, 2020.

Interpretation.

2. In these regulations, unless the context otherwise requires:

Cap. 609.

"the Act" means the Legal and Other Time Periods (Suspension and Interruption) Act;

"court" shall have the same meaning assigned to it in the Act as may be amended from time to time;

"registered promise of sale agreement" means a promise of sale agreement, registered with the Commissioner of Inland Revenue in terms of law within the period established by law;

"registry" means the registry of any court;

Cap. 465.

"Superintendent" shall have the same meaning as assigned to it in the Public Health Act.

General provision for the suspension of times.
S.L. 465. 19.

3. (1) Following the publication of the Closure of the Courts of Justice Order, the Minister, by virtue of these regulations hereby suspends the running of any time period:

(a) under any substantive or procedural law, including any period of prescription and any peremptory period;

(b) decreed or otherwise ordered by any court, government department, government agency or public authority; and

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(c) established in any agreement (whether a private writing or a public deed), including any time period for the performance of any obligation set out in such agreement, if and to the extent that the closure has a direct effect on the ability of any party to exercise its rights or to perform its obligations in terms of the same agreement.

(2) Any time periods suspended in accordance with paragraphs (a) and (b) of sub-regulation (1) shall remain so suspended until seven (7) days following the lifting of the said order of the Superintendent and shall thereafter continue to run.

(3) Any time period suspended pursuant to paragraph (c) of sub-regulation (1) shall remain suspended until the twentieth (20th) day following the lifting of the said order of the Superintendent and shall thereafter continue to run.

(4) For the avoidance of doubt, but without prejudice to the generality of sub-regulation (1), the suspension in sub-regulation (1) shall apply to each of the following:

(a) the running of all the legal periods imposed on a notary public by law to register any deed, will, act or private writing; or

(b) the running of any period within which a notary public, in terms of any applicable law, must pay taxes collected by him in the exercise of his profession; or

(c) the running of any time period related to fiscal benefits, incentives or exemptions;

(d) the running of any time period within which a notary public is to submit any information or documentation to any authority or regulator pursuant to relevant notarial activity; and

(e) the running of time with respect to the performance of any obligation contained in any deed or private writing, including a registered promise of sale agreement; and the running of time with respect to the expiration of any registered promise of sale agreement.

(5) Any time period suspended pursuant to sub-regulation (4) shall remain suspended for the same period prescribed by sub-regulation (3).

Savings. Cap. 465.

4. The provisions of these regulations are without prejudice to any order made by the Superintendent in terms of the Public Health

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Act and nothing in these regulations shall be interpreted as a limitation or an amendment to any such order. Where these regulations and any order issued by the Superintendent provide for different time limits the longer time limits provided for shall apply.

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