Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 20,504, 23 ta' Ottubru, 2020
Taqsima B

A.L. 405 tal-2020

KODIĊI KRIMINALI
(KAP. 9)

Regolamenti tal-2020 dwar in-Notifika ta' Taħrika tal-Ġurati

BIS-SAĦĦA tas-setgħat mogħtija bis-subartikolu (2) tal-artikolu 362 u tas-subartikolu (4) tal-artikolu 608 tal-Kodiċi Kriminali, il-Ministru għall-Ġustizzja, l-Ugwaljanza u l-Governanza għamel dawn ir-regolamenti li ġejjin:-

Titolu.

1. It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2020 dwar in-Notifika ta' Taħrika tal-Ġurati.

Tifsir.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra:

Kap. 9.

"Kodiċi" tfisser il-Kodici Kriminali;

"Qorti" tfisser il-Qorti Kriminali;

"Reġistratur" tfisser ir-Reġistratur, Qrati u Tribunali Kriminali;

"taħrika" tfisser it-taħrika tal-ġurati li tinħareġ skont l-artikolu 608 tal-Kodiċi.

Notifika bil-posta.

3. In-notifika tat-taħrika għandha, kemm-il darba il-Qorti ma tordnax xort'oħra, issir bil-posta reġistrata, u għandha ssir applikazzjoni għal avviż ta' konsenja meta tiġi impustata.

It-taħrika għandha tingħalaq f'invilopp.

4. It-taħrika li tkun ser tiġi notifikata bil-posta kif imsemmi qabel għandha tingħalaq ġewwa invilopp li jkollu fuqu l-kliem "Taħrika tal-Ġurati" f'post fejn jidher sewwa.

Dmirijiet tal-uffiċjali eżekuturi tal-qrati.

5. Meta n-notifika tkun ser issir bil-posta, l-uffiċjali eżekuturi tal-qrati għandhom:

(a) iħejju d-dokumenti postali meħtieġa għal dik in-notifika, u jippreżentaw l-invilopp relattiv bit-taħrika magħluqa ġewwa fih fl-uffiċċju tal-posta;

(b) jinnotaw f'reġistru miżmum għal hekk, il-partikolarijiet tat-taħrika, id-data tat-taħrika, in-numru mogħti mill-awtoritajiet tal-posta lill-invilopp li fih tkun ġiet magħluqa t-taħrika biex tiġi impustata, u, jekk in-notifika tkun saret, id-data ta' dik in-notifika u d-data meta jiġi lura l-avviż tal-

konsenja;

(ċ) jagħmlu ċertifikat fejn jingħad jekk in-notifika saritx jew le u f'każ li n-notifika ma saritx ir-raġuni għaliex ma saritx. Fiċ-ċertifikat għandhom jidħlu wkoll l-partikolaritajiet tal-persuna notifikata jew tal-persuna li tirrifjuta n-notifika skont il-każ;

(d) jgħarrfu lir-Reġistratur jekk in-notifika tkunx saret jew le, u jekk tkun saret, meta.

L.N. 405 of 2020

CRIMINAL CODE
(CAP. 9)

Service of Summons of Jurors Regulations, 2020

IN EXERCISE of the powers conferred by sub-article (2) of article 362 and sub-article (4) of article 608 of the Criminal Code, the Minister for Justice, Equality and Governance has made the following regulations:-

1. The title of these regulations is the Service of Summons of Jurors Regulations, 2020. Citation.

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

"Code" means the Criminal Code; Cap. 9.

"Court" means the Criminal Court;

"Registrar" means the Registrar, Criminal Courts and Tribunals.

"summons" means the summons of jurors issues in accordance with article 608 of the Code.

3. The service of the summons shall, unless the Court otherwise orders, be made through registered post, and there shall be an application for advice of delivery when it is posted. Service by post.

4. The summons to be served by post as aforementioned shall be enclosed in an envelope upon which the words "Summons of Jurors" shall be written in a clearly visible place. The summons shall be enclosed in an envelope.

5. When the service is to be effected by post, the executive officers of the courts shall: Duties of the executive officers of the courts.

(a) prepare a postal document necessary for that service and present the relative envelope with the summons enclosed inside it in the postal office;

(b) note in a registry specifically held for such purpose, the particulars of the summons, the date of the summons, the number given by the postal authorities to the envelope in which the summons is enclosed for postage, and, if the service would have taken place, the date of such service and the date of return of the advice of delivery;

(c) make a certificate where it is stated whether the summons took place or not, and if the summons did not take place, the reason why it did not take place. In the certificate, there shall also be the particulars of the notified person or the person who refused service depending on the case;

(d) inform the Registrar whether the service took place or not, and if it took place, the date of such service.

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