I assent.

(L.S.) **GEORGE VELLA**
President

1st June, 2021

ACT No. XXVII of 2021

AN ACT to amend the Code of Organization and Civil Procedure, Cap. 12.

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. The short title of this Act is the Code of Organization and Civil Procedure (Amendment) Act, 2021 and this Act shall be read and construed as one with the Code of Organization and Civil Procedure hereinafter referred to as "the Code".

Cap. 12.

Addition of new articles to the Code.

2. Immediately after article 833B of the Code there shall be added the following new articles:

"Filing of precautionary warrant with judicial letter for execution of bills of exchange and promissory notes issued in terms of the Commercial Code.

833C. Where a judicial letter has been filed to render bills of exchange or promissory notes executable in accordance with the proviso to article 253(e) there may be filed the precautionary warrants referred to in article 830(1)(a), (b) and (d):

Provided that, when such letter is filed to render bills of exchange or promissory notes executable in accordance with the proviso to article 253(e), the applicant shall attach a copy of such letter in the acts of the precautionary warrant, and such warrant shall conform with the provisions of Title VI of Book Third of this Code.

Filing of precautionary warrant with judicial letter filed in accordance with article 466.

833D.Where a judicial letter has been filed in accordance with article 466, there may be filed the precautionary warrants referred to in article 830(1)(a), (b) and (d):

Provided that, when such letter is filed in accordance with article 466, the applicant shall attach a copy of such letter in the acts of the precautionary warrant, and such warrant shall conform with the provisions of Title VI of Book Third of this Code.".

Amendment of article 838B of the Code.

3. Sub-article (2) of article 838B of the Code shall be amended by the following:

(a) the words "when in accordance with article 166B such judicial letter constitutes an executive title," shall be substituted by the words "when in accordance with article 166B, article 253(e) and article 466, such judicial letter, bill of exchange or promissory note constitutes an executive title,"; and

(b) paragraph (a) thereof shall be substituted by the following:

"(a) in the case of a warrant issued under article 830(1)(b), (c), (d) and (f), the creditor shall file a note within fifteen (15) days from when the executive title is obtained in the acts of the same warrant and demand an extension or reduction of the effects of the warrant to an amount equivalent to the legal costs, interest and the principal amount due in terms of the executive title obtained, and such note is to be served upon the debtor and such persons as may have any interest therein;".

Passed by the House of Representatives at Sitting No. 464 of the 24th May, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

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