

I assent.

(L.S.)

DOLORES CRISTINA
Acting President

29th October, 2021

ACT No. LXII of 2021

AN ACT to further 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:-

1. The short title of this Act is the Code of Organization and Civil Procedure (Amendment No. 2) 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".

Short title.

Cap. 12.

2. Sub-article (1) of article 381 of the Code shall be amended by the following:

Amendment of article 381 of the Code.

(a) in paragraph (b) thereof, the words "other allowance of any person pensioned by the Government" shall be substituted by the words "a private pension or any other pension, benefit or allowance issued by the Government or other foreign government:

Provided that in the case of private pensions and pensions issued by foreign governments the amount which is not subject to attachment shall not exceed the

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amount established for the highest pension issued by the Government;"; and

(b) in paragraph (h) thereof, the words "and letters of credit." shall be substituted by the words "and letters of credit;" and immediately thereafter there shall be added the following new paragraphs:

"(i) benefits or subsidies issued by the Housing Authority;

(j) bank accounts which are used solely and exclusively to receive therein deposits in accordance with paragraphs (b), (c) and (i). Banks which are indicated as garnishees in a garnishee order shall ensure that these accounts are not affected by the same garnishee order:

Provided that banks are obliged to open, and maintain, bank accounts for the above-mentioned purposes.".

Amendment of
article 382 of
the Code.

3. In sub-article (1) of article 382 of the Code the words "In the case of any salary, wage, benefit, pension or allowance mentioned in article 381(1)(a) and (b) except for any benefit, pension, allowance or assistance mentioned in the Social Security Act" shall be substituted by the words "In the case of any salary or wage mentioned in article 381(1)(a)".

Passed by the House of Representatives at Sitting No. 501 of the 25th October, 2021.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

