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I assent.

(L.S.)**MARIE-LOUISE
COLEIRO PRECA
President**

1st August, 2017

ACT No. XXIII of 2017**Marriage Act and other Laws (Amendment) of 2017**

AN ACT to amend the Marriage Act and various other laws in connection with the introduction of marriage equality and to provide for other matters dealing with it or ancillary thereto.

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:-

ARRANGEMENT OF THE ACT

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Part I
Preliminary

1. (1) The short title of this Act is the Marriage Act and other Laws (Amendment) Act, 2017. Short title and commencement.

(2) This Act shall come into force on such date as the Minister responsible for equality may by notice in the Gazette establish, and different dates may be so established for different purposes and for different provisions of this Act.

Part II
Amendment of the Criminal Code

2. This Part amends the Criminal Code, and it shall be read and construed as one with the Criminal Code, hereinafter in this Part referred to as "the Code". Amendments to the Criminal Code. Cap. 9.

3. In article 62 of the Code for the words "husband or wife" there shall be substituted the word "spouse", and for the words "the father-in-law or mother-in-law, the son-in-law or daughter-in-law" there shall be substituted the words "parents of either spouse, spouses of either child,". Amendment of article 62 of the Code.

4. In article 159 of the Code for the words "wife or husband" there shall be substituted the word "spouse", and for the words "the father-in-law, or mother-in-law, the son-in-law or daughter-in-law" there shall be substituted the words "parents of either spouse, spouses of either child,". Amendment of article 159 of the Code.

5. In article 196 of the Code for the words "husband or wife" there shall be substituted the word "spouse". Amendment of article 196 of the Code.

6. Article 197 of the Code shall be amended as follows: Amendment of article 197 of the Code.

(a) in sub-article (2) thereof, for the words "husband or wife" there shall be substituted the words "one of the spouses";

(b) in sub-article (3) thereof, for the words "the husband or wife" there shall be substituted the words "any one of the spouses"; and

(c) in sub-article (4) thereof, for the words "husband or wife" there shall be substituted the words "spouse".

7. In paragraph (c) of sub-article (1) of article 203 of the Code for the words "the adoptive father or mother" there shall be substituted Amendment of article 203 of the Code.

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the words "any one of the adoptive parents".

Amendment of article 204 of the Code.

8. Article 204 of the Code shall be amended as follows:

(a) in paragraph (c) of sub-article (1) thereof the words "by the adoptive father or mother, by the husband or wife" shall be substituted by the words "by any one of the adoptive parents, by the spouse"; and

(b) in sub-article (2) thereof, for the words "husband or the wife" there shall be substituted the words "spouse".

Amendment of article 208A of the Code.

9. In sub-article (3) of article 208A of the Code for the words "the adoptive father or mother" there shall be substituted the words "any one of the adoptive parents".

Amendment of article 222 of the Code.

10. In paragraph (a) of sub-article (1) of article 222 of the Code for the words "the father, mother" there shall be substituted the words "any one of the parents", for the words "the husband or wife" there shall be substituted the words "any one of the spouses" and for the words "the natural father or mother" there shall be substituted the words "any one of the natural parents".

Amendment of article 255 of the Code.

11. In the proviso to article 255 of the Code for the words "husband or wife" there shall be substituted the words "spouse".

Amendment of article 331 of the Code.

12. In article 331 of the Code for the words "the husband or wife" there shall be substituted the words "any one of the spouses".

Amendment of article 374 of the Code.

13. In paragraph (b) of article 374 of the Code for the words "husband or wife" there shall be substituted the words "spouse".

Amendment of article 391 of the Code.

14. In sub-article (1) of article 391 of the Code for the words "the name of his father" there shall be substituted the words "the name and surname of the parents".

Amendment of article 392 of the Code.

15. In paragraph (a) of sub-article (1) of article 392 of the Code for the words "the name and surname of his father and whether his father is alive or dead" there shall be substituted the words "the name and surname of his parents and whether his parents are alive or dead".

Amendment of article 452 of the Code.

16. In sub-article (5) of article 452 of the Code for the words "husband or wife" there shall be substituted the word "spouse".

Amendment of article 506 of the Code.

17. In paragraph (c) of article 506 of the Code for the words "husband or wife" there shall be substituted the words "spouse", wherever they occur.

Part III

Amendment of the Code of Organization and Civil Procedure

18. This Part amends the Code of Organization and Civil Procedure, and it shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter in this Part referred to as "the Code".

Amendments to the Code of Organization and Civil Procedure. Cap. 12.

19. Sub-article (1) of article 180 of the Code shall be amended as follows:

Amendment of article 180 of the Code.

(a) in the Maltese version of paragraph (a) thereof the word "l-missier" shall be substituted by the word "l-ġenitur"; and

(b) in paragraph (d) thereof the words "father-in-law, mother-in-law, son-in-law, daughter-in-law, husband or wife," shall be substituted by the words "any one of the parents of his spouse, any one of the spouses of his children, spouse,".

20. Article 287 of the Code shall be amended as follows:

Amendment of article 287 of the Code.

(a) in paragraph (b) thereof, for the words "husband or wife" there shall be substituted the word "spouse"; and

(b) in paragraph (c) thereof for the words "the father or mother" there shall be substituted the words "any one of the parents" and the words "his father-in-law or mother-in-law or her husband or his son-in-law or daughter-in-law" shall be substituted by the words "any one of the parents of his spouse or any one of the spouses of his children".

21. Article 293 of the Code shall be amended as follows:

Amendment of article 293 of the Code.

(a) in paragraph (b) thereof, for the words "of his wife or of his children" there shall be substituted the words "of the debtor's spouse or of the debtor's children"; and

(b) in paragraph (d) thereof, for the words "of his wife or of his children" there shall be substituted the words "of the debtor's spouse or of the debtor's children".

22. In sub-article (2) of article 388 of the Code for the words "a husband to live with his wife or vice versa" there shall be substituted the words "any one of the spouses to live with the other spouse".

Amendment of article 388 of the Code.

23. In paragraph (a) of article 521 of the Code for the words "a husband against his wife, or by a wife against her husband" there shall

Amendment of article 521 of the Code.

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be substituted the words "any one of the spouses against the other spouse".

Amendment of article 527 of the Code.

24. In sub-article (4) of article 527 of the Code or the words "father's name" there shall be substituted the words "parents' name, and surname at birth and after marriage".

Amendment of article 529 of the Code.

25. In paragraph (b) of article 529 of the Code for the words "name of the father" there shall be substituted the words "name, and surname at birth and after marriage of the parents".

Amendment of article 745 of the Code.

26. Paragraph (d) of article 745 of the Code shall be deleted and paragraphs (e) to (h) shall be re-numbered as paragraphs (d) to (g) respectively.

Amendment of article 968 of the Code.

27. In sub-article (2) of article 968 of the Code for the words "husband and wife" there shall be substituted the word "spouses".

Part IV

Amendment of the Civil Code

Amendments to the Civil Code. Cap. 16.

28. This Part amends the Civil Code, and it shall be read and construed as one with the Civil Code, hereinafter in this Part referred to as "the Code".

Amendment of article 4 of the Code.

29. (a) In sub-article (1) of article 4 of the Code, for the words "of her predeceased spouse." there shall be substituted the words "of her predeceased spouse:" and immediately thereafter there shall be added the following proviso:

"Provided that for the purposes of this article "maiden surname" shall include the surname of the spouse at the time of marriage even if that surname was not the surname of that spouse at birth and the spouse may also elect to retain the said surname.";

(b) immediately after sub-article (12) of article 4 of the Code there shall be added the following new sub-articles:

"(13) Spouses married after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, may, when applying for the publication of the banns, elect to:

(a) adopt for both of them the surname of either one of the parties to the marriage; or

(b) adopt for both of them the surnames of both parties in the order of their choice:

Provided that the combination of the spouses' surnames shall not result in a surname which is longer than the combination of four surnames:

Provided further that when the surname of any one or both of the spouses already has a combination of two or more surnames, the order of the surname of that spouse shall be retained, and the spouses shall not change such order and, or drop any part of their own surname; or

- (c) retain their own surname:

Provided that if no choice is expressed in accordance with this sub-article, the spouses shall retain their own surnames.

(14) Without prejudice to the provisions of sub-article (13), where the spouses choose to change their surnames in accordance with sub-article (13)(a) or (b), such choice shall also become the Family Name, which shall be included in the Act of Marriage.

(15) Without prejudice to the provisions of sub-article (13), where the spouses choose to retain their surnames in accordance with sub-article (13)(c), or where no choice is expressed, the parties shall determine their Family Name in accordance with the provisions of sub-article (13)(a) or (b), which shall be included in the Act of Marriage.

(16) The Family Name chosen by the parties shall be the surname which shall be adopted by any future children of the parties.

(17) Sub-articles (13) to (16), both inclusive, shall apply only to marriages contracted after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017."

30. In article 33 of the Code the words "wife or husband" shall be substituted by the word "spouse".

Amendment of article 33 of the Code.

31. Article 62 of the Code shall be amended as follows:

Amendment of article 62 of the Code.

(a) the marginal note thereof shall be substituted by the following:

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"Surname of spouses after separation.";

(b) immediately after sub-article (2) thereof, there shall be added the following new sub-articles:

"(3) Upon separation, spouses who have contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017 may choose to revert to their surname at birth or to the surname of the predeceased spouse.

(4) In the case of a consensual separation, a declaration of such choice shall be made in the public deed of separation, and in the case of a judicial separation, by a note filed in the records of the case before final judgment.

(5) The Court may also, at the request of any one of the spouses which may be made at any time before judgment, prohibit the other spouse from continuing to use the surname of the other spouse after separation, where such use may cause grave prejudice to the spouse making the request."

Amendment of article 62A of the Code.

32. In article 62A of the Code the word "wife" shall be substituted by the word "spouses".

Amendment of article 67 of the Code.

33. In article 67 of the Code the words "mother's husband" shall be substituted by the word "spouses".

Substitution of article 69 of the Code.

34. Article 69 of the Code shall be substituted as follows:

"When spouse may not repudiate child.

69. The spouse who has not given birth cannot repudiate a child born before the lapse of one hundred and eighty days after the marriage in any of the following cases:

(a) if, before the marriage, such spouse was aware of the pregnancy;

(b) if such spouse has made the declaration required for the drawing up of the act of birth, acknowledging oneself to be the parent of the child;

(c) if the child be declared not viable."

35. Article 70 of the Code shall be substituted by the following:

Substitution of
article 70 of the
Code.

"When spouse
may repudiate
child.

70. (1) Any spouse, except for the spouse who gave birth to the child, may bring an action to repudiate a child born in wedlock:

(a) if such spouse proves that during the time from the three hundredth day to the one-hundred-and-eightieth day before the birth of the child, such spouse was in the physical impossibility of cohabiting with the spouse who gave birth on account of being away from the said spouse, or some other accident; or

(b) if such spouse proves that during the said time such spouse was *de facto* or legally separated from the spouse who gave birth:

Provided that such spouse may not repudiate the child if there has been, during that time, a reunion, even if temporary between the spouses; or

(c) if such spouse proves that during the said time such spouse was afflicted by impotency, even if such impotency was only an impotency to generate; or

(d) if such spouse proves that during the said time the spouse who gave birth had committed adultery or that, that spouse had concealed the pregnancy and the birth of the child; or

(e) if such spouse produces evidence of any other fact which may also be genetic and scientific tests and data that tends to exclude such parenthood.

(2) The declaration of the spouse who gave birth to the effect that the other spouse is not the natural parent of the child shall be given consideration in an action regarding the exclusion of the other spouse as parent.

(3) When the action referred to in the sub-article (1) is brought, the Civil Court (Family Section) may require any of the spouses, the child, and the alleged natural parent, as appropriate, to consent to a genetic test of parentage, and to acquiesce to the taking of a genetic sample appropriate for the test, which sample must be taken according to the current provisions of the law:

Provided that where the said consent is not given by the parties, the Civil Court (Family Section) must substitute that consent that has not been given and order acquiescence in the taking of a sample.

(4) In the absence of genetic and scientific evidence, the Civil Court (Family Section) may consider any other evidence presented which it deems to be relevant, including the drawing of inferences from the fact that a person did not provide a genetic sample, despite being ordered to do so.

(5) The Civil Court (Family Section) shall dismiss the application if and as long as the clarification of the natural parentage would result in a considerable adverse effect on the best interests of the minor child, which would be unreasonable for the child, even taking into account the concerns of the person entitled to bring the action.

(6) A person who has consented to a genetic test of parentage and has given a genetic sample may require the person entitled to bring the action who has had a parentage test made, to permit inspection of the genetic test of parentage report or to provide a copy. The Civil Court (Family Section) shall decide disputes arising from the claim under sub-article (1).

(7) The action mentioned in this article shall be decided by virtue of a decree, which decree may be appealed according to the procedure contemplated in article 229(2) of the Code of Organization and Civil Procedure.

(8) Without prejudice to the provisions of the second proviso of article 73, if in its judgment the Civil Court (Family Section) declares that the spouse is not the natural parent of the child, it shall have effect to change the child's surname and that of his descendants to reflect the surname of the other spouse only, unless the Court, having regard to all the relevant circumstances, provides otherwise in its judgment."

36. Article 70A of the Code shall be substituted by the following:

Substitution of article 70A of the Code.

"Natural parentage.

70A. (1) Whenever the clarification of natural parentage of a child is required:

(a) the spouse may require the spouse who gave birth and the child;

(b) the spouse who gave birth may require the spouse and the child;

(c) the child may require both parents; and

(d) the alleged natural parent may require both spouses and the child,

to consent to a genetic test of parentage and to acquiesce to the taking of a genetic sample appropriate for the test, which sample must then be taken according to the then current provisions of the law.

(2) On the application, mentioned in sub-article (1), of a person entitled to clarify, the Civil Court (Family Section) may require any of the spouses, the child, and the alleged natural parent, as appropriate, to consent to a genetic test of parentage, and to acquiesce to the taking of a genetic sample appropriate for the test, which sample must be taken according to the current provisions of the law:

Provided that where the said consent is not given by the parties, the Civil Court (Family Section) must substitute that consent that has not been given and order acquiescence in the taking of a sample.

(3) In the absence of genetic and scientific evidence, the Civil Court (Family Section) may consider any other evidence presented which it deems to be relevant, including the drawing of inferences from the fact that a person did not provide a genetic sample, despite being ordered to do so.

(4) The Civil Court (Family Section) shall dismiss the application if and as long as the clarification of the natural parentage would result in a considerable adverse effect on the best interests of the minor child, which would be unreasonable for the child, even taking into account the concerns of the person entitled to bring the action.

(5) A person who has consented to a genetic test of parentage and has given a genetic sample may require the person entitled to bring the action who has had a parentage test made, to permit inspection of the genetic test of parentage report or to provide a copy. The Civil Court (Family Section) shall decide disputes arising from the claim under sub-article (1).

(6) The action mentioned in sub-article (1) shall be decided by virtue of a decree, which decree may be appealed according to the procedure contemplated in article 229(2) of the Code of Organization and Civil Procedure."

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Substitution of article 73 of the Code.

37. Article 73 of the Code shall be substituted by the following:

"Time within which to bring action for disavowal of child.

73. Where it is competent for the spouses to bring an action to disown a child, they must bring such action:

(a) within 6 months from the day of birth, if the spouse was then in Malta;

(b) within 6 months of his return to Malta, if the spouse was absent at the time of the birth;

(c) within 6 months of the discovery of the fraud, if the birth was concealed:

Provided that, without prejudice to the provisions of article 70(4), the Family Court may, upon an application of any one of the spouses and, if possible, after having heard all the parties interested, and after having considered the rights of the applicant and of the child, at any time authorise the applicant to institute an action to disown a child born in wedlock to the other spouse:

Provided further that where an action to disown a child is instituted by one of the spouses after the lapse of the periods stipulated in paragraphs (a), (b) or (c) in accordance with the first proviso to this article, any judgment whereby the child is disowned shall not have the effect of changing the surname of the child or of any other person who took his surname from the child unless the court, upon the demand of any of the parties made either in the sworn application whereby the action is commenced or in a separate application made during the action, provides otherwise."

38. Article 74 of the Code shall be amended as follows:

Amendment of article 74 of the Code.

(a) in the marginal note thereof, the word "husband" shall be substituted by the words "any one of the spouses"; and

(b) the words "the husband" shall be substituted by the words "any one of the spouses".

39. In sub-article (2) of article 75 of the Code the words "mother" shall be substituted by the words "other spouse".

Amendment of article 75 of the Code.

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Substitution of article 77A of the Code.

40. Article 77A of the Code shall be substituted by the following:

"Application for declaration of parenthood.

77A. Without prejudice to the provisions of article 81, any person claiming to be the natural parent of a child born in wedlock, or that person's heirs if the person was deceased before the child is born, may proceed by sworn application before the competent court against the spouses and child, or their respective heirs if anyone of them is deceased, in order to be declared as the natural parent of the child, and only if that person produces evidence that during the time from the three-hundredth day to the one-hundred-and-eightieth day before the birth of the child, the spouse who gave birth had committed adultery with that person and furthermore produces evidence of any other fact which may also be genetic and scientific tests and data that tends to exclude one of the spouses as the natural parent of the child."

Substitution of article 77B of the Code.

41. Article 77B of the Code shall be substituted by the following:

"Demand may also be exercised by the spouse who gave birth.

77B. A judicial demand for a declaration of parenthood as mentioned in the previous article may also be exercised by the parent who gave birth by sworn application before the competent court against the other spouse, the natural parent and the child born in wedlock, provided that the applicant produces evidence that during the time from the three-hundredth day to the one-hundred-and-eightieth day before the birth of the child that parent had committed adultery with the person who the said parent is demanding to be declared as the natural parent and furthermore produces evidence of any other fact which may also be genetic and scientific tests and data that tends to indicate that person as the natural parent of the child."

Substitution of article 77C of the Code.

42. Article 77C of the Code shall be substituted by the following:

"Sworn application filed within six months from the birth of the child.

77C. In the cases referred to in articles 77, 77A and 77B the person claiming to be the natural parent of the child born in wedlock, or the spouse who gave birth as the case may be, may proceed with the action for the declaration of parenthood if their sworn application is filed within six months from the birth of the child:

Provided that the Civil Court (Family Section) may, after the sworn application of the person claiming to be the natural parent of the child born in wedlock or the spouse who gave birth and, if possible after having heard all the parties interested, and after having considered the rights of the plaintiff and the child, at any time authorise the person claiming to be the natural parent of the child born in wedlock, or the spouse who gave birth to institute an action for the declaration of parenthood as mentioned in articles 77A and 77B:

Provided further that, when the filiation of a person has been declared by the court, any person who in consequence of such declaration is to assume a surname other than the surname used by such person before such declaration, or his legitimate representative, may request the competent court by application against the Director of the Public Registry to be allowed to continue to use such other surname, and the court if it is satisfied that third parties will not be prejudiced thereby and, where the application has been done on behalf of the minor, that such use shall be in the best interest of the minor, shall accede to such request and order the Director to make an annotation of its decision on the relevant act of birth of the person whose filiation has been so declared."

43. Article 80 of the Code shall be amended as follows:

Amendment of article 80 of the Code.

(a) in paragraph (a) of sub-article (2) thereof immediately before the words "that the individual" there shall be added the words "in the case of spouses who have contracted marriage before the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017";

(b) paragraphs (b), (c) and (d) of sub-article (2) thereof shall be renumbered as paragraphs (c), (d) and (e) respectively and immediately after paragraph (a) there shall be added the following new paragraph:

"(b) in the case of children born to spouses who have contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, that the individual has always borne the Family Name of the spouses of whom he claims to be the child;"; and

(c) paragraph (c) in sub-article (2) thereof as renumbered

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shall be substituted by the following:

"(c) that the parents have treated the child as their own, and have, as such, provided for the child's maintenance, education, and establishment in life;"

Amendment of
article 83 of the
Code.

44. Article 83 of the Code shall be amended as follows:

(a) for the word "woman" there shall be substituted the words "person that";

(b) for the words "to be his mother" there shall be substituted the words "has given birth to him";

(c) for the words "the maternity" there shall be substituted the words "this"; and

(d) for the words "mother's husband" there shall be substituted the words "other spouse".

Amendment of
article 110 of
the Code.

45. In article 110 of the Code the words "which may be added the surname of the mother." shall be substituted by the words "which may be added the surname of the mother:" and immediately thereafter there shall be added the following new proviso:

"Provided that in the case of children born to spouses who have contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, the surname to be adopted by the child presumed to have been conceived or born in wedlock shall be the Family Name adopted by the spouses in terms of article 4."

Amendment of
article 115 of
the Code.

46. Article 115 of the Code shall be amended as follows:

(a) in paragraph (b) of sub-article (1) thereof, for the words "mother or father" there shall be substituted the words "natural parent";

(b) in sub-paragraph (i) of paragraph (a) of sub-article (2) thereof, for the words "mother or father" there shall be substituted the word "natural parent";

(c) in paragraph (b) of sub-article (3) thereof, for the words "mother if she" there shall be substituted the words "person who gave birth to the child if such person"; and

(d) in paragraph (b) of sub-article (4) thereof, for the words "natural father if he" there shall be substituted the words "the parent who has not given birth to the child if such person".

47. Immediately after the first proviso to article 124 of the Code there shall be added the following new proviso: Amendment of article 124 of the Code.

"Provided further that when the adoption decree is made in favour of two spouses who contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, then the person in respect of whom the adoption decree is made shall assume the Family Name of the spouses:".

48. In sub-article (1) of article 126 of the Code the words "his father or mother" shall be substituted by the words "any one of his parents" and the words "father and mother" shall be substituted by the word "parents". Amendment of article 126 of the Code.

49. In paragraph (c) of sub-article (2) of article 128A of the Code for the words "the father, mother, curator or tutor" there shall be substituted the words "any one of the parents, the curator or the tutor". Amendment of article 128A of the Code.

50. In sub-article (1) of article 170 of the Code for the words "a husband" there shall be substituted the words "any one of the spouses" and for the word "wife" there shall be substituted the words "surviving spouse". Amendment of article 170 of the Code.

51. In paragraph (c) of sub-article (3) of article 251 of the Code for the words "to the husband shall be stated in the act of birth next to the name and surname of the mother by using the words "wife of the said" " there shall be substituted the words "contracted between the spouses shall be stated in the act of birth next to the name and surname of the parents by using the words "spouse of the said" ". Amendment of article 251 of the Code.

52. In sub-article (2) of article 253 of the Code, immediately after the words "in substitution of the name or names appearing on the relative act of birth", there shall be added the words "or an entry in the Adoption Persons Register". Amendment of article 253 of the Code.

53. Article 257 of the Code shall be amended as follows: Amendment of article 257 of the Code.

(a) sub-article (1) thereof, shall be substituted by the following:

"257. (1) Notwithstanding the provisions of articles 253 to 256, both included:

(a) the correction of a registration consisting in the rectification of the erroneous indication of any one or more of the particulars specified, in respect of each act, in Part III of the First Schedule to this Code, may also be effected upon an order made in writing by the retired Judge or retired Magistrate or retired advocate of the Court of

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Revision of Notarial Acts; and

(b) where the registration of a person as a citizen of Malta is made or is to be made on the basis of the name and, or surname shown on the act of birth of that person and such registration may give rise to the creation of a double identity or to lack of clarity regarding the identity of the said person due to the fact that the said person would not still be registered by the said name and, or surname in the official documents of another country, the retired Judge, the retired Magistrate or the retired advocate of the Court of Revision of Notarial Acts shall have the power upon the application of the person who shall have become or who envisages that he shall become a citizen of Malta or of the Director of the Public Registry, to order that the necessary annotations be made on the act of birth of the said person when the said act of birth is registered in the Public Registry for the purpose of making the said changes in the name and, or surname known and for the avoidance of creating the possibility of double identity or of lack of clarity regarding the identity as aforesaid."; and

(b) in sub-article (8) thereof, immediately after the words "Any correction" there shall be added the words "or annotation".

Amendment of article 272 of the Code.

54. In article 272 of the Code, the words "father and mother" shall be substituted by the word "parents".

Amendment of article 275 of the Code.

55. Article 275 of the Code shall be amended as follows:

(a) in the marginal note thereof, for the words "the father or the mother" there shall be substituted the words "any one of the parents"; and

(b) the words "the father or the mother" shall be substituted by the words "any one of the parents", wherever they occur.

Amendment of article 276 of the Code.

56. In article 276 of the Code the words "the father or the mother" shall be substituted by the words "by any one of the parents" and the words "the father or the mother" shall be substituted by the words "any one of the parents".

Amendment of article 277 of the Code

57. In article 277 of the Code the words "father or mother" in the marginal note thereto shall be substituted by the words "any one of the parents", and the words "the father or mother", wherever they occur, shall be substituted by the words "any one of the parents".

58. Article 278 of the Code shall be amended as follows:

Amendment of
article 278 of
the Code.

(a) in paragraph (e) thereof, for the words "father or fathers of the child, the mother or mothers" there shall be substituted the word "parents of the child";

(b) in paragraph (e) sub-paragraph (i) thereof, for the words "to the husband shall be stated in the act of birth next to the name and surname of the mother by using the words "wife of the said"" there shall be substituted the words "contracted between the spouses shall be stated in the act of birth next to the name and surname of the person who gave birth by using the words "spouse of the said" ";

(c) in paragraph (e) sub-paragraph (ii) thereof, for the word "mother", there shall be substituted the word "person who gave birth" wherever it occurs;

(d) in paragraph (e) sub-paragraph (iii) thereof, for the word "mother", there shall be substituted the word "person who gave birth"; and

(e) in paragraph (f) thereof, for the word "father" there shall be substituted the word "parents" wherever it occurs, and for the words "he is" there shall be substituted the words "they are".

59. In sub-article (2) of article 278A of the Code, immediately after the words "to make an annotation in his act of birth" there shall be added the words "or in the Adopted Persons Register".

Amendment of
article 278A of
the Code.

60. Article 280 of the Code shall be amended as follows:

Amendment of
article 280 of
the Code.

(a) the marginal note thereto shall be substituted by the following:

"When the person who gave birth to the child is married.";

(b) sub-article (1) thereof shall be amended as follows:

(i) for the words "a child is born of a married woman" there shall be substituted the words "the person who gave birth to the child is married";

(ii) for the words "her husband" there shall be substituted the words "the other spouse"; and

(iii) for the words "the father" there shall be

substituted the word "parent"; and

(c) sub-article (2) thereof shall be amended as follows:

(i) in paragraph (a) thereof for the words "the husband" there shall be substituted the words "the other spouse"; and

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

"(b) if one of the spouses had, during the whole of the said period, lived legally separated from the other spouse; or"; and

(iii) in paragraph (c) thereof, for the words "the husband and the woman" there shall be substituted the words "the spouses".

Substitution of article 281 of the Code.

61. Article 281 of the Code shall be substituted by the following:

"Particulars respecting the person who gave birth to a child conceived and born out of wedlock.

281. (1) In the case of a child conceived and born out of wedlock, where notice of the birth of such child or the declaration of the particulars concerning the birth of such child has not been given or made by the person who gave birth to such child, or by either of such person's parents, or siblings, the said officer shall, at least two days before entering in the act the particulars relating to the person who gave birth to the child, give notice to the person who shall have been indicated to him as the person who gave birth to the child, or to either of such person's parents; and if, within the said two days, it shall be denied that such person is the person who gave birth to the child, the officer shall make a report thereof to the retired Judge or retired Magistrate or retired advocate of the Court of Revision of Notarial Acts, who, after examining on oath such person and any other person whom he believes to be able to give correct information, shall, if satisfied that such person is the person who gave birth to the child, order that such person's name, together with such other particulars as are required under the provisions of the foregoing articles, be entered in the act of birth, and that the depositions taken be delivered, in original, to the Director together with the act.

(2) In the case of a child conceived and born out of wedlock notice of whose birth has not been given, and the person who gave birth to the child and such person's parents are dead or cannot be found, notice of the birth may at any time be given to the said officer by any person bound to give such notice as heretofore, or by any person having an interest or by the child or its lawful representative and the said officer shall make a report thereon to the retired Judge or retired Magistrate or retired advocate of the Court of Revision of Notarial Acts who shall cause a notice in the Form BB in Part II of the First Schedule to be published in the Gazette, calling upon any party interested to declare, within fifteen days from the publication of that notice, by means of a note, that he desires to contest such registration, and on the expiration of such period and after examining on oath any person whom he believes to be able to give correct information, whether such person shall have filed a note or otherwise, and following the examination of any documentary evidence that may be produced, shall, if satisfied that the person who gave birth to the child has been established, order that the name and surname of the person who gave birth to the child, together with such other particulars as are required under the provisions of the foregoing articles, be entered in the act of birth, and that the depositions taken be delivered, in original, to the Director together with the act.

(3) In any case referred to in sub-articles (1) and (2) the act of birth shall be countersigned by the said retired Judge or retired Magistrate or retired advocate."

62. Article 286 of the Code shall be amended as follows:

Amendment of
article 286 of
the Code.

(a) the marginal note thereto shall be substituted by the following:

"Duty of the parent who did not give birth, or, in default, of the parent who gave birth."; and

(b) in sub-article (1), for the words "the father, or in his default, the mother of" there shall be substituted the words "the parent who did not give birth, or, in default, of the parent who gave birth to" and for the words "his or her" there shall be substituted the word "their" and for the words "place of residence of the father, or, in his default, of the mother of the child" there shall be

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substituted the words "place of residence of the parent who did not give birth, or, in default, of the parent who gave birth to the child".

Amendment of article 293 of the Code.

63. Paragraph (d) of article 293 of the Code shall be substituted by the following:

"(d) the name and surname at birth and after marriage of the parents of the parties;"

Amendment of article 295 of the Code.

64. Immediately after sub-article (3) of article 295 of the Code there shall be added the following new sub-article:

"(4) In respect of a marriage contracted after the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, the Director shall also enter, by means of a note in the margin of the act of marriage any revision to their surname at birth or to the surname of their previous marriage or any prohibition of use of the surname of the other spouse referred to:

(a) in a note of personal separation between the spouses enrolled in accordance with article 62A, and a reference to the date and place of marriage shall be made in any such note of enrolment; or

(b) in a judgment or decree of divorce registered in accordance with article 66A(4)."

Amendment of article 592 of the Code.

65. In sub-article (1) of article 592 of the Code for the words "husband and wife" there shall be substituted the words "the spouses".

Amendment of article 593 of the Code.

66. Article 593 of the Code shall be amended as follows:

(a) in the marginal note of the Maltese version, for the words "r-raġel jew il-mara" there shall be substituted the words "l-konjuġi";

(b) in sub-article (1) the words "he or she" shall be substituted by the words "such person".

Amendment of article 594 of the Code.

67. In the Maltese version of article 594 of the Code, the words "ir-raġel jew il-mara" shall be substituted by the words "il-konjuġi".

Amendment of article 595 of the Code.

68. In the marginal note of article 595 of the Code, the words "husband and wife" shall be substituted by the words "the spouses", in the text of the article, for the words "a husband and wife" there shall be substituted the words "the spouses" and in the proviso thereof, for the words "husband and wife" there shall be substituted the word "spouses".

- 69.** In article 613 of the Code for the words "The father, the mother" there shall be substituted the words "Any one of the parents"; and for the words "husband or wife" there shall be substituted the word "spouse".
Amendment of article 613 of the Code.
- 70.** In sub-article (2) of article 681 of the Code for the words "the father, the mother" there shall be substituted the words "any one of the parents".
Amendment of article 681 of the Code.
- 71.** Article 752 of the Code shall be amended as follows:
Amendment of article 752 of the Code.
- (a) in sub-article (1) thereof, for the words "the father, the mother" there shall be substituted the words "any one of the parents"; and
- (b) in sub-article (3) thereof, for the words "the father, the mother" there shall be substituted the words "any one of the parents".
- 72.** In sub-article (1) of article 811 of the Code for the words "father and mother" there shall be substituted the word "parents".
Amendment of article 811 of the Code.
- 73.** In article 953 of the Code for the words "the father, the mother" there shall be substituted the words "any one of the parents".
Amendment of article 953 of the Code.
- 74.** In article 980 of the Code for the words "the father, mother" there shall be substituted the words "any one of the parents" and the words "the husband" shall be substituted by the words "one's spouse".
Amendment of article 980 of the Code.
- 75.** Article 1320 of the Code shall be amended as follows:
Amendment of article 1320 of the Code.
- (a) in paragraph (b) thereof, for the words "the husband or wife" there shall be substituted the words "any one of the spouses"; and
- (b) in paragraph (c) thereof, for the words "the father or of the mother" there shall be substituted the words "any one of their parents".
- 76.** Article 1366 of the Code shall be amended as follows:
Amendment of article 1366 of the Code.
- (a) in the marginal note thereto, the words "husband and wife" shall be substituted by the word "spouses";
- (b) for the words "husband and wife" there shall be substituted the word "spouses"; and
- (c) in paragraph (a), for the words "the wife assigns property to her husband in payment of a sum which she owes to

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him in respect of her dowry" there shall be substituted the words "the spouse assigns property to the other spouse in payment of a sum owed to that spouse in respect of a dowry";

(d) in the Maltese version of paragraph (b), the words "li r-raġel jagħmel lill-mara, jew li l-mara tagħmel lir-raġel" shall be substituted with the words "li l-konjuġi jagħmlu lil xulxin".

Amendment of article 1367 of the Code.

77. In the Maltese version, in the marginal note of article 1367 of the Code, for the words "tar-raġel jew tal-mara" there shall be substituted the words "tal-konjuġi", and in article 1367, for the words "lir-raġel u lill-mara" there shall be substituted the words "il-konjuġi".

Amendment of article 1501 of the Code.

78. Article 1501 of the Code shall be amended as follows:

(a) in sub-paragraph (i) of paragraph (c) of sub-article (7) thereof, for the words "father's name and his mother's name and maiden surname" there shall be substituted the words "parent's name, and their surname at birth and after marriage"; and

(b) in sub-paragraph (ii) of paragraph (c) of sub-article (7) thereof, for the words "father's name and his mother's name and maiden surname" there shall be substituted the words "parent's name, and their surname at birth and after marriage".

Amendment of article 1531F of the Code.

79. Article 1531F of the Code shall be amended as follows:

(a) In article 1531F, for the words "his or her" there shall be inserted the words "that person's";

(b) in the proviso to paragraph (i) thereof, for the words "wife, husband" there shall be substituted the word "spouse";

(c) in paragraph (ii) thereof, for the words "her husband or his wife" there shall be substituted the words "such person's spouse";

(d) in the proviso to paragraph (ii) thereof, for the words "wife, husband" there shall be substituted the word "spouse"; and

(e) in paragraph (iv) thereof, for the words "wife, husband" there shall be substituted the word "spouse".

Amendment of article 1531I of the Code.

80. In article 1531I of the Code, for the words "husband or wife" there shall be substituted the word "spouse".

Amendment of article 1614 of the Code.

81. In the proviso to sub-article (3) of article 1614 of the Code for the words "the wife or husband" there shall be substituted the words

"any one of the spouses".

82. In article 1751 of the Code for the words "The father, the mother" there shall be substituted the word "Any one of the parents".

Amendment of article 1751 of the Code.

83. In sub-article (1) of article 1758 of the Code for the words "his father or the mother" there shall be substituted the words "any one of his parents" and the words "any of his paternal or maternal" shall be substituted by the word "his".

Amendment of article 1758 of the Code.

84. In article 1759 of the Code the words "father and mother" shall be substituted by the word "parents".

Amendment of article 1759 of the Code.

85. In the marginal note of article 1767 of the Code the words "husband and wife" shall be substituted by the word "spouses" and the words "husband and wife" shall be substituted by the word "spouses".

Amendment of article 1767 of the Code.

86. Article 1810 of the Code shall be amended as follows:

Amendment of article 1810 of the Code.

(a) in the marginal note thereto, for the words "husband and wife," there shall be substituted the word "spouses."

(b) in sub-article (1) thereof, for the words "the husband to the wife, or by the wife to the husband," there shall be substituted the words "one of the spouses to the other spouse"; and

(c) in sub-article (2) thereof, for the words "a husband may make to his wife or a wife to her husband" there shall be substituted the words "one of the spouses may make to the other spouse".

87. In article 1913 of the Code for the word "husband" there shall be substituted the word "spouse", wherever it occurs.

Amendment of article 1913 of the Code.

88. Article 2042 of the Code shall be amended as follows:

Amendment of article 2042 of the Code.

(a) in paragraph (a) thereof, for the words "the name of his father" there shall be substituted the words "his parents name, and their surname at birth and after marriage"; and

(b) in paragraph (b) thereof, for the words "father's name, his mother's name and maiden name" there shall be substituted the words "parents name, and their surname at birth and after marriage".

89. Sub-article (2) of article 2124 of the Code shall be substituted by the following:

Amendment of article 2124 of the Code.

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"(2) Nor does it run, during the continuance of marriage, against any one of the spouses, in any case in which the action competent to such spouse, if exercised, would vest the defendant with a right of relief against the other spouse."

Amendment of the First Schedule of the Code.

90. The Forms C, D, H, I, K and L in Part II of the First Schedule to the Code shall be substituted by the Forms listed in the Schedule to this Act.

Amendment of the First Schedule to the Civil Code.

91. The title of Form V contained in Part II of the First Schedule to the Civil Code, shall be substituted by the following:

"DECLARATION BY A PERSON REQUESTING MINOR ALTERATION ON THE NAME IN THE ACT OF BIRTH OR FORM OF ENTRY IN ADOPTED PERSONS REGISTER".

Part V

Amendment of the Interpretation Act

Amendments to the Interpretation Act. Cap. 249.

92. This Part amends the Interpretation Act, and it shall be read and construed as one with the Interpretation Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 4 of the principal Act.

93. Article 4 of the principal Act shall be amended as follows:

(a) paragraphs (c) and (d) thereof shall be renumbered as paragraphs (d) and (e) respectively;

(b) in paragraph (b) thereof, immediately after the word "females" there shall be added the words "and words importing the female gender shall include males;"; and

(c) immediately after paragraph (b) thereof there shall be added the following new paragraph:

"(c) the words "spouse" and "husband and wife" shall be construed as referring to a spouse of either sex who has contracted marriage in accordance with the Marriage Act;"

Part VI

Amendment of the Marriage Act

Amendments to the Marriage Act. Cap. 255.

94. This Part amends the Marriage Act, and it shall be read and construed as one with the Marriage Act, hereinafter in this Part referred to as "the principal Act".

95. In the definition of the word "Registrar" in article 2 of the principal Act, immediately after the words "of a Local Council" there shall be inserted the words "or any person who has been certified as a celebrant of civil marriages by the Public Registry".

Amendment of article 2 of the principal Act.

96. In article 3 of the principal Act, for the word "paternal" there shall be substituted the word "parental".

Amendment of article 3 of the principal Act.

97. Sub-article (1) of article 5 of the principal Act shall be amended as follows:

Amendment of article 5 of the principal Act.

(a) in paragraph (b) thereof the words "a brother and a sister" there shall be substituted the word "siblings"; and

(b) in paragraph (d) thereof for the words "husband or wife" there shall be substituted the word "spouse".

98. In sub-article (2) of article 7 of the principal Act for the words "of the father and the name and surname of the mother" there shall be substituted the words "and surname of the parents".

Amendment of article 7 of the principal Act.

99. In sub-article (1) of article 11 of the principal Act immediately after the words "contracted either in a civil form" there shall be added the words "between two consenting individuals".

Amendment of article 11 of the principal Act.

100. Article 15 of the principal Act shall be amended as follows:

Amendment of article 15 of the principal Act.

(a) sub-article (2) thereof shall be substituted by the following:

"(2) During the ceremony, the Registrar or other officiating officer in front of whom the marriage takes place shall ask each of the persons to be married, first to one of them and then to the other, whether that person will take the other as such person's spouse, and upon the declaration of each of such persons that they so will, made without any condition or qualification, the Registrar or other officiating officer shall declare them to be spouses."; and

(b) immediately after sub-article (3) thereof, there shall be added the following new sub-article:

"(4) Without prejudice to the provisions of sub-article (2) the persons to be married may indicate to the Registrar or other officiating officer in front of whom the marriage takes place the form of words which will be used during the ceremony, including any readings, songs or music:

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Provided that the persons to be married must make such request by not later than seven days prior to the date set for the marriage."

Addition of a new article to the principal Act.

101. Immediately after article 32 of the principal Act there shall be added the following new article 32A:

"Religious protection.

32A. Nothing contained in this Act shall be construed as obliging an official of a religious body in accordance with article 37 of this Act to solemnise a particular form of marriage which is not recognised by the religious body of which that official is a member."

Amendment of article 33 of the principal Act.

102. Article 33 of the principal Act shall be amended as follows:

(a) in the marginal note for the word "judgments" there shall be substituted the words "decisions or other equivalent official acts";

(b) the words "A decision of a foreign court" shall be substituted with the words "Without prejudice to the implementation of any regulation applicable between the Member States of the European Union, a decision of a foreign court or a decision or other official act of equivalent effect of a foreign competent authority"; and

(c) the words "if the decision is given by a competent court" shall be substituted with the words "if the decision is given or if the other official act is issued by a court or a competent authority".

Part VII

Amendment of the Civil Unions Act

Amendments to the Civil Unions Act. Cap. 530.

103. This Part amends the Civil Unions Act, and it shall be read and construed as one with the Civil Unions Act, hereinafter in this Part referred to as "the principal Act".

Addition of a new article to the principal Act.

104. Immediately after article 10 of the principal Act there shall be

added the following new article:

"Conversion of civil union into marriage.

11. (1) Partners in a civil union contracted prior to the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017 and in accordance with the provisions of this Act, may, within five years from the coming into force of the Marriage Act and other Laws (Amendment) Act, 2017, convert their civil union into marriage.

(2) The procedure by which a civil union may be converted into marriage shall be established by the Minister by virtue of regulations to that effect.

(3) Where by virtue of the provisions of this article, a civil union is converted into marriage, the civil union shall end upon conversion, and the resulting marriage shall be deemed to have subsisted from the date when the civil union was formed."

Part VIII

Amendments of the Subsidiary Legislation

105. Immediately after items B and C of the Second Schedule to the Public Registry (Inspection and Searches) Regulations there shall be added the following new items respectively:

Amendments to the Public Registry (Inspection and Searches) Regulations.
S.L. 56.03.

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"BA. Schedule for individuals who have contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act

(Transfers/Liabilities) – Individuals

Searches re Individuals

Surname*	
Name*	
Spouse ⁽¹⁾	
Parent who gave birth* ⁽¹⁾	
Parent* ⁽¹⁾	
Place of Birth*	
Group Number ⁽²⁾	
Remarks ⁽³⁾	
Applicant Name*	
Applicant Code ⁽⁴⁾	
	From To
Liabilities	
Transfers	
Ground-rent redemptions	

- * Indicates that information must be submitted
- (1) Spouse's name must be stated when search refers to a married individual, in which case, the individual's surname at birth should also be indicated. Likewise, the name of the parents must, in this case, include the surname at birth and after marriage.
- (2) Applicable where applicant wishes to group a number of searches together.
- (3) When applicant requests that search is to be limited "re property" or different parenthood excluded, in so far as such exclusion is involved. In such a case, the provisions of regulation 6(4) apply.
- (4) When application is not submitted by a regular client, the Applicant Code need not be included but enough information is to be inputted in order to identify the applicant.

CA. Schedule for individuals who have contracted marriage after the coming into force of the Marriage Act and other Laws (Amendment) Act

Searches into Wills

Searches re Individuals

Surname*		From	To
Name*		(2)	(3)
Spouse ⁽¹⁾			
Parent who gave birth* ⁽¹⁾			
Parent* ⁽¹⁾			
Place of Birth*			
Applicant's Name and address* ⁽⁴⁾			
Applicant Name ⁽⁵⁾			
Applicant Code ⁽⁵⁾			

* Indicates that information must be submitted

- (1) Spouse's name must be stated when search refers to a married individual, in which case, the individual's surname at birth should also be indicated. Likewise, the name of the parents must, in this case, include the surname at birth and after marriage.
- (2) See fees shown in Section C in the First Schedule to the Public Registry Act, Cap. 56. Other fees apply when "From" date antedates 1972.
- (3) Date of death.
- (4) Result will be mailed at this address.
- (5) Only applies when application is submitted by a regular client and is to be collected by same.

".

106. Forms 1 to 4 of the Schedule to the Marriage Regulations shall be substituted by the following:

Amendments to the Marriage Regulations. S.L. 255.01.

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"No. 1
Request for
publication of
banns of
matrimony.

Request for the purposes of article 7(4) of the
Marriage Act

Date

Marriage Registrar,
Marriage Registry,
Valletta.

We, the undersigned, intend to marry at

on the by Civil/Religious* form according
to the provisions of the Marriage Act. Therefore you are requested
to publish the Banns in respect of our marriage.

With this application we are producing the following documents:

.....
.....
.....

Spouse's signature

Spouse's signature

.....

.....

Name of spouse
(in block letters)

Name of spouse
(in block letters)

.....

.....

Address of Spouse

Address of Spouse

.....

.....

.....

.....

FOR OFFICE USE

Officer's initials

Application received on

Banns to be published from

to

Banns sent to

on

Other remarks:

.....

.....

* Delete wherever is not applicable

No. 2
Declaration
required under
article 7(5) of the
Marriage Act.

Declaration required under article 7(5) of the Marriage
Act

I, the undersigned, declare on oath/solemnly affirm* that to the best of my knowledge and belief, there is no legal impediment to my marriage and that there is no other lawful cause why my marriage should not take place.

So Help me God.*

Signature of spouse.....

Sworn/Solemnly affirmed* and signed before me

today

.....
Registrar

* Delete wherever is not applicable

No. 3
Banns of
matrimony.

MARRIAGE BANNS

BANNS in respect of the MARRIAGE which is going to take place

at

between and

child of child of

born in born in

and residing at and residing at

.....

Published this

Remarks

.....

.....

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No. 4
Certificate of
publication of
banns of
matrimony.

Certificate of Publication of Marriage Banns for the
purposes of article 7(7) of the Marriage Act

Date

At the request of

I certify for the purposes of article 7(7) of the Marriage Act that the
Banns in respect of the Marriage between

child of residing at.....

.....

and child of

residing at

which is taking place at

on have been published according to law.

The publication of the banns was completed on

.....
Registrar".

SCHEDULE

"FORM C
(Article 278)

ACT OF BIRTH

Particulars respecting the child	Birth		Sex	Names given	Name or names by which the child is to be called and surname	
	Place	Hour, day, month and year				
Particulars respecting the parent who gave birth to the child	Name and Surname	Identification document	Age	Place of		Name and Surname of the parents; and whether living or dead
the parent				Birth	Residence	
the person making the declaration			Years			

DATE OF THE ACT _____

SIGNATURE of the person making the declaration

Officer in Charge

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FORM D
(Article 287)

**ACT RESPECTING THE FINDING OF A
NEW-BORN CHILD**

DATE OF THE ACT _____

Particulars respecting the child	Finding				Name given to the child by the undersigned Officer	State of the child	
	Place	Hour, day, month and year	Apparent age	Sex		If clothed, and how	If bearing any visible marks
Particulars respecting The person who found the child The person to whom the child has been delivered(1)	Name and Surname (2)	Identification document	Age	Place of		Name and Surname of the parents and whether living or dead	
				Birth	Residence		
	(2)		Years				

SIGNATURE: of the person who found the child

Officer in Charge

.....

.....

of the person to whom the child had been delivered

.....

(1) If delivered to a public charitable institution, it will be sufficient to state the name of the institution.

(2) If the person is unable to write, insert the words:
who declares that he or she is unable to write.

ATT TAŻ-ŻWIEĠ**ACT OF MARRIAGE****DATA TAL-ATT:**

DATE OF THE ACT:

MR No.(1)

DIKJARAZZJONI TAL-MIŻŻEWĠIN:

DECLARATION OF THE SPOUSES:

Ahna hawn taht iffirmati niddikjaraw li fil-prezenza ta' (2)**u tax-xhieda hawn taht imsemmija żżewwiġna fi (3)****..... (4)***We the undersigned hereby declare that we have in the presence of and of the undersigned witnesses contracted marriage at.....on..... (Data/Date)***Ahna hawn taht iffirmati niddikjaraw li: niehdu ghalina t-tnejn il-kunjom ta' parti wahda fiż-żwieġ/li nżommu ghaż-żewġ partijiet il-kunjomijiet taż-żewġ partijiet fiż-żwieġ f'din l-ordni/ li nżommu kunjomna wara ż-żwieġ (ħassar fejn ma japplikax).***We the undersigned hereby declare that we choose to: adopt for both of us the surname of one of the parties to the marriage/adopt for both of us the surnames of the two parties in the marriage in this order/to retain our surname after the marriage (delete where not applicable).***Ahna hawn taht iffirmati niddikjaraw li għażilna bhala l-Isem tal-Familja tagħna, li għandu jkun il-kunjom tat-tfal futuri tagħna.***We the undersigned hereby declare that we choose as our Family Name which shall be the surname which shall be adopted by any future children born to us.*

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TAGHRIF DWAR IL- MIŻŻEWĠIN	<i>PARTICULARS OF THE SPOUSES</i>	ADDENDA		
(5)	Isem u Kunjom <i>Name and Surname</i>	(9)		
(6)	Data u Post tat-Twelid, u Dokument ta' Identifikazzjoni <i>Date and Place of Birth, and Identification Document</i>	(10)	TAGHRIF DWAR IX- XHIEDA <i>PARTICULARS OF THE WITNESSES</i>	
(7)	Post ta' Residenza <i>Place of Residence</i>	(11)		
(8)	Isem u Kunjom il-ġenituri, inkluż kunjomhom fit- twelid <i>Name and Surname of parents, including surnames at birth</i>	(12)		

TAGHRIF DWAR IX- XHIEDA	<i>PARTICULARS OF THE WITNESSES</i>			
(13)	(16)	Isem u Kunjom <i>Name and Surname</i>	(19)	(22)
(14)	(17)	Data u Post tat-Twelid <i>Date and Place of Birth</i>	(20)	(23)
(15)	(18)	Fejn Joqghod / Toqghod <i>Place of Residence</i>	(21)	(24)
..... (25)	 (26)	FIRMA TAL-PARTI FIŻ-ŻWIEĠ/ SIGNATURE OF PARTY TO THE MARRIAGE	
FIRMA TAL-PARTI FIŻ-ŻWIEĠ / SIGNATURE OF PARTY TO THE MARRIAGE				
..... (27)				
(Firem tax-Xhieda / Witnesses' Signatures)				
Id-dikjarazzjonijiet ta' hawn fuq ġew iffirmati quddiem. <i>The above declarations were signed in my presence.</i> Firma tar-Registratur (28) <i>Signature of Registrar</i>			Data tad-dhul tal-Att (29) <i>Date of receipt of the Act.</i>	Numru wara l-iehor tar- Registru Nru (30) Pro- gressive number of Regis- tration No.
..... (28) <i>Signature of Registrar</i>			Firma tad-Direttur jew ta' uffiċjal iehor li jagħmel floku. (31) <i>Signature of Director or other officer authorized to act in his stead</i>	

FORM H
(Article 125)

FORM OF ENTRY IN ADOPTED PERSONS REGISTER

1	2	3	4	5	6	7	8	9
No. of entry	Date, country and place of birth of person adopted	Name and surname of person adopted	Sex of person adopted	Name and surname, age, identification document, place of birth and place of residence of adopter or adopters	Name, surname and surname at birth of the parents of adopter or adopters	Date of adoption decree	Date of entry	Signature of Director of Public Registry

FORM I
(Article 251)

I, the undersigned, do hereby certify that the following is a true **EXTRACT** from entry No of the Year in the Civil Status Records relative to Acts of Birth and the Adopted Persons' Register kept in the Public Registry Office, Valletta, Malta/Victoria, Gozo, in accordance with the provisions of the Civil Code (Cap. 16).

Place of Birth	Date of birth	Name of the child	Sex	Name, surname and surname at birth and place of birth of the person who gave birth to the child	Name, surname and surname at birth and place of birth of the parent

PUBLIC REGISTRY OFFICE – MALTA GOZO

DIRECTOR

A 876

FORM K
(Article 251)

REĠISTRU PUBBLIKU
PUBLIC REGISTRY

Jien hawn taht iffirmat, b'dan niċċertifika illi dan ta' hawn taht huwa ESTRATT veru mill-Att taż-Żwieġ Nru reġistrat fl-Uffiċċju tar-Reġistru Pubbliku, il-Belt, Valletta, Malta skont id-dispożizzjonijiet tal-Kodiċi Ċivili (Kap. 16).

I, the undersigned, do hereby certify that the following is a true EXTRACT from the Act of Marriage No. registered in the Public Registry Office, Valletta, Malta in accordance with the provisions of the Civil Code (Cap. 16).

Partikolaritajiet dwar <i>Particulars Respecting</i>	Isem u Kunjom <i>Name and Surname</i>	Età jew data tat-twelid <i>Age or date of birth</i>	Post tat-twelid <i>Place of birth</i>	Ġenituri tal-miżżewġin <i>Parents of spouses</i>
Konjuġi <i>Spouse</i>				
Konjuġi <i>Spouse</i>				
Post u data taż-żwieġ <i>Place and date of marriage</i>	<p>Ahna naghzlu li* _____.</p> <p><i>We choose to* _____.</i></p> <p>(*Dahhal l-ghażla tal-kunjom magħżula ai termini tal-artikolu 4 tal-Kodiċi Ċivili, Kap. 16) <i>(*Insert the choice of surname chosen in terms of article 4 of the Civil Code, Cap. 16)</i></p> <p>Ahna naghzlu* _____ bhala Isem tal-Familja.</p> <p><i>We choose * _____ as our Family Name.</i></p> <p>(*Dahhal l-ghażla tal-kunjom magħżula ai termini tal-artikolu 4 tal-Kodiċi Ċivili, Kap. 16) <i>(*Insert the Family Name chosen in terms of article 4 of the Civil Code, Cap. 16)</i></p>			

UFFIĊĊJU TAR-REĠISTRU PUBBLIKU – MALTA/GHAWDEX

PUBLIC REGISTRY OFFICE – MALTA/GOZO

DIRETTUR
DIRECTOR

FORM L
(Article 251)

I, the undersigned, do hereby certify that the following is a true extract from Act of Marriage No. registered in the Public Registry Office, Valletta, Malta/Victoria, Gozo, in accordance with the provisions of the Civil Code (Cap. 16).

Name, surname and surname at birth of spouse:

Name, surname and surname at birth of spouse:.....

Place of marriage:.....

Date of marriage:

The spouses chose as their Family Name.

PUBLIC REGISTRY OFFICE - MALTA/GOZO

DIRECTOR

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Passed by the House of Representatives at Sitting No. 17 of the 12th July, 2017.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

