

# **Elsa Malta Law Review**

# ELSA MALTA LAW REVIEW

TENTH EDITION

ELSA Malta

ELSA Malta  
European Law Students Association

The logo for ELSA Malta, featuring the word "elsa" in a stylized, lowercase, blue serif font.

The European Law Students' Association

MALTA



Published in 2026 by  
European Law Students Association Malta Student's House  
University of Malta  
Tal-Qroqq  
MSD 2080, Malta

*mt.elsa.org*

ISSN 2305-1949

ELSA Malta Law Review ©

Correspondence should be addressed to: Legal Publications Office

Email: [legalpublications@mt.elsa.org](mailto:legalpublications@mt.elsa.org)

All contributions published in the ELSA Malta Law Review are licensed by an Attribution-Non Commercial-No Derivs 2.5 (MALTA) Creative Common License.

Main ELSA Malta Law Review Sponsor

ELSA Malta Sponsors



**CAMILLERI PREZIOSI**

A D V O C A T E S

**WHPARTNERS**

**Deloitte.**

EST 1966  
**GUIDO DE MARCO**  
ADVOCATES

**GVZH**  
ADVOCATES

## **ACKNOWLEDGMENTS**

*Editor in Chief* - *Harold Thake*  
*Internal Review* - *Lucia Zammit Lewis*  
*Marketing* - *Sarah Pace, Gianfranco Gatt Ellis*

### *Writers*

*Dr. Kezia Navarro*  
*Dr. Stephen Thake*  
*Dr. Charlene Baldacchino Gauci*  
*Dr. Ivan Vella*  
*Dr. Ivan Sammut*  
*Dr. Mario de Marco*  
*Dr. Ryan Bezzina*  
*Dr. Roberta Bisazza*

## **FOREWORD**

The Tenth Edition of the *ELSA Malta Law Review* stands as a testament to the enduring commitment of ELSA Malta to fostering rigorous legal scholarship and meaningful academic discourse. This publication brings together a diverse collection of contributions that reflect both the depth and breadth of contemporary legal issues, examined through a distinctly Maltese lens while remaining firmly situated within broader European and international contexts.

The articles featured in this edition engage with complex and evolving areas of law, ranging from the nuanced legal implications of informal cohabitation and property rights, to the intricate relationships governing financial institutions and their clients, as well as significant developments in family law jurisprudence. Each contribution not only elucidates doctrinal principles but also critically examines their practical application, demonstrating how legal frameworks respond to societal change and emerging challenges.

What makes this Law Review particularly noteworthy is its balance between theoretical insight and practical relevance. The authors, all distinguished in their respective fields, offer analyses that are both academically robust and grounded in real-world legal developments, including judicial decisions and legislative instruments. Their work collectively highlights the dynamic nature of the law and underscores the importance of continual scholarly engagement in shaping its future trajectory.

As this milestone tenth edition is presented, it serves not only as a reflection of past achievements but also as an invitation to ongoing dialogue. It is hoped that this volume will inspire readers—students, academics, and practitioners alike—to further explore, question, and contribute to the development of the law, both within Malta and beyond.

Harold Thake  
Director of Legal Publications of Elsa Malta 2025/26