

Malta – national procedures for transfer of sentenced persons
Updated 25/05/2015

The information contained in this table should be updated on a yearly basis.

<p>The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:</p>	<p>No Central Authority exists as under ETS 112, however the designated Authority is the:</p> <p>Office of the Attorney General The Palace, St. George's Square, Valletta CMR 02, Malta Tel: (+356) 21221223 Fax: (+356) 25683103 Email: ag.mla@gov.mt</p>
<p>If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):</p>	<p>Ministry of Justice 30, Old Treasury Street, Valletta VLT 1512 Malta Tel: 22013000 E-mail: paulanne.mamo@gov.mt</p>
<p>If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):</p>	<p>Malta Police Force Commissioner's Office Police General Headquarters, Malta Tel: 21224001 Email: cmru.police@gov.mt</p> <p>Corradino Correctional Facility (CCF) Valletta Road Paola, PLA 1518 Malta Tel: 2169 1428 Email: admin.ccf@gov.mt</p>

Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	<p>Requests for the transfer of sentenced persons should be sent to the Ministry of Justice (as per the address provided above). Nothing however precludes sending the same request through diplomatic channels to the Ministry of Foreign Affairs:</p> <p>Ministry of Foreign Affairs Palazzo Parisio, Merchant Street, Valletta VLT 1171, Malta Tel: 2124 2191 Fax: 2123 6604 E-mail: info.mfa@gov.mt</p>
Means of communication (e.g. by post, fax, e-mail ¹):	<p>The request may be submitted to the Ministry of Foreign Affairs in writing through the usual diplomatic channels either by post or email. For email no encryption or electronic signatures are required. However the request and accompanying documentation must be certified and duly authenticated.</p>

Language requirements:	In the English Language.
Documentation required:	All the relevant documentation as specified in Article 6 (Supporting Documents) of the European Convention on the Transfer of Sentenced Persons or as specified in bi-lateral Treaties/Agreements.
Continued enforcement or conversion of the sentence ² :	Malta applies the continued enforcement of sentence method.

¹ Please indicate if encryption or electronic signature is required.

² In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

General rules on early release:	A sentenced person is eligible for early release/parole on good conduct and after having served two-thirds of the sentence.
Scope of application with regard to transfer of mentally disordered persons:	As per declaration made under relevant Treaty/Agreement (Re ETS 112 – Convention on the Transfer of Sentenced Persons) (Article 49 paragraphs 4 and 5 of the Mental Health Act, 1976 applies) http://docs.justice.gov.mt/lom/legislation/english/leg/vol_6/chapt262.pdf
Scope of application with regard to nationals and/or residents:	Malta applies the provisions of Article 3 of the Convention on the Transfer of Sentenced Persons (CETS 112), which state that the person to be transferred must be a national of the administering state. Malta transfers residents who fulfil the said condition.
Other particularly relevant information (such as practice regarding time limits or revocation of consent):	As per the Convention on the Transfer of Sentenced Persons (ETS 112) or according to the relative bi-lateral Treaties/Agreements.

Links to national legislation, national guides on procedure:	Laws of Malta: http://justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono Criminal Code, Chapter 9 of the Laws of Malta: http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574&l=1
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	<p>Extradition Act, Chapter 276 of the Laws of Malta:</p> <p>http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8765&l=1</p>
<p>Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):</p>	<p>http://www.coe.int/t/dghl/standardsetting/pc-oc/Standards_transfer/Inf%2012%20Standard%20text%20%20convention%20transfer%20sentenced%20persons.asp</p>
<p>For Parties to the Additional Protocol</p>	
<p>Information on the implementation of Article 2 (e.g.</p>	

interpretation of “by fleeing to”):	
Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):	
Documentation required:	
Other relevant information:	

