

Malta – national procedures for transfer of sentenced persons
Updated 28/11/2024

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>Office of the Attorney General 53, Admiralty House, South Street, Valletta VLT 1101, Malta</p> <p>Tel: (+356) 22488800 Fax: (+356) N/A Email: ag@attorneygeneral.mt Web: https://attorneygeneral.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 for Justice and Reform of the Construction Sector Auberge D'Aragon, Misrah Indipendenza, Valletta VLT 1521</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</p> <p>Correctional Services Agency, Valletta Road, Paola, Malta</p>
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Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	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: Ministry for Foreign Affairs and Tourism Palazzo Parisio, Merchant Street, Valletta, VLT 1171
Means of communication (e.g. by post, fax, e-mail ¹):	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.

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:	
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:	<p>Laws of Malta:</p> <p>https://legislation.mt/</p> <p>Criminal Code, Chapter 9 of the Laws of Malta:</p> <p>https://legislation.mt/eli/cap/9/eng</p>
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	<p>Extradition Act, Chapter 276 of the Laws of Malta:</p> <p>https://legislation.mt/eli/cap/276/eng</p>
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<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>
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For Parties to the Additional Protocol	
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<p>Information on the implementation of Article 2 (e.g.</p>	
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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:	

