

TARIFF*

Added by:
L.N. [37 of 2015](#).

FEES PAYABLE TO THE REGISTRY OF THE COURTS OF
CRIMINAL JURISDICTION, MALTA AND GOZO

For the filing of an application of an appeal from judgements of the Courts of Magistrates	€25
For the filing of an application of an appeal from judgements of the Criminal Courts	€50
For the opening of the registry outside working hours but no fee is payable if request is according to sections 409(A) or 412(B) of the Criminal Code (Cap. 9).	€75
For every notification of witnesses in the Criminal Court	€7
For photocopies from any criminal proceeding:	
i. For every page not authenticated	€0.10
ii. For every page authenticated	€0.35

Schedule D

(Article 575A)

Added by:
[XVI.2006.25](#).

- (a) any crime punishable with a maximum term of imprisonment of nine years or more;
- (b) the crimes envisaged in articles 198 to 207, 216(1)(a), (b), (c) and (e), 217, 262(1)(a) and (b), and 263 of this Code (other than unlawful use or consumption of a service);
- (c) any theft committed against any person under the age of twelve years or over the age of sixty years other than the theft of vehicles.

*This Tariff substituted Schedules A, B and C as from 1 January, 2015 - see Legal Notice [37 of 2015](#).

Added by:
[IV.2014.28.](#)
Amended by:
[LI.2016.9.](#)

Schedule E

[Article 534AB]

PART I

Letter of Rights

You have the following rights when you are arrested or detained:

A. ASSISTANCE OF A LAWYER/ENTITLEMENT TO LEGAL AID

You have the right to access a lawyer whilst in detention. Such right begins from the moment of your detention and before you are questioned.

You have the right to be provided with a list of advocates and a list of legal procurators from which you can choose one to assist you or to elect to be assisted by the Advocate for Legal Aid. In the latter case, legal assistance is free of charge. The police may not indicate to you the name of the lawyer you may engage during your arrest or detention.

Not less than one hour before the commencement of questioning, you and your lawyer have the right to be informed of the alleged offence about which you will be questioned. Such information shall be provided to you prior to the commencement of questioning, which time shall not be less than one hour before questioning starts.

Upon detention, you have the right to meet in private and communicate with the lawyer representing you, including prior to questioning by the police.

You have the right for your lawyer to be present and participate effectively when questioned.

All questioning, all answers given thereto and all the proceedings related to the questioning of the suspect or accused person are, where possible in the opinion of the interviewer to be recorded by audiovisual means; you have the right to be given a copy of the recording following the conclusion of the questioning.

You have the right for your lawyer to attend the following investigative or evidence-gathering acts:

- (i) identity parades;
- (ii) confrontations;
- (iii) reconstructions of the scene of an offence.

The confidentiality of your communication with your lawyer in the exercise of your right to access a lawyer shall be respected.

Upon arrest you are to be informed of your right to have at least one person, such as a relative, an employer or any other person of your choice informed of your deprivation of liberty.

If you are a child, that is, a person below the age of eighteen years, a person entitled to exercise parental authority, tutorship, curatorship or guardianship over you is informed of your arrest or detention and the reasons for such arrest or detention.

B. INFORMATION ABOUT THE ACCUSATION

If you are arrested, the police shall have the duty to inform you that you are in fact under arrest, even if the arrest appears evident.

You have the right to be informed, at the time of your arrest or your detention, in a language you understand, the reasons for your arrest or detention.

If you have been arrested by a warrant issued by a Magistrate, you shall have the right to a copy of that warrant which shall be signed by the Magistrate who issued the said warrant.

C. INTERPRETATION AND TRANSLATION

If you do not speak or understand the language spoken by the police or other competent authorities, you have the right to an interpreter, free of charge. The interpreter may help you to talk to your lawyer and must keep the content of that communication confidential. You have the right to translation of at least the relevant passages of the essential documents, including any order by a Judge or Magistrate allowing your arrest or keeping you in custody, any charge or indictment and any judgment. You may in some circumstances be provided with an oral translation or summary.

D. RIGHT TO REMAIN SILENT

While questioned by the police or by other competent authorities, you have the right to remain silent. Your lawyer can help you in your decision.

E. ACCESS TO DOCUMENTS

When you are arrested and detained, you, or your lawyer, have the right to access essential documents you need to challenge the arrest or detention.

If your case goes to court, you or your lawyer have the right to access the material evidence for or against you.

F. INFORMING SOMEONE ELSE ABOUT YOUR ARREST OR DETENTION/INFORMING YOUR CONSULATE OR EMBASSY

When you are arrested or detained you may, if you want to, ask the police to inform a relative or a friend of yours of your detention.

In certain cases according to law, the right to inform another person of your detention may be temporarily restricted.

In such cases the police will inform you of this.

If you are a foreigner, inform the police if you want your consular authority or embassy to be informed of your detention.

You may choose to also inform the police if you want to contact an official of your consular authority or embassy.

G. URGENT MEDICAL ASSISTANCE

When you are arrested or detained, you shall have the right, on your request, to a doctor of your choice, as long as such doctor may

be easily contacted.

Please inform the police if you are in need of urgent medical assistance.

H. PERIOD OF DEPRIVATION OF LIBERTY

After your arrest you may be deprived of liberty or detained for a maximum period of 48 hours.

Ask your lawyer or the judge for information about the possibility to challenge your arrest, to review the detention or to ask for provisional release.

PART II

Letter of Rights for persons arrested on the basis of a European Arrest Warrant

You have been arrested on the basis of an European Arrest Warrant. You have the following rights:

A. INFORMATION ABOUT THE EUROPEAN ARREST WARRANT

You have the right to be informed about the content of the European Arrest Warrant on the basis of which you have been arrested.

B. ASSISTANCE OF A LAWYER

You have the right to access a lawyer whilst in detention. Such right begins from the moment of your detention and before you are questioned.

You have the right to be provided with a list of advocates and a list of legal procurators from which you can choose one to assist you or to elect to be assisted by the Advocate for Legal Aid. In the latter case, legal assistance is free of charge. The police may not indicate to you the name of the lawyer you may engage during your arrest or detention.

Not less than one hour before the commencement of questioning, you and your lawyer have the right to be informed of the alleged offence about which you will be questioned. Such information shall be provided to you prior to the commencement of questioning, which time shall not be less than one hour before questioning starts.

Upon detention, you have the right to meet in private and communicate with the lawyer representing you, including prior to questioning by the police.

You have the right for your lawyer to be present and participate effectively when questioned.

All questioning, all answers given thereto and all the proceedings related to the questioning of the suspect or accused person are, where possible in the opinion of the interviewer to be recorded by audiovisual means; you have the right to be given a copy of the recording following the conclusion of the questioning.

You have the right for your lawyer to attend the following

investigative or evidence-gathering acts:

- (i) identity parades;
- (ii) confrontations;
- (iii) reconstructions of the scene of a crime.

The confidentiality of your communication with your lawyer in the exercise of your right to access a lawyer shall be respected.

Upon arrest you are to be informed of your right to have at least one person, such as a relative, an employer or any other person of your choice informed of your deprivation of liberty.

If you are a child, that is, a person below the age of eighteen years, a person exercising parental authority, tutorship, curatorship or guardianship over you is informed of your arrest or detention and the reasons for such arrest or detention.

C. INTERPRETATION AND TRANSLATION

If you do not speak or understand the language spoken by the police or other competent authorities, you have the right to be assisted by an interpreter, free of charge. The interpreter may help you to talk to your lawyer and must keep the content of that communication confidential. You have the right to a translation of the European Arrest Warrant in a language you understand. You may in some circumstances be provided with an oral translation or summary.

D. POSSIBILITY TO CONSENT

You may consent or not consent to being surrendered to the State seeking you. Your consent would speed up the proceedings. This decision is irrevocable. Ask the authorities or your lawyer for more information.

E. HEARING

If you do not consent to your surrender, you have the right to be heard by a judicial authority.
