

National ordinary courts

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Malta



Malta

This section provides information on the organisation of ordinary courts in Malta.

Ordinary courts - introduction

You can find information on Malta's civil and criminal courts in the tables below.

Civil courts

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| The Court of Appeal | Second instance Appeal | The Court of Appeal hears appeals from the civil courts in both their superior and inferior jurisdiction. (i) This court hears appeals from the First Hall of the Civil Court and the Civil Court (Family Section). (ii) Appeals from the Court of Magistrates in its civil jurisdiction, the Small Claims Tribunal and the administrative tribunals are also heard by this court. | (i) Composed of three judges. (ii) Composed of one judge. |
| The Civil Court: The First Hall of the Civil Court | | The First Hall of the Civil Courts hears cases of a civil and/or a commercial nature exceeding the jurisdiction of the Court of Magistrates. Within its constitutional jurisdiction, it also hears cases relating to violations of the human rights and fundamental freedoms protected by the Constitution and by the European Convention of Human Rights and Fundamental Freedoms. | Presided over by a judge |
| Civil Court (Voluntary Jurisdiction Section) | | The Civil Court (Voluntary Jurisdiction Section) is a voluntary jurisdiction court and is responsible for the interdiction or incapacitation of persons of unsound mind, the nomination of tutors for these persons, the opening of successions and the confirmation of testamentary executors. It is also a repository for secret wills. | Presided over by a judge |
| The Civil Court (Family Section) | First instance | This court hears all cases relating to family matters such as marriage annulment, personal separation, divorce, maintenance and custody of children. | Presided over by a judge |
| The Court of Magistrates | First instance | In the civil field the Courts of Magistrates only have inferior jurisdiction of first instance, in general limited to claims not exceeding €15 000. | Presided over by a magistrate |
| The Court of Magistrates for Gozo | First instance | In the civil field, the Court of Magistrates for Gozo has two-fold jurisdiction: an inferior jurisdiction comparable to that exercised by its counterpart court in Malta, and a superior jurisdiction, with the same competence as the First Hall of the Civil Court, apart from the constitutional jurisdiction, and as the Civil Court (Voluntary Jurisdiction Section). | Presided over by a magistrate |
| Small Claims Tribunal | First instance | This tribunal summarily decides, on principles of equity and law, claims of a value of less than €5 000. | Presided over by an adjudicator |

Criminal courts

| | | | |
|-----------------------------------|-----------------|--|---|
| The Court of Criminal Appeal | Second instance | This court, with superior jurisdiction, hears appeals by persons convicted by the Criminal Court. This court, with inferior jurisdiction, hears appeals in respect of cases decided by the Court of Magistrates sitting as a criminal court. | Composed of three judges Composed of one judge Presided over by a judge who sits with a jury of nine persons. |
| The Criminal Court | First instance | This court serves as a criminal court and hears criminal cases beyond the competence of the Court of Magistrates. In the criminal field, the Court has a twofold jurisdiction: as a court of criminal judicature for cases falling within its jurisdiction, and as a court of inquiry in respect of crimes falling within the jurisdiction of the Criminal Court. (i) Court of Criminal Judicature - this Court is competent to hear all cases related to offences punishable by a sentence of up to six months' imprisonment. (ii) Court of Inquiry - the Court conducts preliminary inquiries in respect of indictable offences and transmits the corresponding records to the Attorney General. If there is no objection from the accused, the Attorney General may refer cases punishable by up to ten years' imprisonment back to the Court of Magistrates to be heard and decided upon. | Presided over by a judge who sits with a jury of nine persons. |
| The Court of Magistrates | First instance | In the criminal field, the Court of Magistrates for Gozo has the same competence as the Court of Magistrates when sitting as a criminal court and as a court of inquiry. | Presided over by a magistrate |
| The Court of Magistrates for Gozo | First instance | The Juvenile Court hears charges against, and holds other proceedings relating to, minors under the age of 16 years, and may also make care orders. | Presided over by a magistrate |
| The Juvenile Court | First instance | | Presided over by a magistrate and two members |

Legal databases

Please refer to the Maltese page "Organisation of justice in Member States - Malta" where you will find detailed information on and links to the relevant databases.

Related Links

[Ministry for Justice, Culture and Local Government](#)

[Court Services](#)

[Court Services - Sentenzi Online](#)

[Court Services - Court Proceedings](#)

[Court Services - Hall Usage](#)

[Court Services - Statistics](#)

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