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Small claims

Malta



Malta

FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 25 1 (a) Competent courts

The Tribunals competent to issue decisions in the European Small Claims Procedure are the Small Claims Tribunal (Malta) and the Small Claims Tribunal (Gozo).

Details of the Tribunals are as follows:

Small Claims Tribunal (Malta)

Telephone: 00356 25902000

Email: courts.justice@gov.mt

Address: Courts of Justice, Republic Street, Valletta, VLT2000, Malta

Small Claims Tribunal (Gozo)

Telephone: 00356 22156650

Email: gozocourts@mgoz@gov.mt

Address: Gozo Courts and Tribunals, Cathedral Square, Victoria VCT1821, Gozo

Article 25 1 (b) Means of communication

The accepted means of communication are the following: in person at the Tribunal Registry, by post, by fax and by email.

Article 25 1 (c) Authorities or organisations providing practical assistance

If the claim is brought by a consumer against a person pursuing commercial activities, the authority providing practical assistance is ECC-Net Malta - European Consumer Centre Malta. The address of ECC-Net Malta is:

Consumer House, 47A, South Street, Valletta VLT1101 Malta.

Email: ecc.malta@gov.mt.

If the claim is brought by a person pursuing commercial activities against another person pursuing commercial activities, this practical assistance is provided by Malta Enterprise. The address of Malta Enterprise is:

Malta Enterprise Corporation, Gwardamangia Hill, Pieta', MEC0001, Malta.

Email: info@maltaenterprise.com.

Article 25 1 (d) Means of electronic service and communication and methods for expressing consent for thereof

Malta's procedural laws do not make provision for electronic methods as a means of notification. The use of electronic methods for notification purposes can neither be provided for nor is admissible.

Article 25 1(e) Persons or professions, obliged to accept service of documents or other written communications by electronic means

No person or professional is under such obligation.

Article 25 1 (f) Court fees and the methods of payment

The fees are as follows: EUR 40 to file Form A and EUR 7.20 for each notification served on the respondents. If Form C is used, the fee is EUR 25 and EUR 7.20 for each notification. For Article 15a, the method of payment is by bank transfer.

Article 25 1 (g) Appeal procedure and courts competent for an appeal

Appeals may be brought before the Court of Appeal (Inferior Jurisdiction) in Malta, in the case of appeals against decisions of the Small Claims Tribunal in Malta, and in the case of decisions of the Small Claims Tribunal in Gozo appeals may be brought before the Court of Appeal (Inferior Jurisdiction) in Gozo.

Pursuant to Article 8 of Chapter 380 of the Laws of Malta, an appeal may be brought by means of an application within twenty days of the decision. Article 8(2) states that independently of the amount of the claim an appeal may always be brought in the following cases:

- (a) on any matter relating to the jurisdiction of the Tribunal;
- (b) on any question of prescription;
- (c) on any infringement of the provisions of Article 7(2) of Chapter 380. This Article states that the Tribunal must suspend its proceedings if the claim is sought to be avoided by way of defence, involving an issue outside the Tribunal's jurisdiction, and/or if there is pending before a competent court an action the outcome of which would affect the claim before the Tribunal;
- (d) where the Tribunal has acted in a manner contrary to the rules of impartiality and equity and such action has prejudiced the rights of the appellant.

Article 25 1 (h) Review of the judgment procedure and courts competent to conduct such a review

Requests for review in accordance with Article 18 of the Regulation are submitted to the Small Claims Tribunal of Malta or Gozo.

Article 25 1 (i) Accepted languages

The language accepted is Maltese.

Article 25 1 (j) Authorities competent for enforcement

The authorities competent for enforcement of decisions are the Court of Magistrates (Malta) or the Court of Magistrates (Gozo) depending on the place of residence of the person against whom a decision is being enforced.

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