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Serving documents (recast)

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 3(1) - Transmitting agencies

Office of the State Advocate

Address: 16 Casa Scaglia, Triq Mikiel Anton Vassalli, Valletta, VLT1311

Tel.: (+356) 22265000

Email: info@stateadvocate.mt

Article 3(2) - Receiving agencies

Office of the State Advocate

Address: 16 Casa Scaglia, Triq Mikiel Anton Vassalli, Valletta, VLT1311

Tel.: (+356) 22265000

Email: info@stateadvocate.mt

Article 3(4)(c) - Means of receipt of documents

Registered mail. The original documents, together with Annex 1 and the bank receipt, should be sent by post. Copies may be sent in advance by email.

Article 3(4)(d) - Languages that may be used for the completion of the standard form set out in Annex I

Maltese and English

Article 4 - Central body

Office of the State Advocate

Address: 16 Casa Scaglia, Triq Mikiel Anton Vassalli, Valletta, VLT1311

Tel.: (+356) 22265000

Email: info@stateadvocate.mt

Geographical areas of jurisdiction: Malta and Gozo

Article 7 - Assistance in address enquiries

Article 7(1)(c) - The registered address of a legal person can be found by searching the register online on the website of the Maltese Business Register at:

https://registry.mbr.mt/ROC/companySearch.do?action=companyDetails&_=1576703936233

The online system enables any natural person wishing to obtain information on companies, foundations and associations to access the Register. The information contained in the Register includes information which is free of charge and for general use (public information). This includes company names and registration numbers, their registered address, their date of incorporation, etc. Any person can search for a company either by its registration number or its name or part of its name.

For the addresses of natural persons, the foreign transmitting agency may send a request to the Maltese receiving agency to determine the address for service purposes, via the following email address: info@stateadvocate.mt

Such requests should include the personal ID number, first name and surname of the person to be served.

The Maltese receiving agency neither: (i) submits requests for information on addresses; nor (ii) provides such assistance, on its own initiative.

Article 8 – Transmission of documents

Maltese and English

Article 12 – Refusal to accept a document

The notification referred to in Article 12(2) of the Regulation, concerning translation of Form L in Annex I into a language of a third country, is not applicable to Malta.

Article 13 – Date of service

The notification referred to in Article 33(1) – with reference to Articles 12(5) and 13(2) – is not applicable to Malta, since national law does not provide for any such particular period.

Article 14 – Certificate of service and copy of the document served

Maltese and English

Article 15 – Costs of service

The Laws of Malta set a fixed fee of €50 for each request for service of documents in Malta. Proof of payment must be attached to the request for service. Documents will be sent back without being processed if the service request is not accompanied by a bank receipt after payment has been made. Fees are to be paid by bank transfer payable to the Office of the State Advocate with the following bank account details:

Bank name: Central Bank of Malta

Account name: AG Office – Receipt of Service Documents

Account number: 40127EUR-CMG5-000-Y

IBAN: MT24MALT011000040127EURCMG5000Y

SWIFT code: MALTMTMT

Article 17 – Service by diplomatic agents or consular officers

Malta opposes service by diplomatic agents or consular officers.

Article 19 – Electronic service

Not applicable.

Article 20 – Direct service

The Office of the State Advocate, together with the Court Services Agency

Article 22 – Defendant not entering an appearance

This is not possible as proof of notification is required. However, if a judgment is passed against a person who has not been duly served with a summons in advance, that person may, within three months of being informed of the judgment, ask for the case to be heard again.

Article 29 – Relationship with agreements or arrangements between Member States

Not applicable

Article 33(2) – Notification on the early use of the decentralised IT-system

Not applicable

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