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Taking evidence (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 2(1) - Authorities that can be considered as courts

Not applicable

Article 3(2) - Requested courts

1. First Hall of the Civil Court, which has general jurisdiction over civil and commercial matters not assigned to be judged and determined by another court by means of a special provision of law. The First Hall of the Civil Court also has jurisdiction to hear: cases of judicial review of administrative actions; actions relating to human rights; applications relating to issues of indeterminate value and real rights issues;
2. Civil Court (Commercial Section), which has special jurisdiction over commercial matters;
3. Civil Court (Family Section), which has special jurisdiction over family matters;
4. Civil Court (Voluntary Jurisdiction Section), which has special jurisdiction over non-contentious matters. Its function is to supervise and protect certain rights and interests which are not exercised by the person to whom they belong;
5. Civil Court (Asset Recovery Section), which has special jurisdiction to hear actions *in rem*, to recover proceeds from crime or to confiscate any property not based on a conviction by the State or by a State entity;
6. Court of Magistrates (Malta), which has special jurisdiction to hear civil claims up to the amount of EUR 15 000 against persons who live or have their ordinary residence on the island of Malta;
7. Court of Magistrates (Gozo) (Superior Jurisdiction), which has special jurisdiction to hear all claims against persons who live or have their ordinary residence on the islands of Gozo and Comino that would otherwise have been judged by the First Hall of the Civil Court (Family Section) or the Civil Court (Voluntary Jurisdiction Section);
8. Court of Magistrates (Gozo) (Inferior Jurisdiction), which has special jurisdiction to hear civil claims up to the amount of EUR 15 000 against persons who live or have their ordinary residence on the islands of Gozo or Comino;
9. Small Claims Tribunal, which has special jurisdiction to hear all pecuniary claims not exceeding EUR 5 000.

Article 4 - Central body

Office of the State Advocate

16 Casa Scaglia, Triq Mikiel Anton Vassalli,

Valletta VLT1311, Malta

Tel.: (+356) 22265000

Email: info@stateadvocate.mt

Article 6 – Languages accepted for completion of the forms

English

Article 7 – Means accepted for transmission of requests and other communications

Registered mail

Article 19 – Central body or competent authority(ies) responsible for decisions on requests for direct taking of evidence

The Courts of Justice of Malta are the competent authorities for the direct taking of evidence.

Address: Courts of Justice of Malta

Triq ir-Repubblika

Valletta VLT1112, Malta

Email: info.courts@courtservices.mt

Article 29 – Agreements or arrangements to which Member States are parties and which comply with the conditions in Article 29(2)

Not applicable

Article 31(4) – Notification on the early use of the decentralised IT-system

Not applicable

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