

## Specialised courts - Malta



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

### Specialised courts

<b>The Constitutional Court</b>	Second instance Appeal	That court is heard — <b>appeals</b> in respect of cases involving alleged <b>human rights violations, interpretation of the Constitution and invalidity of laws</b> . It also has original jurisdiction to decide on <b>questions concerning members of the House of Representatives</b> and on any reference made to it concerning voting for election of members of the House of Representatives.	Presided over by the Chief Justice and two other judges
<b>The First Hall of the Civil Court</b>	First instance	The First Hall of the Civil Court also deals with cases concerning the alleged violation of <b>human rights and fundamental freedoms</b> that are protected by the Constitution and the European Convention on Human Rights and Fundamental Freedoms.	Presided over by a judge
<b>Industrial Tribunal</b>	First instance	This tribunal hears cases related to <b>unfair dismissal and discriminatory or other unlawful treatment in the workplace</b> .	Presided over by a chairperson
<b>Rent Regulation Board</b>	First instance	The Rent Regulation Board hears cases related to <b>changes in the conditions of leases</b> , including rent increases and termination of the lease. These cases must relate to rental agreements entered into before 1 June 1995.	Presided over by a magistrate
<b>Land Arbitration Board</b>	First instance	The Land Arbitration Panel hears cases relating to the <b>classification of the expropriated land, the public purpose of expropriation</b> and the amount of compensation due to the owner.	Presided over by a magistrate
<b>Rural Lease Control Board</b>	First instance	This Board hears cases dealing with land — <b>leases and claims</b> made by owners regarding the termination of lease.	Presided over by a magistrate
<b>Administrative Review Tribunal</b>	First instance	That court has the power to review the <b>administrative acts</b> .	Presided over by a judge or a magistrate
<b>Partition of Inheritances Tribunal</b>	First instance	This Tribunal hears and decides on cases related to the <b>partition of property held in common</b> by the heirs of a deceased person.	Presided over by an arbitrator

<b>The Competition and Consumer Appeals Tribunal</b>	Appeal	This Tribunal hears and settles appeals against decisions, orders or measures of the Director-General for Competition and the Director-General for Consumer Affairs. The decisions of the Tribunal are final other than in exceptional cases where appeals are permitted. such appeals are, however, limited to points of law.	Presided over by a judge and two members
<b>Court of Revision of Notarial Acts</b>	First instance	This is a special court that monitors all Notaries, the Notarial Archives and the Public Registry. It has the authority to visit and inspect the Notarial Archives, the Public Registry and notaries' offices, and to impose disciplinary sanctions. This Court also has the power to order corrections of incorrect information contained in records in the Public Registry.	Composed of members known as Visitors

### Administrative courts

**Judicial review** is the process by which a decision of a government department, authority or agency may be reviewed and ultimately revoked by the courts if found to be illegal.

The action is available to anyone who is aggrieved by a governmental decision or action which concerns them. Article 469a of Chapter 12 of the Laws of Malta is the operative article granting such power to the courts. However, even in the absence of this legislative provision, judicial review may be regarded as an **inherent power of the courts** on the basis of the doctrine of separation of powers generally embraced by democratic states.

The ordinary courts — namely the First Hall of the Civil Court — have jurisdiction in such matters, with the right of appeal to the Court of Appeal.

The Administrative Justice Act entered into force on 1 January 2009 and provides for the establishment of an **Administrative Review Tribunal**. This independent and impartial tribunal reviews administrative acts referred to it by any aggrieved person and also rules on disputes that are referred to it. It is chaired by a person who holds, or has held, the office of a judge or of a magistrate in Malta. Appeal against the Tribunal's decisions can be made to the Court of Appeal.

### Other special courts

#### The local tribunals

Local tribunals are an integral part of the judicial system in Malta. They can be seen as **an extension of the courts**, and deal with offences which, though of a trivial nature, can be of great nuisance to the general public. Local tribunals are presided over by a Commissioner for Justice who is appointed and removed in the same manner as any other magistrate. This guarantees that every citizen is given the chance to air specific grievances whilst ensuring that the fundamental principles of a fair hearing are respected. There are nine local tribunals that group together several local councils.

### 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](#)

[Court Services — Judicial Sales by Auction](#)

[Court Services — Civil Forms \(in Maltese\)](#)

[Legal Services \(Laws of Malta\)](#)

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