The Government has enacted, through delegated legislation (Legal Notice 168 of 2025), the Immigration Appeals Board (Procedure) Regulations, 2025. Article 5 deals with appeals from age assessment.

Appeals from age assessment conducted by the Agency for the Welfare of Asylum Seekers (AWAS) are to be filed in terms of article 25A of the Immigration Act.

Appeals of age assessments are now regulated by time-frames: Written submissions should be filed by the appellant or his legal representative within ten (10) working days from the date when notification of appeal is served on the IAB. Upon receipt of the submissions, the IAB should notify a copy of the submissions to AWAS, and the Agency should be given ten (10) working days from the notification of submissions to present its counter-submissions.

The IAB is to communicate its decision to the appellant or their legal representative and AWAS within ten (10) working days from the date when it received submissions from AWAS. The IAB may extend the time period to communicate the decision for exceptional and duly justified circumstances, however the overall timeframe to complete the entire procedure may not exceed sixty (60) days.

The same timeframes apply for other types of appeals, with the exception that the entire procedure may not exceed ninety (90) days. Automatic review of decision where person is deemed an adult without age assessment Where AWAS deems that a person is an adult without conducting an age assessment, it shall refer its decision for review by the IAB. The review must be conducted within five (5) working days from the date of receipt of the decision.

Where the IAB disagrees with the decision taken by AWAS, it shall instruct AWAS to carry out an age assessment procedure in accordance with the Agency for the Welfare of Asylum Seekers Regulations.

Source(s)

- Government of Malta | Gvern ta' Malta (5 August, 2025), [L.N. 168 of 2025, Immigration Act (Cap.217) Immigration Appeals Board (Procedure) Regulations, 2025], https://legislation.mt/eli/ln/2025/168/eng

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