Parliament enacts amendments to the Detention Service Regulations

Amendments to the Detention Services Regulations were published in the Government Gazette of Malta on 10 April 2026. The following amendments were made:

1. The title of the head of the Detention Services was replaced with *'The Chief Executive Officer of the Detention Services Agency'*
2. A new provision was added on confidentiality: *"12A. Reports and information concerning detained persons, including medical reports and reports by authorised officers, shall be maintained and conducted with due regard to confidentiality and on an individual basis."*
3. Article 30 on 'Outside Contacts' was substituted with the following provision: *"30. In accordance with regulations 31, 32 and 52, detained persons shall be entitled to visits from, or communications with, authorised persons and representatives of non-governmental organisations, save to the extent necessary in the interests of security or safety. The said visits and communications shall be conducted in confidence, in accordance with the procedures established by the Chief Executive Officer of the Detention Services Agency, and in an area as stipulated by him, provided that access is not rendered impossible.*"
4. Additional sub-articles were added regulating telephone calls under Article 35: "(3) Telephone calls may be subject to the needs of ensuring the security and good order of the facility. *All telephones within the facility may be equipped for monitoring and recording of conversations and the Chief Executive Officer of the Detention Services Agency may authorise the intentional hearing of the said conversations to safeguard members of the public or the security or safety within the facility and for the detection, prosecution or prevention of any illegal activity. (4) A notice shall be affixed inside the facility indicating that telephone conversations may be monitored and, or recorded.*"
5. Article 37 on 'medical officers' was updated to include the following new sub-provision*: "(5) The medical officer shall treat persons who require medical treatment as applicable given the circumstances of the case and in accordance with established medical standards and procedures*

Source(s)

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- Parliament of the Republic of Malta | Parlament Ta' Malta (10 April, 2026), [L.N. 90 of 2026 IMMIGRATION ACT (CAP. 217) Detention Service (Amendment) Regulations, 2026], https://legislation.mt/eli/ln/2026/90/eng

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