

**SUBSIDIARY LEGISLATION 188.02**

**DEPRIVATION OF MALTESE CITIZENSHIP  
(COMMITTEE OF INQUIRY) RULES**

5th April, 1991

*LEGAL NOTICE 40 of 1991.*

- 1.** The title of these Rules is Deprivation of Maltese Citizenship (Committee of Inquiry) Rules. Title.
- 2.** (1) The Committee of Inquiry, hereinafter in these Rules to be called "the Committee", shall be composed of - Composition of the Committee.
- (a) a Chairman to be appointed by the Minister responsible for matters relating to Maltese citizenship from among the Judges of the Superior Courts or persons who have held the office of Judge of the Superior Courts;
- (b) two members appointed by the said Minister, one of whom shall be a public officer, and the other a person who is or has been qualified to be appointed Magistrate in Malta.
- (2) The Chairman and the appointed members of the Committee shall hold office for a term of three years and under such conditions as may be set out in their letter of appointment.
- (3) The Chairman and the other members of the Committee shall, on the expiration of the term of their office, be eligible to be reappointed.
- (4) When any vacancy in the Committee occurs, the Minister responsible for matters relating to Maltese citizenship shall, as soon as practicable, appoint another person to fill the vacancy.
- (5) A member of the Committee may be removed from office by the Prime Minister, but such member may be removed only for proved inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour.
- (6) Save as otherwise expressly provided by these Rules, the Committee may make its own rules and otherwise regulate its own procedure.
- 3.** (1) The Committee shall be convened by the Chairman as from time to time required. Convening of Committee.
- (2) The Committee shall inquire into any case referred to it by the Minister responsible for matters relating to Maltese citizenship after an application for an inquiry is made by an aggrieved person in the Form A set out in the Schedule.
- 4.** (1) The Chairman and the members of the Committee shall, before entering upon those duties, take and subscribe an oath Oath of office.

in the Form B set out in the Schedule.

(2) Such oath shall be taken before, and shall be deposited with, the Attorney General.

Abstention by and challenge of members.  
Cap. 12.

5. (1) The Chairman and any member of the Committee may abstain from sitting or may be challenged for any of the causes mentioned in article 734 of the Code of Organization and Civil Procedure.

(2) Any question regarding a cause of abstention or challenge, and any question regarding procedure, shall be decided by the Chairman of the Committee.

Secretary to the Committee.

6. (1) The Minister responsible for matters relating to Maltese citizenship shall appoint a Secretary to the Committee and such other officers as may be necessary from time to time and shall determine their duties.

Cap. 12.

(2) The Secretary of the Committee shall have, *mutatis mutandis*, all such powers and duties as are by the Code of Organization and Civil Procedure vested in or imposed on the Registrar of the Superior Courts.

Summoning of witnesses and administration of oaths.  
Cap. 273

7. (1) The Committee shall, unless otherwise provided under these Rules, have all the powers as are by the Inquiries Act enjoyed by a board appointed under that Act.

(2) Summonses for attendance of witnesses shall be in the Form C set out in the Schedule, and shall be signed by the Chairman or Secretary of the Committee.

Place of sittings and Registry of the Committee.

8. The Committee shall hold its sittings in one of the halls of the Courts of Justice in Valletta.

(2) The Expatriates and Nationality Division of the Office of the Prime Minister shall be the Registry of the Committee, and therein shall be deposited and kept the records of the Committee, as well as any written communication or submission to be filed with the Secretary thereof.

Proceedings of the Committee.

9. (1) Any notice, warrant or order issued by the Committee shall be signed by the Chairman and counter-signed by the Secretary.

(2) The Committee may, at any time, allow any amendment to be made in the application for the purpose of making it clearer.

(3) Notice of the day and time appointed for the hearing of the inquiry shall be given to the aggrieved person in the Form D set out in the Schedule.

(4) The aggrieved person may be assisted during the hearing of the inquiry by a legal practitioner.

Decisions by the Committee.

10. (1) Save as otherwise provided in these Rules, the decisions of the Committee shall be taken by a majority vote.

(2) The decisions of the Committee shall be in writing and shall be signed by the Chairman and by the Secretary, and the

original shall be kept by the Secretary of the Committee together with the complete record of the proceedings of each inquiry.

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SCHEDULE

(Rule 3)

**Form A**

MALTESE CITIZENSHIP ACT

**INQUIRY INTO AN ORDER OF DEPRIVATION OF  
MALTESE CITIZENSHIP**

Name and address of aggrieved person: .....

To the Secretary,  
Committee of Inquiry.

The aggrieved person respectfully sheweth:

That by Notice dated the .....  
issued by the Minister responsible for matters relating to Maltese citizenship,  
.....

the aggrieved person has been informed that .....

That, in the submission of the aggrieved person, the said grounds are not valid for  
the following reasons:

.....  
.....  
.....

Wherefore the aggrieved person prays that the aforesaid Notice be revoked.

.....  
Signature of the  
aggrieved person.

Filed by ..... on the .....

.....  
Signature of the Secretary  
of the Committee of Inquiry

**Form B**  
(Rule 4)

MALTESE CITIZENSHIP ACT

**FORM OF OATH TO BE TAKEN BY THE CHAIRMAN  
OR A MEMBER OF THE COMMITTEE OF INQUIRY**

I, ..... having been appointed to be  
Chairman/Member of the Committee of Inquiry to investigate Notices of Orders of  
Deprivation of Maltese Citizenship, for the period ..... to  
....., do swear/solemnly affirm that I will faithfully, fully,  
impartially and to the best of my ability discharge the trust and perform the duties  
devolving upon me by virtue of the said appointment.

So help me God.

.....  
Chairman/Member

**Form C**  
(Rule 7)

MALTESE CITIZENSHIP ACT

**SUMMONS TO WITNESSES**

To ..... (name of person summoned and residence)

You are hereby summoned to appear before .....  
at the Courts of Justice, Valletta, on .....  
(date and time) and to give evidence respecting .....  
(the matter of the inquiry).

Given under my hand this ..... day of .....

.....  
(Signature of Chairman)

**Form D**  
(Rule 9)

MALTESE CITIZENSHIP ACT

**NOTICE OF THE DAY AND THE TIME FOR THE HEARING BY THE  
COMMITTEE OF INQUIRY**

To: .....  
.....

The Committee of Inquiry will hear on .....  
the ..... at ..... the case  
entered by ..... in respect of .....  
.....(the matter of the inquiry).

Date .....

.....  
Chairman of the Committee  
of Inquiry

.....  
Secretary of the Committee  
of Inquiry

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