# CHAPTER 176

## GENEVA CONVENTIONS (APPEALS BY PROTECTED PERSONS) ACT

*To make provision for appeals by persons protected by certain international conventions done at Geneva in the year 1949.*

(18th December, 1962)*

*Enacted by ACT X of 1962, as amended by Act XLIX of 1981.*

Short title.

**1.** This Act may be cited as the Geneva Conventions (Appeals by Protected Persons) Act.

Interpretation.

**2.** In this Act, unless the context otherwise requires -

"protected internee" means a person protected by the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 1949, and interned in Malta;

"protected prisoner of war" means a person protected by the Geneva Convention Relative to the Treatment of Prisoners of War, 1949;

"the protecting power", in relation to a protected prisoner of war or a protected internee, means the power or organization which is carrying out, in the interests of the power of which he is a national, or of whose forces he is, or was at any material time, a member, the duties assigned to protecting powers under the Geneva Convention Relative to the Treatment of Prisoners of War, 1949, or, as the case may be, the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 1949.

Appeals by protected persons. *Amended by: XLIX. 1981.4.*

**3.** Where a protected prisoner of war or a protected internee has been sentenced to imprisonment for two years or to a graver punishment and an appeal is available under the provisions of the Criminal Code, the time within which he shall enter such appeal shall, notwithstanding anything in the Criminal Code, be the period from the day on which the definitive judgment is delivered to the expiration of ten days after the date on which he receives a notice given -

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(*a*) in the case of a protected prisoner of war, by an officer of the armed forces of Malta;

(*b*) in the case of a protected internee, by or on behalf of the person in charge of the prison in which he is confined,

that the protecting power has been notified of the judgment.

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**See* Government Notice No. 561 of 1962.