

CHAPTER 77

CONDUCT CERTIFICATES ORDINANCE

To regulate the issue of conduct certificates.

5th January, 1934

ORDINANCE II of 1934, as amended by Ordinances: XII of 1935, XVIII of 1939, XL of 1940; Act XII of 1957; Ordinance XIV of 1961; Legal Notice 46 of 1965; Act LVIII of 1974; Legal Notice 148 of 1975; Acts: [XXII of 1980](#), [XIII of 1983](#), [VI of 1993](#) and [VI of 2000](#); Legal Notice [408 of 2007](#); Act [XXIV of 2010](#); Legal Notices [97 of 2011](#), and [265](#) and [426 of 2012](#); Act [XXIV of 2014](#); Legal Notice [52 of 2015](#); and Acts [XXXI of 2016](#), [XVI of 2018](#) and Legal Notices [294 of 2018](#), [144 of 2019](#), [239](#), [409 of 2020](#), [16](#) and [391 of 2021](#) and Act [LXVI of 2021](#) and Legal Notices [58 of 2023](#) and [21](#), [44](#) and [181 of 2024](#) and Acts [II of 2024](#) and [XXV of 2025](#) and Legal Notices [209 of 2025](#) and [220 of 2026](#).

1. The short title of this Ordinance is Conduct Certificates Ordinance.

Short title.

2. The Department of Justice shall be responsible to:

- (a) maintain a national criminal records register; and
- (b) issue conduct certificates subject to the provisions of this Ordinance and in accordance with Form A or B in the First Schedule.

National conducts and criminal records register.
Amended by: XXII. 1980.2.
Substituted by: II.2024.2.

3. (1) Conduct certificates shall be issued only at the request of the persons to whom the certificates refer or upon an order of any court of law given either *ex officio* or at the request of an interested party.

At whose request such certificates may be issued.
Amended by: XXIV. 2010.2;
XXXI. 2016.2;
II.2024.3.

(2) Requests for the issue of conduct certificates referred to in sub-article (1), shall be made by the applicant himself either at the Conducts and Criminal Records Office within the Department of Justice within the Ministry responsible for justice, which requests shall be processed and the conduct certificate shall be issued to the applicant immediately, or by means of electronic means requesting that the conduct certificates be delivered by post at the address of the principal place of residence as indicated on the identity card:

Provided that the Director, Department of Justice within the Ministry responsible for justice shall only be responsible to dispatch by post the conduct certificate and shall not be responsible for its delivery to the applicant.

(3) The competent authorities listed in the Fourth Schedule and designated by the Minister responsible for justice for this purpose may request, with the consent in writing of the person to whom the record of criminal convictions relates, the Director of the Department of Justice within the Ministry responsible for justice to submit a complete record of criminal convictions of the person to whom they relate.

(4) The request made in accordance with sub-article (3) shall be connected with:

- (a) the recruitment or continued employment of a person

as an employee; or

(b) the issue or renewal of a licence or permit.

(5) The Director, Department of Justice within the Ministry responsible for justice may also, on the basis of Malta's international commitments, disclose information on criminal convictions to an overseas competent authority; the Director, Department of Justice within the Ministry responsible for justice may likewise record criminal convictions received from an overseas competent authority.

For the purpose of this subarticle "overseas competent authority" means an authority which, in a country or territory outside Malta, exercises any function corresponding to the functions of the Commissioner of Police under this Ordinance.

(6) In accordance with their functions at law, the following competent authorities shall have continuous direct access to the complete record of criminal convictions of a person:

(a) the Attorney General;

(b) the Commissioner of Police;

(c) the Security Service.

Particulars of
certificates.
Amended by:
XII.1935.2;
XL.1940.10;
XII. 1957.17.
Substituted by:
XXII. 1980.3.
Amended by:
XXIV. 2010.3;
L.N. 97 of 2011;
L.N. 426 of 2012;
XXIV. 2014.84;
II.2024.4.

4. Every conduct certificate issued by the Director, Department of Justice within the Ministry responsible for justice shall state the name, surname, date of birth, the number of a legally valid identification document, and any other particulars tending to identify the person mentioned in the certificate, and shall contain either -

(a) a declaration made in accordance with Form A in the First Schedule to this Ordinance, to the effect that the person mentioned in the certificate is of good conduct; or

(b) a declaration made in accordance with Form B in the First Schedule to this Ordinance, containing an indication of the convictions against the person mentioned in the certificate by any court of law, whether in Malta or abroad, and recordable in terms of this Ordinance.

Rehabilitation
Certificate.
Added by:
XXV.2025.3.

4A. (1) Any person to whom a certificate in accordance with Form B in the First Schedule is issued or may be issued in accordance with paragraph (b) of article 4, may apply to the Rehabilitation Certificates Board established by article 4B to be issued with a Rehabilitation Certificate.

(2) The application referred to in sub-article (1) shall be made by not later than two (2) months prior to the date of the applicant's release from the correctional facility and the Rehabilitation Certificate shall be issued on the day of release of the applicant from the correctional facility or by not later than fifteen (15) days thereafter:

Provided that the Rehabilitation Certificates Board may within three (3) months from the coming into force of this article or in exceptional cases and for good reason receive an application and issue a certificate not within the time limits provided for in this sub-article.

(3) A Rehabilitation Certificate shall be strictly factual and shall list the rehabilitative programmes in which the applicant has participated whilst serving the sentence, and it shall also indicate whether the applicant was subjected to disciplinary punishments during that period due to his behaviour in the correctional facility. The certificate shall be issued by the Rehabilitation Certificates Board after verifying the relevant facts either directly or through a sub-committee thereof.

4B. (1) There shall be a Board to be known as the Rehabilitation Certificates Board, hereinafter in this article referred to as the "Board", which shall be competent to issue Rehabilitation Certificates.

Rehabilitation
Certificates Board.
Added by:
XXV.2025.3.

(2) The Rehabilitation Certificates Board shall be composed as follows:

(a) a Chairperson appointed by the Minister responsible for correctional services;

(b) the Director of the Corradino Correctional Facility *ex officio*;

(c) the Director of the Department responsible for probation and parole *ex officio*:

Provided that the members referred to in paragraphs (b) and (c) may appoint an officer from the Corradino Correctional Facility and an officer from the Department for Probation and Parole respectively as their representative to act in their stead on the Board.

(3) The Chairperson of the Board shall be appointed for a period of four (4) years which may be renewed for a further period of four (4) years.

(4) The Board shall when in its discretion it considers that the work exigencies so require, have the power to appoint one or more sub-committees to be composed from amongst social workers, co-ordinators of educational programmes and psychologists, who are active in the correctional facility, and representatives of non-governmental organisations active in the field of rehabilitation of persons sentenced to imprisonment.

(5) The Board and its sub-committees shall have the power to hear witnesses and shall be granted access to the documents concerning the applicant held by the correctional facility for the

purpose of carrying out their functions:

Provided that the application for a Rehabilitation Certificate shall include the applicant's explicit consent for the Board to process his personal data for the purpose of issuing a Rehabilitation Certificate.

(6) The Board and its sub-committees shall regulate their own procedure.

Certain convictions not to be entered in certificates.

Amended by:
XVIII. 1939.2;
L.N.148 of 1975.
Substituted by:
XXII. 1980.4.
Amended by:
XXIV. 2014.85;
XXV.2025.4.

Cap. 446.

Cap. 31.

Cap. 101.

5. No conviction or order against any person shall be entered in a conduct certificate issued under this Ordinance if -

- (a) it refers to any contravention; or
- (b) the person convicted of a crime was at the time of its commission still not eighteen years of age; or
- (c) the pardon of the President of Malta has been granted in respect of that conviction; or
- (d) it is made under the provisions of the [Probation Act](#) or relates to a sentence which is suspended and has not taken effect;
- (e) it is a sentence whereby the only punishment imposed is a fine (*multa*) and the said fine (*multa*) was paid or a conviction for an offence under the [Medical and Kindred Professions Ordinance](#) or under the [Dangerous Drugs Ordinance](#) or under any other law for possession for personal use of a prohibited drug.

Period of time required for the non-registration of convictions.

Amended by:
XVIII. 1939.2;
XXII.1980.5;
XXIV. 2010.4;
XXV.2025.5.

6. Saving the provisions of article 7, no conviction against the person to whom a conduct certificate refers shall be entered in such certificate after the lapse of the period specified in the Second Schedule hereto to be reckoned from the date of the expiration of the punishment or from the date of the payment of the fine (*multa*):

Provided that if during such period that person is again sentenced in respect of any other crime, , including a suspended sentence that has come into effect, any previous conviction or convictions which have not expired according to Second Schedule, shall continue to be recorded in the Conduct Certificate issued in accordance with Form B of the First Schedule until the expiration of the period required for the non-registration of the last conviction:

Provided further that if the period for non-registration of the last conviction is less than that of any previous conviction, then the period for non-registration of the last conviction shall be extended up to the expiration of the longer period of non-registration of any previous conviction.

7. The benefit of the non-registration of a conviction as provided in article 6, shall not extend to persons who are recidivists in the crime of theft or fraud or of selling or dealing in drugs contrary to the provisions of the [Dangerous Drugs Ordinance](#) or the [Medical and Kindred Professions Ordinance](#) or, when a court in giving judgment so orders, to persons who are recidivists in crimes liable to a punishment of imprisonment exceeding three (3) years which arise from acts which constitute gender based violence or domestic violence, or who have been sentenced in respect of any of the crimes mentioned in the Third Schedule hereto.

Exceptions.
Amended by:
XVIII. 1939.3,4;
VI. 2000.9;
XXV.2025.6.
Cap. 101.
Cap. 31.

7A. Deleted by Act [XXV.2025.7](#).

Suspended sentence of imprisonment.
Added by:
VI.1993.2.
Amended by:
XXIV. 2010.5,
Cap. 9.

8. Notwithstanding the provisions of this Ordinance, the court may, on the application of the person convicted and after hearing the Attorney General, direct that a conviction be not recorded in the conduct certificate in either of the following cases:

Power of court to order non-registration in certain cases.
Added by:
XVIII.1939.5.
Amended by:
L.N. 46 of 1965;
LVIII. 1974.68;
XXIV. 2014.86.

- (a) if the person convicted of the crime is not twenty-one years of age at the time of the commission of the offence;
- (b) if, having regard to the nature of the crime, the circumstances in which it was committed, and the conduct of the person convicted, the court deems it proper so to direct.

8A. Where a person has been convicted of an offence which has been subsequently decriminalised or depenalised or which relates to a conviction for an offence which was subsequently included in article 5 as a conviction or order which shall not be entered in a conduct certificate issued under this Ordinance, such person may send a written request to the Government department or entity responsible for the issue of conduct certificates, to deregister the said conviction from his conduct certificate, and the said Government department or entity shall, upon ensuring that such offence is no longer subject to being entered in a conduct certificate or has been so decriminalised or depenalised, accept such person's request and effect the said deregistration.

Deregistration of convictions.
Added by:
LXVI.2021.22.
Substituted by:
XXV.2025.8.

9. The provisions of this Ordinance shall not operate so as to prevent any interested party from producing, in any criminal or civil proceedings, evidence of any previous conviction against the person charged or accused or against any person who is a party to the proceedings or has been produced as witness, provided such evidence is considered by the court to be relevant.

Evidence of previous conviction.

10. The Minister responsible for justice may by regulations amend, revoke, add or substitute the Schedules to this Ordinance and may also make regulations for the better carrying out of the provisions of this Ordinance and to transpose, implement and give effect to the provisions and requirements of Directives, Regulations and any other legislative measures of the European Union requiring transposition or

Power of Minister to make regulations.
Added by:
XXIV. 2010.7.
Substituted by:
II.2024.5.

implementation.

Amended by:
XIV.1961.2.
Substituted by:
XXII.1980.6.
Amended by:
XIII. 1983.4.
Substituted by:
L.N. 408 of 2007.
Amended by:
L.N. 97 of 2011;
L.N. 426 of 2012;
XXIV. 2014.84;
L.N. 181 of 2024;
L.N. 209 of 2025.

FIRST SCHEDULE

[Articles 2 and 4]

FORM A

MALTA CERTIFICATE OF CONDUCT

No.

I declare that, in terms of the Conduct Certificates Ordinance(Cap.77),
(*name and surname*)

Legally valid identification document number _____),

son of _____ born on the _____
at _____

and residing at _____

is a person of good conduct.

Conducts and Criminal Records Office

Malta, _____ 20 _____

Fee paid €2.80

(Date and initials)

Director, Department of Justice within the Ministry responsible for Justice

FORM B

CERTIFICATE OF CONDUCT

No.

I declare that the conviction/convictions specified on the back of this certificate and recordable in terms of the Conduct Certificates Ordinance, (Cap. 77), appears/appear in the Registers of the Criminal Record Office against

(*name and surname*)

(Legally valid identification document number. _____), son of

born on the

at _____ and residing at _____

Conducts and Criminal Records Office

Malta,

20

Fee paid €2.80

(Date and initials)

Director, Department of Justice within the Ministry responsible for Justice

Substituted by:
XXII.1980.7.
Amended by:
XXV.2025.9.

SECOND SCHEDULE
[Articles 2 and 4]

Sentence	Period of time required for the non- registration of a conviction
(a) sentence for a period exceeding ten years	5 years
(b) sentence for a period exceeding five but not ten years	3 years
(c) sentence for a period exceeding one year but not five years	2 years
(d) sentence for a period not exceeding one year	3 months if the punishment does not exceed 6 months and 6 months if the punishment exceeds 6 months
(e) sentence of a fine (<i>multa</i>)	upon payment of the fine (<i>multa</i>)

Substituted by:
XXII.1980.8.

THIRD SCHEDULE
[Article 7]

1. Crimes against the safety of the Government contemplated in Title I of Part II of Book First of the [Criminal Code](#).
2. The crimes contemplated in Sub-title III of Title III of Part II of Book First of the [Criminal Code](#).
3. Crimes affecting public trust contemplated in Title V of Part II of Book First of the [Criminal Code](#), with the exception of the crimes contemplated in Sub-title II.

Added by:
XXIV. 2010.9.
Substituted by:
L.N. 265 of 2012.
Amended by:
L.N. 52 of 2015;
XVI.2018;
Fourth Schedule.
L.N. 294 of 2018;
L.N. 144 of 2019;
L.N. 239 of 2020;
L.N. 409 of 2020;
L.N. 16 of 2021;
L.N. 391 of 2021;
L.N. 58 of 2023;
L.N. 21 of 2024;
L.N. 44 of 2024;
L.N. 181 of 2024;
L.N. 209 of 2025;
L.N. 220 of 2026.

FOURTH SCHEDULE

[Article 3(3)]

List of competent authorities with the right to request complete record of criminal convictions from the Director, Department of Justice within the Ministry responsible for Justice

The Authority for Transport in Malta

The Malta Gaming Authority, in respect of applications for a licence and the supervision of licence holders, in terms of the Gaming Act.

The Council for the Teaching Profession in Malta, established by the Education Act (Cap. 327) or any other regulatory body established by law to regulate educators' professions, in respect of any person who applies to hold a warrant of an educator as defined by the Education Act or any other law regulating the Council.

The Public Service Commission, in respect of any person who is employed in the public service or who is a candidate for employment in the public service.

The Security Service.

The Armed Forces of Malta.

The Financial Intelligence Analysis Unit.

The Malta Financial Services Authority.

The Commissioner for Voluntary Organisations.

The Identity Malta Agency.

The Directorate (Child Protection).

The Directorate Alternative Care (Children and Youths).

Aġenzija Sedqa.

The Authority on the Responsible Use of Cannabis.

The Commerce Department, in respect of the issue, maintenance or renewal of a licence relating to the dealing in precious metals and stones.

The Correctional Services Agency.

The Malta Tax and Customs Administration

The Wild Birds Regulation Unit.

