SUBSIDIARY LEGISLATION 420.06

RECEPTION OF ASYLUM SEEKERS REGULATIONS*

Amended by:
L.N. 417 of 2015.

22nd November, 2005†

LEGAL NOTICE 320 of 2005, as amended by Legal Notices 417 of 2015 487 of 2021 and 2 of 2023 and 87 of 2024.

PART I

Purpose, Definitions and Scope

Citation and scope.
Amended by:
L.N. 417 of 2015.;
L.N. 487 of 2021.

1. (1) The title of these regulations is the Reception of Asylum Seekers Regulations.

(2) The scope of these regulations is to transpose:

(*a*) Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast);

(*b*) Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast);

(*c*) Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast).

Interpretation.
Amended by:
L.N. 417 of 2015.

2. For the purposes of these regulations -

"accommodation centre" means any place used for collective housing of asylum seekers;

"the Act" means the International Protection Act; Cap. 420.

"applicant" means a person who has made an application for a declaration under article 8 of the Act;

"application" means an application for refugee status made under article 8 of the Act;

"asylum seeker" means a person who has made an application for a declaration under article 8 of the Act;

"Chief Executive Officer" means the Chief Executive Officer, and includes to the extent and authority given, any other person temporarily authorised in that behalf by the Minister;

*These regulations have been repealed by Legal Notice 304 of 2026.
†see regulation 1(3) of these Regulations as originally promulgated, and Legal Notice 383 of 2005.

"detention" means confinement of an asylum seeker within a particular place, where the applicant is deprived of his or her freedom of movement;

"family members" means, only in so far as the family already existed in the country of origin, the following members of the applicant's family who are present in Malta, in relation to the application for asylum made in Malta:

(*a*) the spouse of the asylum seeker or his unmarried partner in a stable relationship;

(*b*) the minor children of the applicant and his spouse referred to in paragraph (*a*) or of the applicant, on condition that the children are unmarried and dependent and regardless of whether they were born in or out of wedlock or adopted in a manner recognized under Maltese law;

(*c*) the father, mother or legal guardian, where the applicant is a minor;

"the Geneva Convention" means the Convention of the 28th July, 1951 relating to the status of refugees, as amended by the New York Protocol of the 31st January, 1967;

"material reception conditions" means the reception conditions that include housing, food and clothing, provided in kind, or as financial allowances or in vouchers, and a daily expenses allowance;

"Member State" means a country which is a member of the European Union;

"Principal Immigration Officer" means the person appointed to such office by the Prime Minister under article 3 of the Immigration Act and includes, within the limits of any authority granted by the Principal Immigration Officer under article 3(3) of the said Act, any public officer acting under such authority;

Cap. 217.

"reception conditions" means the full set of measures that are granted in Malta to asylum seekers in accordance with Maltese law;

"refugee" means a person who fulfils the requirements of Article 1(A) of the Geneva Convention;

"unaccompanied minors" means persons below the age of eighteen who arrive in Malta unaccompanied by an adult responsible for them whether by law or by custom, and for as long as they are not effectively taken into the care of such a person; it includes minors who are left unaccompanied after they have entered Malta.

Scope.

3. (1) These regulations shall apply to all third country nationals and stateless persons who make an application for asylum in Malta as long as they are allowed to remain in Malta as asylum seekers, as well as to family members, if they are covered by such application for asylum according to the Maltese law.

(2) These regulations do not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Malta abroad.

(3) These regulations do not apply when the Temporary Protection for Displaced Persons (Minimum Standards) Regulations are applied. S.L. 420.05

PART II

General Provisions on Reception Conditions

Information to asylum seekers.

4. (1) The Principal Immigration Officer shall take the necessary steps in order that, within a reasonable time and not exceeding fifteen days from the day an asylum seeker has lodged his application, the asylum seeker shall be informed of any established benefits and of the obligations with which he must comply relating to reception conditions; in this respect the Principal Immigration Officer shall ensure that an applicant is provided with information on organisations or groups of persons that provide specific legal assistance and organisations that might be able to help or inform him concerning the available reception conditions, including health care.

(2) The Principal Immigration Officer shall ensure that the information referred to in sub-regulation (1) is in writing and, as far as possible, in a language that the applicant may reasonably be supposed to understand; where appropriate, this information may also be supplied orally.

Documentation.

5. (1) The Chief Executive Officer shall ensure that, within three days after an application is lodged, an applicant is provided with a document issued in his own name certifying his status as an asylum seeker or testifying that he is allowed to stay in Malta while his application is pending or being examined.

(2) Sub-regulation (1) shall not apply when the asylum seeker is in detention and during the examination of an application for asylum made at the point of entry into Malta or within the context of a procedure to decide on the right of the applicant legally to enter the territory of Malta. In specific cases, during the examination of an application for asylum, applicants may be provided with other evidence equivalent to the document referred to in sub-regulation (1).

(3) The document referred to in sub-regulation (1) shall be valid for as long as the asylum seeker is authorised to remain in Malta.

(4) Asylum seekers may be provided with a travel document when serious humanitarian reasons arise that require their presence in another State.

Detention, residence and freedom of movement. *Substituted by: L.N. 417 of 2015. Amended by: L.N. 487 of 2021; L.N. 2 of 2023; L.N. 87 of 2024.*

6. (1) Without prejudice to any other law, the Principal Immigration Officer may, when it proves necessary and if other less coercive measures cannot be applied effectively, order the detention of an applicant for one or more of these reasons, pursuant to an individual assessment of the case:

(*a*) in order to determine or verify his identity or nationality;

(*b*) in order to determine those elements on which the application is based which could not be obtained in the

absence of detention, in particular when there is a risk of absconding on the part of the applicant;

(*c*) in order to decide, in the context of a procedure, in terms of the Immigration Act, on the applicant's right to enter Maltese territory;

Cap. 217.

(d) when the applicant is detained subject to a return procedure under the Common Standards and Procedures for Returning Illegally Staying Third-Country Nationals Regulations, in order to prepare the return or carry out the removal process, and the Principal Immigration Officer can substantiate, on the basis of objective criteria, including that the applicant already had the opportunity to access the asylum procedure, that there are reasonable grounds to believe that the applicant is making the application for international protection merely in order to delay or frustrate the enforcement of the return decision;

S.L. 217.12.

(*e*) when protection of national security or public order so require; or

(*f*) in accordance with Article 28 of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person:

Provided that administrative procedures relevant to the grounds for detention set out in this regulation shall be executed with due diligence:

Provided further that delays in administrative procedures that cannot be attributed to the applicant shall not justify a continuation of detention.

(2) A detention order issued by the Principal Immigration Officer in writing, in a language which the applicant is reasonably supposed to understand, shall state the reason or reasons on which it is based:

Provided that wherever the Principal Immigration Officer issues such a detention order he shall also inform the applicant of procedures to challenge detention and obtain free legal assistance and representation.

(3) The Immigration Appeals Board shall, with due regard to article 25A(10) of the Immigration Act, review the lawfulness of detention after a period of seven (7) working days, which may be extended by another seven (7) working days by the Board for duly justified reasons.

Cap. 217.

(4) If the applicant is still detained, a review of the lawfulness of detention shall be held after periods of two months thereafter. Wherever the Immigration Appeals Board rules that detention is unlawful, the applicant shall be released immediately.

(5) An applicant shall be provided with free legal assistance

and representation during the review of the lawfulness of his detention in accordance with sub-regulation (3). Free legal assistance and representation entails preparation of procedural documents and participation in any hearing before the Immigration Appeals Board.

(6) The Principal Immigration Officer shall have the possibility to grant applicants temporary permission to leave detention. The Principal Immigration Officer shall take the decisions individually, objectively and impartially and shall give reasons if the decisions are negative:

Provided that the applicant shall be given the facility to keep appointments with authorities and courts if his appearance thereat is necessary.

(7) Any person detained in accordance with these regulations shall, on the lapse of nine months, be released from detention if he is still an applicant.

(8) Where the Principal Immigration Officer does not order the detention of an applicant in accordance with sub-regulation (1), he may require the applicant:

(*a*) to report at a police station within specified time-frames;

(*b*) to reside at an assigned place.

For the purposes of this paragraph, the Principal Immigration Officer shall have the possibility to grant temporary permission to leave. The Principal Immigration Officer shall take the decisions individually, objectively and impartially and shall give reasons if the decisions are negative:

Provided that the applicant shall in no case require permission to keep appointments with authorities and courts if his appearance thereat is necessary:

Provided further that wherever the applicant is not required to reside at an assigned place, he shall be required to notify any change of address to the Principal Immigration Officer within not more than twenty-four hours;

(*c*) to deposit or surrender documents; or

(*d*) to place a one-time guarantee or surety, with the Principal Immigration Officer.

Such measures shall have a maximum duration of nine months:

Provided that, if the applicant concerned does not comply with conditions referred to in this sub-regulation, the Principal Immigration Officer may order the detention of such applicant in accordance with the terms and conditions prescribed in this sub-regulation.

(9) An applicant shall not be detained for the sole reason that he is an applicant for international protection.

Detention facilities. *Added by: L.N. 417 of 2015. Amended by: L.N. 487 of 2021; L.N. 2 of 2023.*

6A. (1) Whenever an applicant is detained in accordance with regulation 6, he shall be detained in a specialised detention facility, which facility shall not be utilised as a place of detention for sentenced persons. In the eventuality that an applicant has to be detained in a facility for the detention of sentenced persons he shall be kept separate from inmates who are not detained pursuant to regulation 6 and the detention conditions provided for in these regulations shall apply:

Provided that minors shall never be detained in a facility utilised as a place of detention for sentenced persons.

(2) Applicants detained in a specialised detention facility in accordance with sub-regulation (1) shall, insofar as possible, be kept separate from third-country nationals who have not filed an application for international protection.

(3) Applicants in detention shall have access to open-air spaces.

(4) Representatives of the United Nations High Commissioner for Refugees (UNHCR) shall be given the possibility to communicate with and to visit applicants in detention in conditions that respect privacy.

(5) Legal advisers, counsellors, representatives of relevant non-governmental organisations and family members of detainees shall be given the possibility to communicate with and visit applicants in detention in conditions that respect privacy, in accordance with rules and conditions that may be laid down in legislation regulating detention facilities:

Provided that specialised detention facilities or facilities for the detention of sentenced persons may provide for limitations to access where necessary for purposes of administrative management or the upkeep of security and public order, as long as access is not severely restricted or rendered impossible.

(6) The management of specialised detention facilities or facilities for the detention of sentenced persons shall systematically provide to applicants in detention information concerning the rules of the facility, their rights and their obligations in a language in which they understand or are reasonably supposed to understand:

Provided that temporary derogations under this regulation may be authorised only in duly justified cases and for a reasonably short period of time, in the event that the applicant is detained at a border post or in a transit zone:

Provided further that these temporary derogations shall not apply in cases referred to in regulation 5A of the Procedural Standards for Granting and Withdrawing International Protection Regulations, insofar as this regulation transposes Article 43 of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection.

S.L. 420.07.

(7) The management of specialised detention facilities or facilities for the detention of sentenced persons shall provide

families in detention with separate accommodation guaranteeing adequate privacy.

(8) The management of specialised detention facilities or facilities for the detention of sentenced persons shall ensure that female applicants in detention are accommodated separately from male applicants, unless the male applicants are family members and all applicants concerned give their consent to being accommodated together.

(9) Notwithstanding sub-regulations (7) and (8), the management of specialised detention facilities or facilities for the detention of sentenced persons may designate common spaces for recreational or social activities, including the provision of meals for male and female applicants who are not part of a family unit in detention.

Detention of vulnerable persons. *Added by: L.N. 87 of 2024.*

6B. (1) Where vulnerable persons are detained, the competent authority shall ensure regular monitoring and adequate support taking into account their particular situation, including their health.

(2) Minors shall be detained only as a measure of last resort and after it has been established that other less coercive alternative measures cannot be applied effectively:

Provided that the said detention shall be for the shortest period of time and all efforts shall be made to release the detained minors and place them in accommodation suitable for minors:

Provided further that the minor's best interests shall be a primary consideration:

Provided further that in case where minors are detained, they shall have the possibility to engage in leisure activities, including play and recreational activities appropriate to their age.

(3) Unaccompanied minors shall be detained only in exceptional circumstances, and all efforts shall be made to release the detained unaccompanied minor as soon as possible:

Provided that, unaccompanied minors shall never be detained in restrictive accommodation:

Provided further that, as far as possible, unaccompanied minors shall be provided with accommodation in institutions provided with personnel and facilities which take into account the needs of persons their age:

Provided further that where unaccompanied minors are detained, the competent authority shall ensure that the said minors are accommodated separately from adults.

(4) Detained families shall be provided with separate accommodation guaranteeing adequate privacy.

(5) Where female applicants are detained, it shall be ensured that they are accommodated separately from male applicants, unless the latter are family members and all persons concerned consent to such an arrangement.

Families.

7. Where applicants are provided with accommodation, appropriate measures shall, as far as possible, and with the asylum seeker's agreement, be taken to maintain family unity.

Medical screening.
Amended by:
L.N. 417 of 2015.

8. (1) The Director General Health may require medical screening for applicants on public health grounds.

(2) For the purposes of this regulation, the Director General Health or any officer duly authorised shall apply the relevant provisions of the Prevention of Disease Ordinance and the Public Health Act whenever they deem necessary.

Cap. 36.
Cap. 465.

Schooling and education of minors.
Amended by:
L.N. 417 of 2015.

9. (1) Minor children of asylum seekers and asylum seekers who are minors shall have access to the education system under similar conditions as Maltese nationals for so long as an expulsion measure against them or their parents is not actually enforced; such education may be provided as may be determined by the Director of Education.

(2) Access to the education system shall not be postponed for more than three months from the date the application for asylum was lodged by the minor or the minor's parents:

Provided that this period may be extended to one year where specific education is provided in order to facilitate access to the education system.

(3) Preparatory classes for the minor children of applicants, including language classes, shall be provided where these are necessary with a view to facilitating their participation in the education system as provided in sub-regulation (1).

Employment.
Substituted by:
L.N. 417 of 2015.
Amended by:
L.N. 487 of 2021.

10. (1) An applicant shall be granted access to the labour market after the lapse of nine months from the date when the application was lodged, provided that he is still an applicant when such a lapse has occurred.

(2) Where an appeal is lodged against a negative decision, access to the labour market shall not be withdrawn during the appeals stage.

(3) The provisions of sub-regulations (1) and (2) are without prejudice to priorities given, by reasons of labour market policies, to citizens of Member States and nationals of States parties to the Agreement on the European Economic Area and also to legally resident third-country nationals.

(4) An applicant may have access to vocational training provided that he has access to the labour market within the meaning of this regulation.An applicant may also have access to a validation procedure of non-formal and informal learning, assessing and certifying the knowledge, skills and competences which individuals develop throughout their lives by means of participation in non-formal and

informal learning.

General rules on material reception conditions and health care. *Amended by: L.N. 417 of 2015.*

11. (1) The authorities responsible for the management of reception centres shall ensure that material reception conditions are available to applicants when they make their application for asylum.

(2) Applicants shall be provided with emergency health care and essential treatment of illness and serious mental disorders. Medical and other assistance shall be provided to applicants who have special reception needs, including mental health care.

(3) The material reception conditions shall be such as to ensure a standard of living adequate for the health of applicants and capable of ensuring their subsistence; the authorities referred to in sub-regulation (1) shall moreover ensure that that standard of living is met in the specific situation of persons who have special needs, in accordance with regulation 14, as well as in relation to the situation of persons who are in detention.

(4) The provision of material reception conditions and health care shall be subject to the condition that applicants do not have sufficient means to have a standard of living adequate for their health and to enable their subsistence.

(5) Where applicants have sufficient resources, or if they have been working for a reasonable period of time, applicants may be required to cover or contribute to the cost of the material reception conditions and of the health care provided for in these regulations; if it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when these basic needs were being covered, the asylum seeker may be asked for a refund.

Modalities for material reception conditions. *Amended by: L.N. 417 of 2015.*

12. (1) Where accommodation is provided in kind, it should take one or a combination of the following forms:

(*a*) premises used for the purpose of accommodating applicants during the examination of an application for asylum lodged at the moment of entry into Malta;

(*b*) accommodation centres which guarantee an adequate standard of living;

(*c*) other premises adapted for accommodating applicants:

Provided that, when accommodating applicants, due regard shall be given to gender and age-specific concerns, as well as the situation of vulnerable persons:

Provided further that, wherever possible, dependent adult applicants are to be accommodated with close adult relatives who are in Malta.

(2) The authorities responsible for such accommodation shall ensure that applicants provided with the accommodation referred to in sub-regulation (1)(*a*), (*b*) and (*c*) are assured:

(*a*) protection of their family life;

(*b*) the possibility of communicating with relatives, legal advisers and representatives of the United Nations

High Commissioner for Refugees and recognised non-governmental organisations.

Particular attention shall be paid to the prevention of assault within the premises and accommodation centres referred to in sub-regulation (1)(*a*) and (*b*).

(3) If appropriate, minor children of applicants or applicants who are minors shall be lodged with their parents or with the adult family member responsible for them whether by law or by custom or with their unmarried siblings.

(4) Transfers of applicants from one accommodation facility to another shall take place only when necessary, and applicants shall be provided with the possibility of informing their legal advisers of the transfer and of their new address.

(5) Family members, legal advisers or counsellors of asylum seekers and representatives of the United Nations High Commissioner for Refugees or non-governmental organisations designated by the latter and recognised by the authorities responsible for the management of reception centres shall be granted access to accommodation centres and other accommodation facilities in order to assist the said asylum seekers; in granting such access the authorities responsible for the management of reception centres may impose such limits as they may deem appropriate on grounds relating to the security of the centres and facilities and of the asylum seekers.

(6) In exceptional circumstances modalities may be set for material reception conditions which are different from those provided for in this regulation, for a reasonable period which shall be as short as possible, when:

(*a*) an initial assessment of the specific needs of the applicant is required,

(*b*) accommodation capacities normally available are temporarily exhausted:

Provided that these different conditions shall, in any case, cover basic needs.

(7) Transfers of applicants from one facility to another shall take place only when necessary. Applicants shall be granted the possibility to inform their legal advisers of the transfer and of their new address.

PART III

Reduction or Withdrawal of Reception Conditions

Reduction or withdrawal of reception conditions. *Amended by: L.N. 417 of 2015.*

13. (1) The authorities responsible for the management of reception centres may reduce or withdraw reception conditions in the following cases:

(*a*) where an asylum seeker:

(i) abandons the place of residence determined by the competent authority without informing him or, if requested, without permission, or

(ii) does not comply with reporting duties or with requests to provide information or to appear for personal interviews concerning the asylum procedure during a reasonable period laid down by law:

Provided that when the applicant is traced or voluntarily reports to the competent authority, the authorities responsible for the management of reception centres shall reach a decision, based on the reasons for the disappearance, as to the re-installation or otherwise of the grant of some or all of the reception conditions;

(*b*) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.

(2) The authorities responsible for the management of reception centres may refuse reception conditions in cases where an asylum seeker has failed to demonstrate that the asylum claim was made in accordance with the provisions of the Act after his arrival in Malta.

(3) The authorities responsible for the management of reception centres may, in accordance with rules for accommodation centres drawn up for the purpose, determine sanctions applicable to serious breaching of the rules of such accommodation centres as well as to seriously violent behaviour.

(4) Decisions for reduction, withdrawal or refusal of reception conditions or sanctions referred to in sub-regulations (1), (2) and (3) shall be taken individually, objectively and impartially and reasons shall be given; the decisions shall be based on the particular situation of the person concerned, especially with regard to persons covered by Part IV, taking into account the principle of proportionality.

(5) Material reception conditions shall not be withdrawn or reduced before a decision is taken in accordance with sub-regulation (4).

PART IV

Vulnerable Persons

Substituted by: L.N. 417 of 2015.

General principle regarding vulnerable persons. *Substituted by: L.N. 417 of 2015. Amended by: L.N. 487 of 2021; L.N. 87 of 2024.*

14. (1) (a) In the implementation of the provisions relating to material reception conditions and health care, including mental health, account shall be taken of the specific situation of vulnerable persons who shall include minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms or psychological, physical or sexual violence, such as victims of female genital mutilation, found to have special needs after an individual evaluation of their situation:

For the purposes of this regulation, the entity for the welfare of asylum seekers shall assess in conjunction with other authorities as necessary, whether the applicant is an applicant with special reception needs and shall also indicate the nature of such needs. This assessment shall be initiated within a reasonable period of time after an application for international protection has been submitted.

(b) The entity for the welfare of asylum seekers shall also ensure that support is being provided to applicants with special reception needs, taking into account their special reception needs throughout the duration of the asylum procedure, whilst conducting appropriate monitoring of their situation.

(c) Minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment or who have suffered from armed conflicts shall be given access to pertinent rehabilitation services in terms of the Victims of Crime Act, further to being provided with the required mental health care.

Cap. 539.

For the purposes of this provision an evaluation by the entity responsible for the welfare of asylum seekers, carried out in conjunction with other authorities as necessary shall be conducted as soon as practicably possible:

Provided that applicants identified as minors shall not be detained, except as a measure of last resort:

Provided further that applicants who claim to be minors shall not be detained, except as a measure of last resort, unless the claim is evidently and manifestly unfounded.

(2) Whenever the vulnerability of an applicant becomes apparent at a later stage, assistance and support shall be provided from that point onwards, pursuant to a reassessment of the case.

(3) *Repealed by Legal Notice 87 of 2024.*

(4) In the implementation of the provisions of these regulations, where these refer to minors, the best interests of the child shall constitute a primary consideration. When considering the best interest of the child due regard shall be taken to the possibilities of family reunification, the minor's general well-being and social development, safety and security considerations, and the views of the minor in accordance with his age and maturity.

(5) Minor applicants shall have access to leisure activity, including play and recreational activity appropriate to their age, and to open air activity whenever accommodated in accordance with regulation 12.

(6) The entity responsible for the welfare of asylum seekers shall, with the assistance of international organisations as necessary, initiate procedures to trace the family members of

applicants who are unaccompanied minors. Whenever the circulation of data may place family members in jeopardy, the collection, processing and circulation of data shall be kept confidential.

Unaccompanied minors. *Substituted by: L.N. 487 of 2021.*

15. (1) The entity for the welfare of asylum seekers shall as soon as possible take measures to ensure that the unaccompanied minor is represented and assisted by a representative and the provisions of regulation 18 of the Procedural Standards for Granting and Withdrawing International Protection Regulations regarding unaccompanied minors shall apply.

(2) An unaccompanied minor shall be accommodated in centres specialised in accommodation for minors in accordance with the provisions of regulation 18 of the Procedural Standards for Granting and Withdrawing International Protection Regulations. S.L. 420.07.

(3) An unaccompanied minor aged sixteen years or over may be placed in accommodation centres for adult asylum seeker.

(4) The entity for the welfare of asylum seekers shall proceed with the tracing of the family members of the unaccompanied minor, if necessary with the assistance of international or other relevant organisations and as soon as possible after an application for international protection is made, whilst acting in the best interests of the minor:

Provided that, in cases where there may be a threat to the life or integrity of the minor or his close relatives, particularly if they have remained in the country of origin, care must be taken to ensure that the collection, processing and circulation of information concerning those persons is undertaken on a confidential basis, so as to avoid jeopardising their safety.

(5) The entity for the welfare of asylum seekers shall ensure that persons working with unaccompanied minors have received and shall continue to receive appropriate training concerning their needs, and shall be bound by the confidentiality rules in relation to any information they obtain in the course of their work.

PART V

Appeals

Appeals.
Substituted by: L.N. 417 of 2015.

S.L. 420.07

Cap. 217.

16. (1) Applicants who feel aggrieved by a decision taken in pursuance to the provisions of these regulations and by a decision in relation to age assessment in accordance with regulation 17 of the Procedural Standards in Examining Applications for International Protection Regulations, shall be entitled to an appeal to the Immigration Appeals Board in accordance with the provisions laid down in the Immigration Act:

Provided that applicants who lack sufficient resources to appeal from a decision, are entitled to free legal assistance and representation.

(2) Free legal assistance and representation shall entail the preparation of the required procedural documents and participation in the hearing before the Immigration Appeals Board.