

L.N. 222 of 2007

**POLICE LICENCES ACT
(CAP. 128)**

Licences Procedures Regulations, 2007

BY virtue of the powers conferred by article 3(1) of the Police Licences Act, the Deputy Prime Minister and Minister for Justice and Home Affairs has made the following regulations:-

1. The title of these regulations is the Licences Procedures Regulations, 2007. Title.

2. In these regulations, unless the context otherwise requires – Interpretation.

“the Commissioner” means the Commissioner of Police;

“licence” means a licence which is issued by the Commissioner and it excludes any licence issued under the Arms Act and regulations made thereunder;

“the Minister” means the Minister responsible for the Police;

“the Tribunal” means the Police Licences Appeals Tribunal established under regulation 4 of these regulations.

3. (1) All applications for the grant, renewal and transfer of licences are to be determined by the Commissioner who may approve, refuse or impose particular conditions for such licences. Processing of applications.

(2) Prior to taking a decision as referred to in subregulation (1) hereof, the Commissioner may consult with any authority deemed competent to provide related advice on the matter and he shall take into consideration any objection raised by any other interested party.

(3) A copy of any such decision taken in terms of subregulation (1) shall be given forthwith on demand to an applicant or to any interested party in the case.

4. (1) There shall be constituted a Police Licences Appeals Tribunal to hear and determine the final advice to be given to the Commissioner in respect of any previous decision made by the same Commissioner in respect of the grant, renewal, transfer or cancellation of licences. Police Licences Appeals Tribunal.

(2) The Tribunal shall consist of a president and two to four assessors who shall be appointed for the purpose by the Minister for a period of two years.

(3) The Tribunal shall hear appeals lodged by any –

(a) applicant who contests the decision of the Commissioner to refuse him a licence, or to condition the grant, renewal or transfer of a licence, or to cancel a licence; and

(b) interested party who would have previously made his representations before the Commissioner in terms of regulation 3 and who contests the grant, renewal or transfer of a licence.

(4) The Tribunal shall regulate its own procedure.

Time limit for appeal.

5. An appeal from a decision of the Commissioner may be entered before the Tribunal by means of a letter addressed to the president thereof at Police Headquarters, Floriana, within twenty-one days from the service of the decision of the Commissioner to an applicant or to an interested party, as the case may be.

Summoning of witnesses and administration of oaths.

6. (1) The Tribunal shall have power, exercisable through its president -

(a) to summon witnesses who shall be heard on oath;

(b) to administer an oath to any witness and to any person concerned in the case, and require them to give evidence.

(2) Summonses for attendance of witness may be in such form as may be appropriate to the case, and shall be signed by the president of the Tribunal as the case may be.

Repeals L.N. 18 of 1991.

7. The Licences Procedures Regulations, 1991 are hereby repealed.