

L.N. 87 of 2024

**INTERNATIONAL PROTECTION ACT
(CAP. 420)**

**Reception of Asylum Seekers
(Amendment) Regulations, 2024**

IN EXERCISE of the powers conferred by article 25 of the International Protection Act, the Minister responsible for immigration has made the following regulations:-

1. The title of these regulations is the Reception of Asylum Seekers (Amendment) Regulations, 2024 and these regulations shall be read and construed as one with the Reception of Asylum Seekers Regulations, hereinafter referred to as the "principal regulations".

Citation.

S.L. 420.06.

2. In the proviso to paragraph (f) of sub-regulation (1) of regulation 6 of the principal regulations, the words "due diligence." shall be substituted by the words "due diligence:" and immediately after, there shall be added the following new proviso:

Amends regulation 6 of the principal regulations.

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

3. Immediately after regulation 6A of the principal regulations there shall be added the following new regulation:

Adds new regulation to the principal regulations.

"Detention of vulnerable persons.

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."

Amends
regulation 14 of
the principal
regulations.

4. Regulation 14 of the principal regulations shall be amended as follows:

(a) in the paragraph immediately following paragraph (a) of sub-regulation (1) thereof, the word "lodged" shall be substituted by the word "submitted"; and

(b) sub-regulation (3) thereof shall be deleted.