L.N. 70 of 2025

POLICE ACT
(CAP. 164)

Simplification of Exchange of Information between National Law Enforcement Authorities and other Authorities of the Member States of the European Union having similar powers Regulations, 2025

IN EXERCISE of the powers conferred by article 82 of the Police Act, the Minister responsible for the police has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Simplification of Exchange of Information between National Law Enforcement Authorities and other Authorities of the Member States of the European Union having similar powers Regulations, 2025.

(2) These regulations transpose Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/ JHA.

(3) The scope of these regulations is to establish rules on the exchange of information between the competent law enforcement authorities for the purpose of preventing, detecting or investigating criminal offences in particular on:

(a) the establishment or designation and the organisation, tasks, composition and capabilities of the International Relations Unit, including on the deployment and operation of a single electronic case management system;

(b) requests for information submitted to the Single Points of Contact of other Member States, in particular on the content of such requests, the provision of information pursuant to such requests, the working languages of the Single Points of Contact of other Member States, mandatory time limits for providing requested information and the reasons for the refusal of such requests;

(c) the provision by competent law enforcement authorities, on their own initiative, of relevant information to the Single Points of Contact of other Member States or to the

competent law enforcement authorities of other Member States, in particular the situations and the manner in which such information is to be provided;

(d) the default channel of communication to be used for all exchanges of information under these regulations and the information to be provided to the Single Points of Contact of other Member States in relation to the exchange of information directly between the competent law enforcement authorities.

Interpretation.

2. In these regulations, unless the context otherwise requires:

"competent law enforcement authority" means any police or customs officer within the Malta Tax and Customs Administration or other authority competent under national law to exercise authority and to take coercive measures for the purpose of preventing, detecting or investigating criminal offences or any authority that takes part in joint entities set up between two (2) or more Member States for the purpose of preventing, detecting or investigating criminal offences, but excludes agencies or units dealing especially with national security issues and liaison officers seconded in accordance with Article 47 of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders;

"designated law enforcement authority" means a competent law enforcement authority that is authorised to submit requests for information to the Single Points of Contact of other Member States in accordance with regulation 7;

"directly accessible information" means information held in a database that can be directly accessed by the International Relations Unit, or the Single Point of Contact of another Member State or by a competent law enforcement authority of the Member State from whom information is requested;

"Europol Regulation" means Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA;

"indirectly accessible information" means information that

the International Relations Unit, or a Single Point of Contact of another Member State or a competent law enforcement authority of the Member State from whom information is requested may obtain from other public authorities or from private parties established in such Member State, where permitted by and in accordance with national law, without coercive measures;

"information" means any content concerning one (1) or more natural or legal persons, facts or circumstances relevant to competent law enforcement authorities for the purpose of carrying out their tasks under national law of preventing, detecting or investigating criminal offences, including criminal intelligence;

"information available" means directly accessible information and indirectly accessible information;

"International Relations Unit" means the International Relations Unit within the Malta Police Force and which shall be the Single Point of Contact as established in regulation 4;"

"personal data" shall have the same meaning as assigned to it in regulation 2 of Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the execution of Criminal Penalties) Regulations; S.L. 586.08.

"serious criminal offence" means any of the following:

(a) an offence as referred to in Article 2(2) of the EU Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States 2002/584/JHA;

(b) an offence as referred to in Article 3(1) or (2) of Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA;

"Single Point of Contact of another Member State" means the central entity having law enforcement powers established by another Member State with the scope of exchanging information under these regulations.

3. (1) These regulations shall not apply to exchanges of Applicability.

information between the competent law enforcement authorities for the purpose of preventing, detecting or investigating criminal offences that are specifically regulated by other Union legal acts and national legislation.

(2) These regulations shall not be construed as limiting the adoption of bilateral or multilateral arrangements on cooperation and further facilitation of exchange of information with other Member States or third countries for the purpose of preventing, detecting or investigating criminal offences.

(3) These regulations do not impose any obligation on national law enforcement authorities to:

(a) obtain information by means of coercive measures;

(b) store information for the sole purpose of providing it to the competent law enforcement authorities of other Member States;

(c) provide information to the competent law enforcement authorities of other Member States to be used as evidence in judicial proceedings.

(4) These regulations do not establish any right for national law enforcement authorities to use the information obtained pursuant to these regulations as evidence in judicial proceedings without the consent of the Competent law enforcement authorities that provide the data:

Provided that this sub-regulation shall apply *mutatis mutandis* with respect to the use of evidence in judicial proceedings whereby consent shall be obtained from other Member States.

Principles regarding the exchange of information.

4. It shall be ensured that all exchanges of information in accordance with these regulations are:

(a) provided to the Single Points of Contact of other Member States or the competent law enforcement authorities of other Member States in accordance with the principle of availability;

(b) subject to equivalent conditions when requesting similar information from, and providing similar information to, the Single Points of Contact of other Member States and the competent law enforcement authorities of other Member States in accordance with the principle of equivalent access;

(c) protected in accordance with confidentiality requirements laid out in the Professional Secrecy Act and any other national law or internal policies in accordance with the principle of confidentiality; Cap. 377.

(d) provided to another Member State or to Europol only with the consent of, and in accordance with the conditions imposed on its use by, the Member State or third country that initially provided the information in accordance with the principle of data ownership;

(e) erased or rectified or their processing is restricted, as appropriate, and that any recipient is notified without delay, where personal data exchanged are found to be inaccurate, incomplete or no longer up to date in accordance with the principle of data reliability.

Establishment or designation and tasks and capabilities of the International Relations Unit.

5. (1) The International Relations Unit shall be the central entity responsible for coordinating and facilitating the exchange of information in accordance with these regulations.

(2) The International Relations Unit shall be equipped and empowered to carry out at least all of the following tasks:

(a) receiving and evaluating requests for information submitted in accordance with regulation 7(7) in the languages used by the Single Point of Contact;

(b) channelling requests for information to the relevant designated law enforcement authorities established in the Schedule and, where necessary, coordinating among them the processing of such requests and the provision of information pursuant to such requests;

(c) coordinating the analysis and structuring of information with a view to providing it to the Single Points of Contact of other Member States and, where applicable, to the competent law enforcement authorities of other Member States;

(d) providing, on request or on its own initiative, information to other Member States in accordance with regulations 8 and 10;

(e) refusing to provide information in accordance with regulation 9 and, where necessary, requesting clarification or specifications in accordance with regulation 9(6);

(f) sending requests for information to the Single Points

of Contact of other Member States in accordance with regulation 7 and, where necessary, providing clarification or specifications in accordance with regulation 9(6).

(3) The International Relations Unit shall have access to all information available to the competent law enforcement authorities as necessary to carry out its tasks under these regulations.

(4) The International Relations Unit shall carry out its tasks twenty-four (24) hours a day, seven (7) days a week. It shall be provided with qualified staff, appropriate operational tools, technical and financial resources, infrastructure, and capabilities, including for translation, necessary to carry out its tasks in an adequate, effective, and rapid manner.

(5) For the purposes of regulation 12, the Single Point of Contact shall be granted judicial authorisations by the duty magistrate, who shall be available twenty-four (24) hours a day, seven (7) days a week, or the court hearing the case:

Provided that the designated law enforcement authorities listed in the Schedule shall collectively determine the organisation and the composition of the Single Point of Contact in such a manner that it can carry out its tasks in an efficient and effective manner.

(6) The International Relations Unit shall be composed of staff whose involvement is necessary for the adequate and rapid exchange of information, including at least the following in so far as Malta is bound by the relevant law or international agreement to establish or designate such units or bureaux:

(a) the Europol National Unit established by Article 7 of the Europol Regulation;

S.L. 164.04.

(b) the SIRENE Bureau as established by the Schengen Information System (SIS) Regulations;

(c) the Interpol National Central Bureau established by Article 32 of the Constitution of the International Criminal Police Organisation – Interpol;

(7) The International Relations Unit shall inform the European Commission where there are changes in relation to its establishment or designation.

Training.

6. Staff pertaining to the International Relations Unit shall be provided with adequate and regular training and shall be qualified to carry out the following:

(a) the use of data processing tools used within the International Relations Unit, in particular Europol's Secure Information Exchange Network Application (SIENA) and the single electronic case management system;

(b) the application of legislation relevant for the activities of the International Relations Unit under these regulations, in particular on data protection matters, on cross-border cooperation between law enforcement authorities, including these regulations and the Europol Regulation, and on the handling of confidential information;

(c) the use of the languages included in the list established by regulation 7.

Requests for information to the International Relations Unit.

7. (1) Requests for information submitted by the International Relations Unit to the Single Point of Contact of another Member State shall comply with the requirements established in sub-regulations (2) to (6).

(2) Whenever the designated law enforcement authorities pursuant to the Schedule submit a request for information to the Single Point of Contact of another Member State, they shall at the same time, send a copy to the International Relations Unit.

(3) In accordance with established internal guidelines, the designated law enforcement authorities shall send a copy of a request for information to the International Relations Unit while submitting the request to the Single Point of Contact of another Member State, including in case of:

(a) an ongoing highly sensitive investigation for which the processing of information requires an appropriate level of confidentiality;

(b) terrorism cases not involving emergency or crisis management situations;

(c) the safety of an individual.

(4) Requests for information shall be submitted to the Single Point of Contact of another Member State only where there are objective reasons to believe, in accordance with internal guidelines, that:

(a) the requested information is necessary for and proportionate to achieving the purpose referred to in regulation 1; and

(b) the requested information is available to such other Member State.

(5) Any request for information submitted to the Single Point of Contact of another Member State shall specify whether it is urgent and, if so, it shall give reasons for the urgency. Such requests for information shall be considered urgent where, having regard to all relevant facts and circumstances of the case at hand, there are objective reasons to believe that the requested information is one or more of the following:

(a) essential for the prevention of an immediate and serious threat to the public security of Malta or another Member State;

(b) necessary in order to prevent an imminent threat to life or the physical integrity of a person;

(c) necessary to adopt a decision that might involve the maintenance of restrictive measures amounting to a deprivation of liberty;

(d) at imminent risk of losing relevance if not provided urgently and is considered important for the prevention, detection, or investigation of criminal offences.

(6) Requests for information submitted to the Single Point of Contact of another Member State shall contain all necessary details to allow for their adequate and rapid processing, including at least the following:

(a) a specification of the requested information that is as detailed as reasonably possible under the given circumstances;

(b) a description of the purpose for which the information is requested, including a description of the facts and indication of the underlying offence;

(c) the objective reasons for which it is believed that the requested information is available to the International Relations Unit;

(d) an explanation of the connection between the purpose for which the information is requested and any natural or legal person or entity to which the information relates, where applicable;

(e) the reasons for which the request is considered

urgent, where applicable, in accordance with sub-regulation (5);

(f) restrictions on the use of the information contained in the request for purposes other than those for which it has been submitted.

(7) The International Relations Unit shall establish and keep up to date a list indicating one or more of the languages, including English, in which it is able to exchange information. This list shall be provided to the European Commission.

(8) The International Relations Unit shall ensure that requests for information and information submitted on their own initiative are provided to the Single Point of Contact of another Member State in one of the languages included in the list established by such other Member State.

(9) The competent law enforcement authorities shall, when providing information on their own initiative, submit that information in one of the languages included in the list established by the Single Point of Contact of such other Member State.

Provision of information pursuant to requests to the International Relations Unit.

8. (1) The International Relations Unit shall provide the information requested in accordance with regulation 7 as soon as possible and in any event within the following time limits, as applicable:

(a) eight (8) hours in the case of urgent requests relating to directly accessible information;

(b) three (3) calendar days in the case of urgent requests relating to indirectly accessible information;

(c) seven (7) calendar days in the case of all other requests:

Provided that the time limits established in this sub-regulation shall commence as soon as the request for information is received.

Cap. 586. S.L. 586.08.

(2) Without prejudice to any other provision under the Data Protection Act or the Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal offences or the Execution of Criminal Penalties) Regulations, the International Relations Unit shall exchange information already available to it with other competent law enforcement authorities of other Member States as if these were established in Malta.

(3) Where the information may, in accordance with any relevant provision of Maltese law, be accessed by the International Relations Unit only pursuant to an authorisation of a judicial authority, the International Relations Unit shall refrain from communicating the information to the competent law enforcement authorities of other Member States, unless judicial authorities authorise the communication of such information. Such authorisation shall always be sought whenever the requesting authority requests access to information connected to any inquiry relating to the *in genere*, or any inquest or *repertus* or whenever the information is required for use as evidence:

Provided that authorisation shall be sought by the Attorney General whenever a competent law enforcement authority, including that of another Member State, requests access to information connected to a closed inquest or *repertus*.

(4) The International Relations Unit shall do the following:

(a) immediately inform the Single Point of Contact or, where applicable, the designated law enforcement authority of the requesting Member State of the expected delay, specifying the length of the expected delay and the reasons thereof; and

(b) subsequently keep the Single Point of Contact, or where applicable, the designated law enforcement authority of the requesting Member State updated and provide the requested information as soon as possible after obtaining the judicial authorisation.

(5) The International Relations Unit shall provide the information requested in accordance with regulation 7 to the Single Point of Contact or, where applicable, the designated law enforcement authority of the requesting Member State in the language in which that request for information was submitted in accordance with regulation 7(7).

(6) The International Relations Unit shall send a copy of the requested information to the Single Point of Contact of the requesting Member State at the same time as providing the requested information to the designated law enforcement authority of such other Member State.

(7) The International Relations Unit may not send, at the same time as providing information to the designated law enforcement authorities of another Member State, a copy of that information to the Single Point of Contact of such other Member State where it would

jeopardise one or more of the following:

(a) an ongoing highly sensitive investigation for which the processing of information requires an appropriate level of confidentiality;

(b) terrorism cases not involving emergency or crisis management situations;

(c) the safety of an individual.

Refusals of requests for information.

9. (1) The International Relations Unit shall only refuse to provide the information requested in accordance with regulation 6, in so far as any of the following reasons apply:

(a) the requested information is not available to the International Relations Unit and the competent law enforcement authorities of Malta;

(b) the request for information does not meet the requirements established in regulation 7;

(c) the judicial authorisation required in accordance with regulation 12 was refused;

(d) the requested information constitutes personal data other than those falling within the categories of personal data referred to in regulation 13(b);

(e) the requested information has been found to be inaccurate, incomplete or no longer up to date and cannot be provided in accordance with regulation 7(2) and (3) of Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) Regulations; S.L. 586.08.

(f) there are objective reasons to believe that the provision of the requested information would:

(i) be contrary to or would harm the essential interests of the national security of Malta;

(ii) jeopardise the success of an ongoing investigation of a criminal offence or the safety of an individual;

(iii) unduly harm the protected important interests

of a legal person;

(g) the request pertains to:

(i) a criminal offence punishable by a maximum term of imprisonment of one (1) year or less in accordance with the laws of Malta; or

(ii) a matter that is not a criminal offence in Malta;

(h) the requested information was initially obtained from another Member State or a third country and such Member State or third country has not consented to the provision of the information.

(2) Due diligence shall be exercised when assessing whether the request for information submitted to the International Relations Unit is in accordance with the requirements established in regulation 7, *inter alia* when there is a manifest breach of fundamental rights.

(3) Any refusal of a request for information shall affect only the part of the requested information to which the reasons established in the sub-regulation (1) relate and shall, where applicable, not affect the obligation to provide the other parts of the information in accordance with these regulations.

(4) The refusals and reasons for refusal shall be recorded in the single electronic case management system for auditing purposes.

(5) The International Relations Unit shall inform the Single Point of Contact or, where applicable, the designated law enforcement authority of the requesting Member State, about the refusal of the request for information, specifying the reasons for such refusal, within the time limits established in regulation 8(1)**.**

(6) The International Relations Unit shall immediately request, from the Single Point of Contact or, where applicable, the designated law enforcement authority of the requesting Member State, clarification or specifications needed to process a request for information that otherwise would have to be refused:

Provided that the time limits established in regulation 8(1) shall be suspended from the moment that the Single Point of Contact or, where applicable, the designated law enforcement authority of the requesting Member State, receive the request for clarification or specifications until the moment the requested clarifications or specifications are provided.

(7) Refusals of requests for information, reasons for such refusals and requests for clarification or specifications and clarification or specifications as referred to in sub-regulation (6), as well as any other communications relating to the requests for information submitted to the Single Point of Contact of another Member State, shall be transmitted in the language in which that request was submitted in accordance with regulation 7(7).

Own-initiative provision of information.

10. (1) The International Relations Unit may, through the competent law enforcement authorities, provide information on its own initiative to the Single Points of Contact or to the competent law enforcement authorities of other Member States, where there are reasonable grounds for considering that such information could be relevant to those other Member States for the purpose of preventing, detecting or investigating criminal offences.

(2) The Commissioner of Police shall issue guidelines for the International Relations Unit and the designated law enforcement authorities regarding the own-initiative provision of information.

(3) The International Relations Unit or the competent law enforcement authorities shall provide, on their own initiative, information available at their end to the Single Points of Contact or to the competent law enforcement authorities of other Member States where there are objective reasons to believe that such information could be relevant to those other Member States for the purpose of preventing, detecting or investigating serious criminal offences.

(4) Notwithstanding the provision of sub-regulation (1), the International Relations Unit or the competent law enforcement authorities shall not provide information in cases referred to in regulation 9(1)(c) or (f).

(5) When providing information on its own initiative, the International Relations Unit shall copy in the Single Point of Contact of the other Member State when exchanging information with the competent law enforcement authorities of the other Member State.

(6) When providing information on their own initiative, the competent law enforcement authorities shall ensure, where appropriate, that both the International Relations Unit and the Single Point of Contact of the other Member State are copied in when information is exchanged.

(7) The competent law enforcement authorities shall send, at the same time as providing information to the Single Point of Contact or the competent law enforcement authorities of another Member

State, a copy of such information to the International Relations Unit or the Single Point of Contact of the other Member State, or the competent law enforcement authorities of the other Member State, as the case may be, including in cases of:

(a) an ongoing highly sensitive investigation for which the processing of information requires an appropriate level of confidentiality;

(b) terrorism cases not involving emergency or crisis management situations;

(c) the safety of an individual.

The exchange of information upon requests submitted directly to competent law enforcement authorities.

11. (1) Where the International Relations Unit submits a request for information directly to a competent law enforcement authority of another Member State, it shall transmit a copy of such request to the Single Point of Contact of the other Member State.

(2) The designated law enforcement authorities listed in the Schedule shall send at the same time, a copy of the information requested to the International Relations Unit and to the Single Point of Contact of the other Member State.

(3) The designated law enforcement authorities listed in the Schedule shall send copies of requests for information and copies of information to the International Relations Unit and the Single Point of Contact of another Member State, at the same time as it sends requests for information or sends information collected in accordance with a request to the competent law enforcement authorities of another Member State.

(4) The International Relations Unit or the designated law enforcement authorities listed in the Schedule may not send copies of requests or information where it would jeopardise one or more of the following:

(a) an ongoing highly sensitive investigation for which the processing of information requires an appropriate level of confidentiality;

(b) terrorism cases not involving emergency or crisis management situations;

(c) the safety of an individual.

Judicial authorisation.

12. (1) Judicial authorisation is not required to provide information to the Single Point of Contact or to the competent law

enforcement authorities of another Member State in exchanges of information under regulations 7 to 11.

(2) The International Relations Unit shall immediately take all necessary steps to obtain judicial authorisation as soon as possible in order to provide the necessary information requested by the Single Point of Contact or to the competent law enforcement authorities of other Member States.

(3) Requests for judicial authorisation shall be assessed and decided upon in accordance with national law.

Additional rules for information constituting personal data.

13. When providing personal data following a request for information, the International Relations Unit and competent law enforcement authorities shall ensure that:

(a) the personal data are accurate, complete and up to date, in accordance with regulation 7(2) of the Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) Regulations; S.L. 586.08.

(b) the categories of personal data provided per category of data subject remain limited to those listed in Section B of Annex II to the Europol Regulation, and are necessary for and proportionate to achieving the purpose of the request;

(c) they provide, at the same time and in so far as possible, the necessary elements enabling the Single Point of Contact or the competent law enforcement authority of another Member State to assess the degree of accuracy, completeness and reliability of the personal data and the extent to which the personal data are up to date.

Provision of information to Europol.

14. (1) The International Relations Unit or designated law enforcement authorities listed in the Schedule shall assess, on a case-by-case basis and subject to Article 7(7) of the Europol Regulation, whether it is necessary to send a copy of the request for information or of the information provided to Europol, in so far as the information to which the communication relates concerns offences falling within the scope of the objectives of Europol established in Article 3 of the Regulation.

(2) Prior to sending a copy of a received request for information or a copy of received information to Europol, the International Relations Unit or designated law enforcement authorities listed in the Schedule shall ensure that consent was duly obtained from

the Single Point of Contact or competent law enforcement authorities of the other Member State or third country.

(3) When a copy of a request for information or a copy of the information is sent to Europol, the purposes of the processing of the information and any possible restrictions to such processing pursuant to Article 19 of the Europol Regulation, shall be duly communicated to Europol.

Secure communication channel.

15. (1) The International Relations Unit and the designated law enforcement authorities listed in the Schedule shall use Europol's Secure Information Exchange Network Application (SIENA) as the default channel to send requests for information, to provide information pursuant to such requests or to provide information on their own initiative in accordance with regulations 9 to 13 and 14.

(2) SIENA shall not be used to send requests for information or to send information on their own or pursuant to a request under regulations 7 to 11 and 14 in one (1) or more of the following cases:

(a) the exchange of information requires the involvement of third countries or international organisations or there are objective reasons to believe that such involvement will be required at a later stage, including through the Interpol communication channel;

(b) the urgency of the request for information requires the temporary use of another communication channel;

(c) an unexpected technical or operational incident prevents the International Relations Unit or the competent law enforcement authorities from using SIENA to exchange the information.

(3) It shall be ensured that the International Relations Unit and all designated law enforcement authorities listed in the Schedule are directly connected to SIENA, including where appropriate, through mobile devices, for the purposes of these regulations.

Single Electronic Case management system.

16. (1) The International Relations Unit shall deploy and operate a single electronic case management system as a repository that allows it to carry out its tasks under these regulations. The single electronic case management system shall have, at a minimum, the following functions and capabilities:

(a) recording the incoming and outgoing requests for information as referred to in regulations 8 and 11 and any other communications relating to such requests with Single Points of

Contact and, where applicable, the competent law enforcement authorities of other Member States, including information about refusals of requests for information and requests for and the provision of clarification or specifications as referred to in the provisions of regulation 9(5) and (6) respectively;

(b) recording the communications between the International Relations Unit and the competent law enforcement authorities, pursuant to regulation 5(2)(b);

(c) recording the provisions of information to the International Relations Unit and, where applicable, to the competent law enforcement authorities of other Member States in accordance with regulations 8, 10 and 11;

(d) cross-checking the incoming requests for information as referred to in regulations 8 and 11 against information available to the International Relations Unit, including information provided in accordance with regulations 8(6) and 10(5) and other relevant information recorded in the single electronic case management system;

(e) ensuring adequate and rapid follow-up to incoming requests for information as referred to in regulation 7, in particular with a view to respecting the time limits for the provision of the requested information established in regulation 8;

(f) be interoperable with SIENA, ensuring in particular, that incoming communications through SIENA can be directly recorded in, and that outgoing communications through SIENA can be directly sent from, the single electronic case management system;

(g) generating statistics in respect of exchanges of information under these regulations for evaluation and monitoring purposes, in particular for the purposes of regulation 18;

(h) logging access and other processing operations in relation to the information contained in the single electronic case management system, for accountability and cybersecurity purposes, in accordance with regulation 25 of the Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) Regulations. S.L. 586.08.

(2) All cybersecurity risks relating to the single electronic case management system, in particular as regards its architecture, governance and control, are managed and addressed in a prudent and effective manner and that adequate safeguards against unauthorised access and abuse are provided for.

(3) The single electronic case management system shall contain personal data only for as long as it is necessary and proportionate for the International Relations Unit to carry out the tasks assigned to it under these regulations, and any personal data contained therein shall be subsequently and irrevocably deleted.

(4) For the purpose of sub-regulation (3) on the deletion of personal data, the International Relations Unit shall review the data stored in the single electronic case management system within six (6) months from when an exchange of information has been concluded, and subsequently at every six (6) month interval.

Cooperation between the Single Points of Contact.

17. (1) The International Relations Unit and competent law enforcement authorities shall ensure practical cooperation among them on the basis of established guidelines, inter-departmental agreements, regular meetings and common training.

(2) The Head of the International Relations Unit, or any officer delegated by the Head shall, at least on an annual basis, assess the quality of the cooperation between competent authorities, discuss necessary technical or organisational measures in the event of any difficulties and clarify procedures where required.

Statistics.

18. (1) By 1st March of each year, the International Relations Unit shall provide the Commission with statistics on the exchanges of information with other Member States which took place during the previous calendar year.

(2) The statistics provided to the Commission shall cover, as a minimum:

(a) the number of requests for information submitted by the International Relations Unit and, where relevant, by competent law enforcement authorities;

(b) the number of requests for information that the International Relations Unit and the competent law enforcement authorities received and the number of requests for information to which they replied, broken down by urgent and non-urgent requests and by requesting Member State;

(c) the number of requests for information refused

pursuant to regulation 9, broken down by requesting Member State and by ground for refusal;

(d) the number of cases in which there was a deviation from the time limits established in regulation 8(1) because it was necessary to obtain a judicial authorisation in accordance with regulation 8(2), broken down by the Member States that submitted the requests for information concerned.

Repeal and saving. S.L. 164.02.

19. The Simplification of Exchange of Information or Intelligence between the Malta Police Force and other State Agencies of the Member States of the European Union having similar powers Regulations are hereby repealed without prejudice to anything done or omitted to be done thereunder.

SCHEDULE

Designated Law Enforcement Authorities pursuant to regulation 7(2):

(a) Malta Police Force;

(b) Customs Department within the Malta Tax and Customs Administration.

VERŻJONI ELETTRONIKA

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