

L.N. 90 of 2026

**IMMIGRATION ACT
(CAP. 217)**

Detention Service (Amendment) Regulations, 2026

IN EXERCISE of the powers conferred by article 34(2) of the Immigration Act, the Minister responsible for immigration has made the following regulations:-

1. The title of these regulations is the Detention Service (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with the Detention Service Regulations, hereinafter referred to as the "principal regulations". Citation.
S.L. 217.19.
2. The principal regulations shall be amended as follows: General
amendments to
the principal
regulations.
 - (a) the words "the Head Detention Services", wherever they occur, shall be substituted by the words "the Chief Executive Officer of the Detention Services Agency"; and
 - (b) in the Maltese version only:
 - (i) the words "mill-Kap tas-Servizzi ta' Detenzjoni", wherever they occur, shall be substituted by the words "mill-Uffiċjal Kap Eżekuttiv tal-Aġenzija għas-Servizzi ta' Detenzjoni";
 - (ii) the words "lill-Kap tas-Servizzi ta' Detenzjoni", wherever they occur, shall be substituted by the words "lill-Uffiċjal Kap Eżekuttiv tal-Aġenzija għas-Servizzi ta' Detenzjoni";
 - (iii) the words "mal-Kap tas-Servizzi ta' Detenzjoni", wherever they occur, shall be substituted by the words "mal-Uffiċjal Kap Eżekuttiv tal-Aġenzija għas-Servizzi ta' Detenzjoni"; and
 - (iv) the words "tal-Kap tas-Servizzi ta' Detenzjoni", wherever they occur, shall be substituted by the words "tal-Uffiċjal Kap Eżekuttiv tal-Aġenzija għas-Servizzi ta' Detenzjoni".
3. Immediately after regulation 12 of the principal regulations Adds a new
regulation to the
principal
regulations.

there shall be added the following new regulation:

"Confidentiality. 12A. Reports and information concerning detained persons, including medical reports and reports by authorised officers, shall be maintained and conducted with due regard to confidentiality and on an individual basis."

Substitutes regulation 30 of the principal regulations.

4. Regulation 30 of the principal regulations shall be substituted by the following new regulation:

"Outside contacts. 30. In accordance with regulations 31, 32 and 52, detained persons shall be entitled to visits from, or communications with, authorised persons and representatives of non-governmental organisations, save to the extent necessary in the interests of security or safety. The said visits and communications shall be conducted in confidence, in accordance with the procedures established by the Chief Executive Officer of the Detention Services Agency, and in an area as stipulated by him, provided that access is not rendered impossible."

Amends regulation 35 of the principal regulations.

5. Immediately after sub-regulation (2) of regulation 35 of the principal regulations there shall be added the following new sub-regulations:

"(3) Telephone calls may be subject to the needs of ensuring the security and good order of the facility. All telephones within the facility may be equipped for monitoring and recording of conversations and the Chief Executive Officer of the Detention Services Agency may authorise the intentional hearing of the said conversations to safeguard members of the public or the security or safety within the facility and for the detection, prosecution or prevention of any illegal activity.

(4) A notice shall be affixed inside the facility indicating that telephone conversations may be monitored and, or recorded."

Amends regulation 37 of the principal regulations.

6. Immediately after sub-regulation (4) of the principal regulations there shall be added the following new sub-regulation:

"(5) The medical officer shall treat persons who require medical treatment as applicable given the circumstances of the case and in accordance with established medical standards and procedures."