

L.N. 235 of 2026

**DATA PROTECTION ACT
(CAP. 586)**

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) (Amendment) Regulations, 2026

IN EXERCISE of the powers conferred by article 4 of the Data Protection Act, the Minister responsible for data protection, after consultation with the Information and Data Protection Commissioner, and with the concurrence of the Minister responsible for the Police, has made the following regulations:-

1. The title of these regulations is 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) (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with 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, hereinafter referred to as the "principal regulations".

Citation.

S.L. 586.08.

2. Sub-regulation (2) of regulation 15 of the principal regulations shall be amended as follows:

Amends regulation 15 of the principal regulations.

(a) the proviso thereof shall be substituted by the following new proviso:

" Provided that the period of forty (40) days may, where necessary, be extended by a period of not more than three (3) months, having regard to the complexity and number of requests. Such complexity may include, *inter alia*, the volume, nature and context of the personal data processed, the need to retrieve or collate personal data from multiple systems or files, as well as the requirement to consult other authorities, agencies or entities, whether within or outside Malta. In such cases, the controller shall inform the data subject of the extension within forty (40) days of receipt of the request, together with the reasons justifying the delay:";

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(b) immediately after the proviso thereof, as substituted, there shall be added the following new proviso:

" Provided further that information concerning the refusal or restriction of access, and the reasons for such refusal or restriction, or the reasons justifying any delay may be omitted where their disclosure would undermine any purpose under sub-regulation (1). In any case, the controller shall inform the data subject of the possibility of filing a complaint with the Commissioner or seeking a judicial remedy."
