

DR ROBERT AQUILINA B.A., LL.D.

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Information and Data Protection Commissioner

Floor 2, Airways House
High Street
Sliema, SLM 1549
Malta

20th July 2020

Dear Information and Data Protection Commissioner,

I hereby submit a complaint under Malta's Freedom of Information Act (Act XVI of 2008, amended by Legal Notice 426 of 2012) to challenge the refusal of access to documents requests submitted to the Malta Police Force and to the Ministry of Finance.

On 23 March 2020, I, Dr Robert Aquilina, submitted two access to documents requests to the Malta Police Force and to the Ministry of Finance requesting documents containing the lists of nominees, including Mr Silvio Valletta, provided by the Police Commissioner to the Finance Minister from the 1st January 2013 onwards for the appointment of persons to the Board of Governors of Malta's Financial Intelligence Analysis Unit (the Board) [Vide Annex 1 & Annex 2].

On the 26th March 2020 the Finance Minister transferred the FOI request I had filed with him to the Police Commissioner [Vide Annex 3].

On 17 April 2020, the Malta Police Force refused my requests stating that the documents requested are excluded from the scope of the Freedom of Information Act under article 5 [Vide Annex 4 & Annex 5]. On the 16th May 2020 I applied for an internal review via the Internal Complaints Procedure [Vide Annex 6 & Annex 7].

On 29 May 2020, in response to the internal review, my requests were again refused stating that the documents requested are excluded from the scope of the said Act by virtue of article 5 and that by virtue of Part V or Part VI, there is good reason for withholding the document requested. The review specifically mentioned that my request was refused under the following articles of Chapter 496 of the Laws of Malta: Article 5(3)(a), Article 36(1) and Article 38(c) [Vide Annex 8].

I would like to present my arguments to the Information and Data Protection Commissioner as to why I believe the said refusals were unjustified. I ask you to keep in mind the following points:

1. There was a failure to properly recognise that the right of access to information is a fundamental human right, one that Malta is obliged to uphold;
2. The exception under Article 36 (1) to ensure non-disclosure of internal working documents should not apply to this case;
3. Harm was not sufficiently demonstrated to allow the application of the exception under Article 38 (c) on documents concerning certain operations of public authorities;

4. There is a clear and strong overriding public interest for the disclosure of the documents requested;
5. A fair balance was not found between the right of access to documents and the right to personal data protection; and
6. Partial access was not considered, and this should at least be granted

1. There was a failure to properly recognise that the right of access to information is a fundamental human right, one that Malta is obliged to uphold.

The right of access to information is a fundamental human right that is linked to freedom of expression, as protected by Article 10 of the European Convention on Human Rights, Article 19 of the International Covenant on Civil and Political Rights, and by Article 41 of the Constitution of Malta. The link between freedom of expression and the right of access to information has been confirmed by, inter alia, the UN Human Rights Committee, and the European Court of Human Rights, whose respective opinions and jurisprudence Malta is bound to uphold.

The UN Human Rights Committee concluded in General Comment No. 34 that Article 19 of the International Covenant on Civil and Political Rights (to which Malta acceded on 13 September 1990) protects the right of all persons of access to information: *Article 19, paragraph 2 embraces a right of access to information held by public bodies. Such information includes records held by a public body, regardless of the form in which the information is stored, its source and the date of production.*

Article 10 on freedom of expression of the European Convention of Human Rights states: *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.*

The European Court of Human Rights has on more than one occasion confirmed that Article 10 of the European Convention of Human Rights embraces a right of access to information. Key jurisprudence includes the case *Youth Initiative for Human Rights v. Serbia* (June 2013), in which the Strasbourg Court referred to earlier jurisprudence: “the Court recalls that the notion of “freedom to receive information” embraces a right of access to information (see *Társaság a Szabadságjogokért v. Hungary*, no. 37374/05, § 35, 14 April 2009). Importantly, in this case, the Court confirmed the existence of a right of access to information and cited General Comment No. 34 of the UN Human Rights Committee as well as declarations by the United Nations Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression, and the ACHPR (African Commission on Human and Peoples’ Rights) Special Rapporteur on Freedom of Expression, which also confirm the existence and scope of the right of access to information.

Then, on 8 November 2016 in the landmark judgment in the case of *Magyar Helsinki Bizottság v. Hungary*, the Grand Chamber of the European Court of Human Rights found that the Hungarian authorities’ refusal to provide the documents to a non-governmental organisation (the Hungarian Helsinki Committee or Magyar Helsinki Bizottság) was in breach of Article 10 of the European Convention on Human Rights (ECHR), which guarantees the right to freedom of expression. The Court noted that the refusal impeded the NGO’s capacity to contribute to discussion on an issue of obvious public interest. The Grand judgment is of particular relevance in terms of the obligations of countries to ensure that civil society (including journalists,

bloggers, academics, and NGOs) can make full use of the right of access to public information in order to conduct investigations as part of their role as “public watchdogs”.

In denying me a document that is needed to participate in public debate, to hold government to account, and to verify that the rule of law is being upheld in Malta, my right to freedom of expression under Article 10 of the European Convention on Human Rights has been violated.

The European Court of Human Rights has also referred in its jurisprudence to the 2009 Council of Europe Convention on Access to Official Documents¹ “indicates a trend towards a European standard.” The Council of Europe Convention on Access to Official Documents has not yet been signed or ratified by Malta, but should be taken into consideration in this case as it clearly establishes that “Each Party shall guarantee the right of everyone, without discrimination on any ground, to have access, on request, to official documents held by public authorities.”

In line with these standards, the Constitution of Malta itself enshrines the right to freedom of expression. Article 41 states: “**no person shall be hindered in the enjoyment of his freedom of expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference.**” [emphasis added]. It is clear that the Constitution of Malta enshrines the right to freedom of expression for all persons, without exception, in line with international standards and jurisprudence.

As Malta is a Member State of the European Union, its transparency standards are also directly relevant. The EU treaties make clear the importance of openness in decision making as part of ensuring good governance and participation in democratic life.

2. The exception under Article 36(1) to ensure non-disclosure of internal working documents should not apply to this case.

This access to documents request has been refused under the exception Article 36(1) referring to “Internal working documents”, which states that:

a document is an exempt document if its disclosure under this Act would disclose matter in the nature of, or relating to, opinions, advice or recommendations obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of the Government or another public authority.

I state that my access to documents requests were in regards to documents containing the lists of candidates provided by the Police Commissioner/Acting Police Commissioner to the Finance Minister for the appointment of persons to the Board of Governors of Malta’s Financial Intelligence Analysis Unit, in accordance with the procedure outlined in Article 19 (2) of the Prevention of Money Laundering Act (Chapter 373 of the Laws of Malta). At the time of Mr Silvio Valletta’s appointment and re-appointment to the Board (2014 and 2017) the said sub-article stated as follows:

*The Minister shall appoint the four members referred to in subarticle (1)(a) by selecting one member **from each of four panels, each of at least three persons, nominated respectively** by the Attorney General, the Governor of the*

¹ Council of Europe Convention on Access to Official Documents (CETS No. 205), Article 2.1 on Right of Access to Official Documents.

Central Bank, the Chairman of the Malta Financial Services Authority and the Commissioner of Police. [Vide Annex 9]

I have not requested any documents containing “*opinions, advice or recommendations*” on this subject. I have asked for the list of candidates. Indeed, if the documents containing the lists of nominees does indeed contain “*opinions, advice or recommendations*”, these should then be redacted and partial access granted.

We, the public, know that Mr Silvio Valletta sat on the Board from 2014 till 2019, having been elected to that post by the Finance Minister in 2014 and 2017. I would just like to be able to evaluate, through exercising my fundamental right to information, whether his election was fair and conducted in line with the rule of law. I can only do this if I am able to obtain documents that confirm that the legal requirement of at least three nominees being considered was indeed complied with and that Mr Silvio Valletta was not given the post outright. Without such a document, my fundamental right to freedom of expression is curtailed.

3. Harm was not sufficiently demonstrated to allow the application of the exception under Article 38 (c) on documents concerning certain operations of public authorities.

The Malta Police Force has refused to disclose the documents requested by applying the exception under Article 38 (c), which states that:

a document is an exempt document if its disclosure under this Act would, or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of a public authority

In its refusal, the Malta Police Force failed to show explicitly how the disclosure of the requested documents could reasonably be expected to have a substantial adverse effect on its ability to conduct its operations.

The members of the Board are already known to the public. Indeed, we know that Mr Silvio Valletta sat on the Board from 2014 till 2019. His appointment in 2014 and 2017 were published in the Malta Government Gazette. It is therefore highly unlikely that the release of these documents (the lists) would cause an “*adverse effect*” and the Police Force has failed to demonstrate this specifically, and certainly not with any evidence.

Once again, if the requested documents do happen to contain additional information that could possibly be seen to cause an “*adverse effect*”, then this information should be redacted and partial access should be granted.

4. There is a clear and strong overriding public interest for the disclosure of the documents requested

The Malta Police Force has refused to disclose the documents requested by applying the exception under Article 36 (1) and 38 (c), both of which are subject to a public interest test under Article 35 (2), which explicitly states:

A document may be withheld in accordance with the provisions of this Part only if it contains matter in relation to which the public interest that is served by non-disclosure outweighs the public interest in disclosure.

In its refusal, the Malta Police Force has failed to explicitly show how the public interest served by non-disclosure outweighs the public interest in disclosure.

In fact, there is a clear and strong overriding public interest in the release of this information.

First, openness and transparency of public decision making is essential for a functioning democracy, to foster participation and public debate (part of the fundamental right to freedom of expression). The Court of Justice of the European Union has underscored the relationship between accessing documents and participation in decision making, which itself is part of freedom of expression: "*If citizens are to be able to exercise their democratic rights, they must be in a position to follow in detail the decision-making process*" and hence they should "*have access to all relevant information.*"² In refusing my access to documents request, the Malta Police Force is impeding citizens from accessing an open, transparent decision-making process.

It is definitely in the public interest that I am given the opportunity to verify whether the Finance Minister validly appointed the members of the Board, especially in view of the following reasons:

1. It is public knowledge that Mr Silvio Valletta had a very close personal relationship and allegedly colluded with the alleged mastermind of the assassination of investigative journalist Daphne Caruana Galizia [Vide Annex 10, Annex 11 & Annex 11A];
2. Mr Silvio Valletta was appointed and subsequently re-appointed to the Board notwithstanding the fact that he was married to Parliamentary Secretary (later on Government Minister) Justine Caruana [Vide Annex 12, Annex 13 & Annex 14];
3. It is public knowledge that during the years in which Mr Valletta sat on the Board, employees of the FIAU had sought to investigate suspicions of money laundering allegedly committed by high ranking members and officials of the Maltese Government, of which Mr Valletta's spouse was a minister; and
4. During the years in which Mr Valletta sat on the Board the employment of two high-ranking officials of the FIAU was terminated a few days following the 2017 general elections and just after the Finance Minister had publicly asked whether certain reports of the FIAU had been written with the scope of being leaked [Vide Annex 15, Annex 16 & Annex 17]. This happened just four months before Daphne Caruana Galizia was assassinated.

5. A fair balance was not found between the right of access to documents and the right to protection of personal data.

In its refusal, the Malta Police Force stated that the requested documents cannot be released due to the exception under Article 5 (3) (a), which states:

This Act shall not apply to documents in so far as such documents contain –

(a) personal data subject to the Data Protection Act;

While I do not argue that what I am requesting is the names of individuals, which in some circumstances can constitute personal data, I believe that in this case, the Malta Police Force has failed to reconcile the right to protection of personal data with the right to freedom of information, especially considering the public interest in this information..

² Council of the EU v. Access Info Europe, Final Judgment in Case 280/11 P, available at <http://curia.europa.eu/juris/liste.jsf?language=en&num=C-280/11>.

Regarding the release of personal data, the EU institutions and other EU Member States allow for the release of specific personal data for the public interest. Indeed, Article 9 of Malta's Data Protection Act (Chapter 586 of the Laws of Malta) states:

*Personal data processed for the purpose of exercising **the right to freedom of expression and information, including processing for journalistic purposes** shall be exempt from compliance with the provisions of the Regulation specified in sub-article (2) where, having regard to the **importance of the right of freedom of expression and information in a democratic society**, compliance with any of the provisions as specified in sub-article (2) would be incompatible with such processing purposes.*

Provided that when reconciling the right to the protection of personal data with the right to freedom of expression and information, the controller shall ensure that the processing is proportionate, necessary and justified for reasons of substantial public interest

I do not seek any personal data which could be considered to cause harm to the individual, rather I argue that, in light of the public interest arguments made above, the release of these lists is a proportionate, necessary and justified reason for the release of personal data.

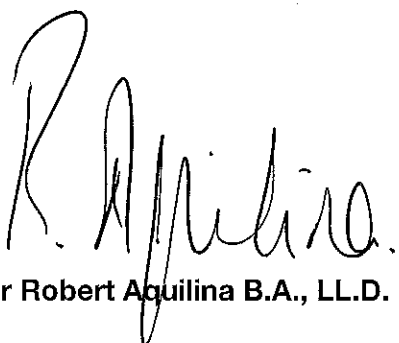
6. Partial access was not considered, and this should at least be granted

The Malta Police Force did not even consider granting partial access. Indeed, we already know that Mr Silvio Valletta was a member of the Board from 2014 till 2019. What I want to gain access to are documents that prove that there was a fair process in his election and re-election to the Board. This would be proven through the release of the documents containing lists of nominees.

Indeed, the exception under Article 5 (3) (a) states that documents exempt from the Act can be released under partial access in accordance with Article 13 (1) and (2).

If, due to protection of personal data, these lists cannot be released in their entirety, I suggest two approaches:

1. That those nominees on the lists are asked if they consent to their personal data being released; and
2. If they do not consent, release redacted documents, taking away any non-consensual personal data, but confirming the existence of actual emails, letters or formal lists of nominees provided to the Finance Minister.



Dr Robert Aquilina B.A., LL.D.

From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Acknowledgement Letter To Request For Document / Information
Date: 23 March 2020 at 02:42
To: notary.aquilina@gmail.com

ANNEX 1



ACKNOWLEDGEMENT LETTER TO REQUEST FOR DOCUMENT / INFORMATION
(Freedom of Information Act, Cap. 496)

Date: 23/03/2020

Ref No: 274200591679

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

This is to acknowledge receipt of your below indicated request for document / information submitted on 23/03/2020.

Kindly note that your request is currently open at the Malta Police Force and will be reviewed by the Freedom of Information Officer. You will be provided with a decision on your request within 20 working days from submission of your request.

Subject to the provisions of article 11 of the FOI Act, the above indicated timeline may be extended up to 40 working days. Enclosed please find information related to the Malta Police Force including details of its Internal Complaints Procedure.

Regards

Malta Police Force

This is an automatically generated email issued by the Freedom of Information system. Please do not reply to this email address.

DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
Telephone	22942257
Generic Email Address	dpu.police@gov.mt
Working Hours	Working Days: Monday to Friday (except Public Holidays) Working hours: Winter and Summer: 08.30 hrs to 15.00 hrs
Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.

Internal Complaints Procedure

INTERNAL COMPLAINTS PROCEDURE

An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.

INFORMATION ON COMPLAINTS

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from the date of the last relevant communication by the Public Authority. In case no communication is received by the applicant it is advisable that he/she contacts the Public Authority in question by telephone since there may be issues related to the submission of communications and/or notifications. Subsequent and different complaints on the same request can only be submitted to the Public Authority after the said Public Authority answers to the original complaint or following the lapse of 10 working days from the date of submission of the complaint). If the applicant remains dissatisfied with the outcome of his/her complaint, he or she may appeal the decision through the Information and Data Protection Commissioner (IDPC) within 60 days from the date of the notification by the Public Authority. Should the applicant remain

within 60 days from the date of the notification by the Public Authority. Should the applicant remain dissatisfied with the outcome of this procedure, he or she may appeal the decision through the Information and Data Protection Appeals Tribunal within 20 working days from the last relevant communication by the IDPC. An appeal from this decision may be registered at the Courts of Appeal within 30 days from the last relevant communication of the Information and Data Protection Appeals Tribunal.

Description of Document/
Information/
decision:

Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mili-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija u/jew Agent/i Kummissarju/i tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.

Reply Via:

By Hand / Tiġi Personalment

Reply Format:

copy or print out of document / kopja jew kopja pprintjata tad-dokument

From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Acknowledgement Letter To Request For Document / Information
Date: 23 March 2020 at 02:34
To: notary.aquilina@gmail.com

ANNEX 2.



ACKNOWLEDGEMENT LETTER TO REQUEST FOR DOCUMENT / INFORMATION
(Freedom of Information Act, Cap. 496)

Date: 23/03/2020

Ref No: 311200661677

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

This is to acknowledge receipt of your below indicated request for document / information submitted on 23/03/2020.

Kindly note that your request is currently open at the Permanent Secretariat MFIN and will be reviewed by the Freedom of Information Officer. You will be provided with a decision on your request within 20 working days from submission of your request.

Subject to the provisions of article 11 of the FOI Act, the above indicated timeline may be extended up to 40 working days. Enclosed please find information related to the Permanent Secretariat MFIN including details of its Internal Complaints Procedure.

Regards

Permanent Secretariat MFIN

This is an automatically generated email issued by the Freedom of Information system. Please do not reply to this email address.

DETAILS OF PUBLIC AUTHORITY

Name	Permanent Secretariat MFIN
Address	30 Maison Demandols, TRIQ NOFS IN-NHAR, VALLETTA [Il-Belt Valletta (Città Umilissima)], VLT 1102
Telephone	25998213
Generic Email Address	foi.mfin@gov.mt
Working Hours	Working Hours Winter: 7.45 a.m. to 12.30 a.m. and 1.15 pm to 5.15 p.m. Summer: 7.30 a.m. to 13.30 p.m.
Additional Information	E-mails received outside official working hours will be acknowledged on the next working day. Request and Complaint Forms may be accessed through the FOI portal www.foi.gov.mt Fees are to be paid at: Accounts Section Ministry for Finance 30 Maison Demandols South Street Valletta VLT 1102, Malta Payments can be effected either in cash or by cheque payable to Ministry for Finance

Internal Complaints Procedure	INTERNAL COMPLAINTS PROCEDURE An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the notification indicating whether a request would be met or not, may address a complaint to the Public Authority The complaint should be addressed to the Permanent Secretary MFIN who shall review complaints submitted under the FOI Act. A reply shall be given to the applicant within 10 working days from the receipt of the complaint. The applicant shall also be informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the Freedom of Information Act (Cap. 496 of the Laws of Malta). The officer responsible shall inform the applicant of the decision taken with respect to his or her complaint, and in the event of confirmation of a decision not to release the pertinent information, shall explain the reasons thereof. Whenever the applicant's complaint is related to the format of the information provided or to an extension of the deadline for the submission of the notification indicating whether a request would be met or not by the Ministry, and the original decision is upheld, the applicant shall be given an explanation as to why his or her complaint cannot be positively addressed. An applicant may also make use of the Internal Complaints Procedure to report failure to meet deadlines or to send notifications. In those cases where the request for information can be met, but has not been met within the deadlines specified by the Act, the officer responsible shall waive any applicable fees for the submission of information.
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INFORMATION ON COMPLAINTS

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from the date of the last relevant communication by the Public Authority. In case no communication is received by the applicant it is advisable that he/she contacts the Public Authority in question by telephone since there may be issues related to the submission of communications and/or notifications. Subsequent and different complaints on the same request can only be submitted to the Public Authority after the said Public Authority answers to the original complaint or following the lapse of 10 working days from the date of submission of the complaint). If the applicant remains dissatisfied with the outcome of his/her complaint, he or she may appeal the decision through the Information and Data Protection Commissioner (IDPC) within 60 days from the date of the notification by the Public Authority. Should the applicant remain dissatisfied with the outcome of this procedure, he or she may appeal the decision through the Information and Data Protection Appeals Tribunal within 20 working days from the last relevant communication by the IDPC. An appeal from this decision may be registered at the Courts of Appeal within 30 days from the last relevant communication of the Information and Data Protection Appeals Tribunal.

Description of Document/
Information/
decision:

Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mill-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.

Reply Via:

By Hand / Tigi Personalment

Reply Format:

copy or print out of document / kopja jew kopja pprintjata tad-dokument

From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Notification of Transfer of Request
Date: 26 March 2020 at 09:30
To: notary.aquilina@gmail.com

ANNEX 3.



**NOTIFICATION OF TRANSFER OF REQUEST
(Freedom of Information Act, Cap. 496)**

Date: 26/03/2020

Ref No: 311200661677

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

You are hereby being informed that your below indicated request dated 23/03/2020 has been transferred to Malta Police Force.

Kindly note that your request will be reviewed by the Freedom of Information Officer of the indicated Public Authority. You will be provided with a decision on your request within 20 working days from submission of your request.

Subject to the provisions of article 11 of the FOI Act, the above indicated timeline may be extended up to 40 working days.

Enclosed please find information related to the Malta Police Force including details of its Internal Complaints Procedure.

Regards
Permanent Secretariat MFIN

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DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
Telephone	22942257
Generic Email Address	dpu.police@gov.mt
Working Hours	Working Days: Monday to Friday (except Public Holidays) Working hours: Winter and Summer: 08.30 hrs to 15.00 hrs
Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.
Internal Comp Procedure	INTERNAL COMP PROCEDURE An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.

INFORMATION ON COMPLAINTS

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Description of Document/ Information/ decision:	Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mill-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabieq iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.
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ANNEX 4.

REQUEST TO DOCUMENTS/INFORMATION REFUSED
(Freedom of Information Act, Cap. 496)

Date: 17/04/2020

Ref No: 311200661677

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

With reference to your request dated 23/03/2020 received by Malta Police Force, we regret to inform you that your request/complaint cannot be met because: the document requested is excluded from the scope of this Act by virtue of article 5.

In the event that you are not in agreement with the Public Authority's decision, you may seek review through the Public Authority's Internal Complaints Procedure (specified below). If such review has been availed of, and you are still not in agreement with the outcome, you may seek investigation and review by the Information and Data Protection Commissioner in accordance with article 23 of the Freedom of Information Act.

Regards

Malta Police Force

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DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
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Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.
Internal Complaints Procedure	INTERNAL COMPLAINTS PROCEDURE An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.

INFORMATION ON COMPLAINTS

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from the date of the last relevant communication by the Public Authority. In case no communication is received by the applicant it is advisable that he/she contacts the Public Authority in question by telephone since there may be issues related to the submission of communications and/or notifications. Subsequent and different complaints on the same request can only be submitted to the Public Authority after the said Public Authority answers to the original complaint or following the lapse of 10 working days from the date of submission of the complaint). If the applicant remains dissatisfied with the outcome of his/her complaint, he or she may appeal the decision through the Information and Data Protection Commissioner (IDPC) within 60 days from the date of the notification by the Public Authority. Should the applicant remain dissatisfied with the outcome of this procedure, he or she may appeal the decision through the Information and Data Protection Appeals Tribunal within 20 working days from the last relevant communication by the IDPC. An appeal from this decision may be registered at the Courts of Appeal within 30 days from the last relevant communication of the Information and Data Protection Appeals Tribunal.

Description of Document/ Information/ decision:	Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mill-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.
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**REQUEST TO DOCUMENTS/INFORMATION REFUSED
(Freedom of Information Act, Cap. 496)**

Date: 17/04/2020

Ref No: 274200591679

176
 TRIQ SANTA MARGERITA
 SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
 SGW1016

Mr / Ms Robert Aquilina (0313178M)

With reference to your request dated 23/03/2020 received by Malta Police Force, we regret to inform you that your request/complaint cannot be met because: the document requested is excluded from the scope of this Act by virtue of article 5.

In the event that you are not in agreement with the Public Authority's decision, you may seek review through the Public Authority's Internal Complaints Procedure (specified below). If such review has been availed of, and you are still not in agreement with the outcome, you may seek investigation and review by the Information and Data Protection Commissioner in accordance with article 23 of the Freedom of Information Act.

Regards

Malta Police Force

This is an automatically generated email issued by the Freedom of Information system. Please do not reply to this email address.

DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
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Generic Email Address	dpu.police@gov.mt
Working Hours	Working Days: Monday to Friday (except Public Holidays) Working hours: Winter and Summer: 08.30 hrs to 15.00 hrs
Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.
Internal Complaints Procedure	<p>INTERNAL COMPLAINTS PROCEDURE</p> <p>An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.</p>

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DR ROBERT AQUILINA B.A., LL.D.
NOTARY PUBLIC & COMMISSIONER FOR OATHS

176, Triq Santa Margerita, Siggiewi SGW 1016, Malta
Tel 21463536 Mob 99868024 E-mail notary.aquilina@onvol.net

ANNEX 6

L-Aġent Kummissarju tal-Pulizija
Kwartieri Ġenerali tal-Pulizija
Pjazza San Kalċedonju
Floriana FRN 1530

16 ta' Mejju 2020

Għażiż Sur Aġent Kummissarju,

Nirreferi għat-talbiet magħmula minni fit-23 ta' Marzu 2020 (kemm dik magħmula direttament lill-Korp tal-Pulizija kif ukoll dik magħmula lill-Ministeru tal-Finanzi pero' sussegwentement riferuta mill-istess ministeru lill-Korp tal-Pulizija fis-26 ta' Marzu 2020) sablex:

ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz tagħhom mill-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija u/jew Agent/i Kummissarju/i tal-Pulizija lkkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sablex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.

Permezz ta' żewġ emails datati s-17 ta' April 2020 ġejt infurmat li l-imsemmija talbiet kienu qegħdin jiġu rifjutati mill-Korp tal-Pulizija. Kull waħda miż-żewġ emails taqra hekk fil-parti li tikkomunika d-deċijoni:

With reference to your request dated 23/03/2020 received by Malta Police Force, we regret to inform you that your request/complaint cannot be met because: the document requested is excluded from the scope of this Act by virtue of article 5.

Fil-fehma tiegħi mhux minnu li d-dokumenti mitluba minni huma esklużi mill-iskop tal-Att Dwar il-Libertà Tal-Infommazzjoni (Kapitolu 496 tal-Liġijiet ta' Malta), la permezz tal-Artikolu ħamsa (5) tal-imsemmi Att u lanqas b'xi artikolu ieħor tal-Liġi.

Barra minnhekk, fir-risposti datati s-17 ta' April 2020 mhix speċifikata l-bażi speċifika li fuqha t-talbiet tiegħi ġew rifjutati, u dan peress filwaqt li fir-risposti mibgħuta lili ssir referenza għall-Artikolu 5 tal-imsemmi Att, l-istess risposti ma jspeċifikawx abbażi ta' liema mill-bosta ċirkustanzi u proviżjonijiet kontenuti fl-imsemmi artikolu tal-Liġi ċ-ċaħdjet saru.

In vista tas-suespost, permezz tal-preżenti qiegħed nagħmel talba skond l-Internal Complaints Procedure tal-Korp tal-Pulizija għal reviżjoni ta' l-imsemmija deċiżjonijiet li jkunu miċħuda t-talbiet tiegħi datati t-23 ta' Marzu tas-sena 2020, u dan għas-segwent i ragunijiet:

1. Il-ksib ta' l-Infommazzjoni mitluba minni hi garantita mill-Att Dwar il-Liberta' tal-Infommazzjoni, Kapitolu 496 tal-Liġijiet ta' Malta.
2. Hu fl-interess pubbliku li jkun verifikat jekk il-Ministru tal-Finanzi appuntax b'mod validu l-membri tal-Bord tal-Gvernaturi tal-Korp għall-Analisi ta' Infommazzjoni Finanzjarja (FIAU), aktar u aktar illum li sar magħruf li persuna li giet maħtura mill-Ministru Edward Scicluna biex isservi fuq il-Bord tal-Gvernaturi tal-FIAU allegatament kien qiegħed f'kollużjoni ma' allegat mandant ta' assassinju ta' ġurnalista u ma' allegat kompliċi f'każijiet ta' korruzzjoni; u
3. Id-deċiżjonijiet meħuda mill-Korp tal-Pulizija li jkunu miċħuda l-imsemmija talbiet tiegħi mhix konformi mal-Liġi anke minħabba l-fatt li l-Korp tal-Pulizija naqas milli jagħtini r-raġunijiet speċifiċi għaċ-ċaħda. Dan in-nuqqas jikkostitwixxi abbuż tal-Liġi, li permezz tal-Artikolu 15 (1) tal-Att Dwar il-Liberta' tal-Infommazzjoni jistipula li:

Meta talba magħmula skont dan l-Att tigi rifjutata, l-awtorita' pubblika għandha –

(a) Bħala ħsara għall-artikolu 34, tagħti lill-applikant ir-raġunijiet għaċ-ċaħda;

Fid-deċiżjonijiet tiegħu msemmija hawn fuq, il-Korp tal-Pulizija irrefera għal artikolu tal-liġi, iżda ma speċifikax ir-raġuni preċiżi għaċ-ċaħda, u cioè' taħt liema parti mill-Artiklu 5 tal-imsemmi Att it-talbiet tiegħi kienu qed jiġu miċħuda. Dan jagħmilha ferm aktar diffiċli għalija, ċertament b'mod mhux ġustifikat, biex nipprevali ruħi mid-dritt mogħti lili mil-Liġi li nappella l-imsemmija deċiżjonijiet.

Għal kull buon fini qed nehmez ma' din l-ittra kopja ta' l-imsemmija deċiżjonijiet datati s-17 ta' April 2020 u ta' l-email li permezz tagħha kont ġejtinfurmat li t-talba magħmulaminni lill-Ministeru tal-Finanzi kienet ġiet trasferita lill-Korp tal-Pulizija.

Dejjem Tiegħek,


Dr Robert Aquilina B.A., LL.D.

From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Notification of Transfer of Request
Date: 26 March 2020 at 09:30
To: notary.aquillina@gmail.com



NOTIFICATION OF TRANSFER OF REQUEST
(Freedom of Information Act, Cap. 496)

Date: 26/03/2020

Ref No: 311200661677

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

You are hereby being informed that your below indicated request dated 23/03/2020 has been transferred to Malta Police Force.

Kindly note that your request will be reviewed by the Freedom of Information Officer of the indicated Public Authority. You will be provided with a decision on your request within 20 working days from submission of your request.

Subject to the provisions of article 11 of the FOI Act, the above indicated timeline may be extended up to 40 working days.

Enclosed please find information related to the Malta Police Force including details of its Internal Complaints Procedure.

Regards
Permanent Secretariat MFIN

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DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
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Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.
Internal Comp Procedure	INTERNAL COMP PROCEDURE An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.

INFORMATION ON COMPLAINTS

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from the date of the last relevant communication by the Public Authority. In case no communication is received by the applicant it is advisable that he/she contacts the Public Authority in question by telephone since there may be issues related to the submission of communications and/or notifications. Subsequent and different complaints on the same request can only be submitted to the Public Authority after the said Public Authority answers to the original complaint or following the lapse of 10 working days from the date of submission of the complaint). If the applicant remains dissatisfied with the outcome of his/her complaint, he or she may appeal the decision through the Information and Data Protection Commissioner (IDPC) within 60 days from the date of the notification by the Public Authority. Should the applicant remain dissatisfied with the outcome of this procedure, he or she may appeal the decision through the Information and Data Protection Appeals Tribunal within 20 working days from the last relevant communication by the IDPC. An appeal from this decision may be registered at the Courts of Appeal within 30 days from the last relevant communication of the information and Data Protection Appeals Tribunal

Description of Document/ Information/ decision:	Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mill-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.
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REQUEST TO DOCUMENTS/INFORMATION REFUSED
(Freedom of Information Act, Cap. 496)

Date: 17/04/2020

Ref No: 311200661677

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

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In the event that you are not in agreement with the Public Authority's decision, you may seek review through the Public Authority's Internal Complaints Procedure (specified below). If such review has been availed of, and you are still not in agreement with the outcome, you may seek investigation and review by the Information and Data Protection Commissioner in accordance with article 23 of the Freedom of Information Act.

Regards

Malta Police Force

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REQUEST TO DOCUMENTS/INFORMATION REFUSED
(Freedom of Information Act, Cap. 496)

Date: 17/04/2020

Ref No: 274200591679

176
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SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

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Regards

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Internal
Complaints
Procedure

INTERNAL COMPLAINTS PROCEDURE

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Description of
Document/
Information/
decision:

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ANNEX 7



From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Acknowledgement Letter To Complaint To Public Authority
Date: 19 May 2020 at 05:57
To: notary.aquilina@gmail.com

ACKNOWLEDGEMENT LETTER TO COMPLAINT TO PUBLIC AUTHORITY
(Freedom of Information Act, Cap. 496)

Date: 19/05/2020

Ref No: 274200591679

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms. Robert Aquilina (0313178M)

This is to acknowledge receipt of your below indicated complaint for document / information submitted on 19/05/2020. Kindly note that your complaint is currently open at the Malta Police Force and will be processed through the Internal Complaints Procedure. You will be provided with a decision on your complaint within 10 working days. Enclosed please find information related to the Malta Police Force including details of its Internal Complaints Procedure and general information on complaints.

Regards

Malta Police Force

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DETAILS OF PUBLIC AUTHORITY

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Type of complaint Your request has been refused / It-talba għall-informazzjoni giet irrifutata

Reasons for disagreement Nirreferi għat-talbiet magħmula minni fit-23 ta' Marzu 2020 (kemm dik magħmula direttament lill Korp tal-Pulizija kif ukoll dik magħmula lill-Ministeru tal-Finanzi pero' sussegwentement riferuta mill istess ministeru lill-Korp tal-Pulizija fis-26 ta' Marzu 2020) sabiex:

ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz taghhom mi/1-bidu tas-sena 2013 sallum il-Kummissarji tal-Pulizija u/jew Agenti/Kummissarju/i tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhala membri tal-Bord tal-Gvernaturi tal-FIAU.

Permezz ta' zewg emails datati s-17 ta' April 2020 gejt infurmat li l-imsemmija talbiet kienu qeghlin jigu rifjutati mill-Korp tal-Pulizija. Kull walida miz-zewg emails taqra hekk fil-parti li tikkomunika d decijoni:

With reference to your request dated 23/03/2020 received by Malta Police Force, we regret to inform you that your request/complaint cannot be met because: the document requested is excluded from the scope of this Act by virtue of article 5.

Fil-fehma tiegħi mhux minnu li d-dokumenti mitluba minni huma eskluzi mill-iskop tal-Att Dwar il-Liberta' Tal-Infurmazzjoni (Kapitolu 496 tal-Ligijiet ta' Malta), la permezz tal-Artikolu liamsa (5) tal-imsemmi Att u lanqas b'xi artikolu ielior tal-Ligi.

Barra minnhekk, fir-risposti datati s-17 ta' April 2020 mhix specifkati l-bazi specifika li fuqha t talbiet tiegħi gew rifjutati, u dan peress filwaqt li fir-risposti mibgliuta lili ssir referenza għall-Artikolu 5 tal-imsemmi Att, l-istess risposti ma jisspecifikaw abbażi ta' liema mill-bosta cirkustanzi u provvizjonijiet kontenuti fl-imsemmi artikolu tal-Ligi c-caldiet saru.

In vista tas-suespost, permezz tal-prezenti qiegħied nagħlime! talba skond l-Internal Complaints Procedure tal-Korp tal-Pulizija għal revizjoni ta' l-imsemmija decizjonijiet li jkunu miċiuda t-talbiet tiegħi datati t-23 ta' Marzu tas-sena 2020, u dan għas-segwent i ragunijiet:

1. Il-ksib ta' l-informazzjoni mitluba minni hi garantita mill-Att Dwar il-Liberta' tal-Infurmazzjoni, Kapitolu 496 tal-Ligijiet ta' Malta.
2. Hu fl-interess pubbliku li jkun verifikat jekk il-Ministru tal-Finanzi appuntax b'mod validu l membri tal-Bord tal-Gvernaturi tal-Korp għall-Analisi ta' Infurmazzjoni Finanzjarja (FIAU), aktar u aktar ilum li sar magħluf li persuna li giet malitura mill-Ministru Edward Scicluna biex iservi fuq il-Bord tal-Gvernaturi tal-FIAU allegatament kien qiegħied f'kolluzjoni ma' allegat mandant ta' assassinj u ma' allegat komplici f'kazijiet ta' korruzzjoni; u
3. Id-decizjonijiet meliuda mill-Korp tal-Pulizija li jkunu miċiuda l-imsemmija talbiet tiegħi mhix konformi mal-Ligi anke minliabba l-fatt li l-Korp tal-Pulizija naqas milli jagħlitini r-ragunijiet specifiki għal-caldida. Dan in-nuqqas jikkostitwixxi abbaż tal-Ligi, li permezz tal-Artikolu 15 (1) tal-Att Dwar il-Liberta' tal-Infurmazzjoni jistipula li:

Meta talba magħmula skont dan l-Att tigi rifjutata, l-awtorita' pubblika għandha-

(a) Bnala nsara għa/1-artikolu 34, tagħti li/1-applikant ir-ragunijiet għa6-6anda;

Fid-decizjonijiet tiegħi msemmija hawn fuq, il-Korp tal-Pulizija irrefera għal artikolu tal-ligi, izda ma specifkax ir-raguni preciza għal-caldida, u doe' talit liema parti mill-Artikolu 5 tal-imsemmi Att it-talbiet tiegħi kienu qed jigu miċiuda. Dan jagħmilha ferm aktar diffiċli għalija, certament b'mod mhux gustifikat, biex nipprevali rullii mid-dritt mogħiti lili mil-Ligi li nappella l-imsemmija decizjonijiet.

Għal kull buon fini qed nehmez ma' din l-ittra kopja ta' l-imsemmija decizjonijiet datati s-17 ta' April 2020 u ta' l-email li permezz tagħha kont gejtinfurmat li t-talba magħmulaminni lill Ministeru tal-Finanzi kienet giet trasferita lill-Korp tal-Pulizija.

From: FOI Notifications notifications@alert.com.mt
Subject: [AUTOMATED] - Request Refused
Date: 29 May 2020 at 14:25
To: notary.aquilina@gmail.com

ANNEX B



REQUEST TO DOCUMENTS/INFORMATION REFUSED
(Freedom of Information Act, Cap. 496)

Date: 29/05/2020

Ref No: 274200591679

176
TRIQ SANTA MARGERITA
SIGGIEWI [Is-Siggiewi (Città Ferdinand)]
SGW1016

Mr / Ms Robert Aquilina (0313178M)

With reference to your request dated 23/03/2020 received by Malta Police Force, we regret to inform you that your request/complaint cannot be met because:

- the document requested is excluded from the scope of this Act by virtue of article 5.
- by virtue of Part V or Part VI, there is good reason for withholding the document requested.

Complaint is being refused in terms of Article 5(3)(a), Article 36(1) and Article 38(C) of Chapter 496 of the Laws of Malta.

In the event that you are not in agreement with the Public Authority's decision, you may seek review through the Public Authority's Internal Complaints Procedure (specified below). If such review has been availed of, and you are still not in agreement with the outcome, you may seek investigation and review by the Information and Data Protection Commissioner in accordance with article 23 of the Freedom of Information Act.

Regards

Malta Police Force

This is an automatically generated email issued by the Freedom of Information system. Please do not reply to this email address.

DETAILS OF PUBLIC AUTHORITY

Name	Malta Police Force
Address	Police General Headquarters, PJAZZA SAN KALCIDONJU, FLORIANA [Il-Furjana], FRN 1530
Telephone	22942257
Generic Email Address	dpu.police@gov.mt
Working Hours	Working Days: Monday to Friday (except Public Holidays) Working hours: Winter and Summer: 08.30 hrs to 15.00 hrs
Additional Information	Complaints may be submitted to the Public Authority by e-mail to dpu.police@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form. E-mails received on weekends or public holidays will be replied on the next or following working day. Payments can be made in cash or by cheque at the Finance Department of the Malta Police Force at address indicated above. Any cheques should be payable to the Commissioner of Police.
Internal Complaints Procedure	INTERNAL COMPLAINTS PROCEDURE An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the requested information may address a complaint to the Malta Police Force FOI Officer, who shall bring the complaint to the attention of the officer/unit responsible. The officer/unit responsible shall reply to the applicant within 10 working days from the receipt of the complaint. In addition, the applicant shall be also informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the FOI Act – Cap 496 of the Laws of Malta.

INFORMATION ON COMPLAINTS

An applicant may choose to submit a complaint to the Public Authority within a maximum of 30 days from the date of the last relevant communication by the Public Authority. In case no communication is received by the applicant it is advisable that he/she contacts the Public Authority in question by telephone since there may be issues related to the submission of communications and/or notifications. Subsequent and different complaints on the same request can only be submitted to the Public Authority after the said Public Authority answers to the original complaint or following the lapse of 10 working days from the date of submission of the complaint). If the applicant remains dissatisfied with the outcome of his/her complaint, he or she may appeal the decision through the Information and Data Protection Commissioner (IDPC) within 60 days from the date of the notification by the Public Authority. Should the applicant remain dissatisfied with the outcome of this procedure, he or she may appeal the decision through the Information and Data Protection Appeals Tribunal within 20 working days from the last relevant communication by the IDPC. An appeal from this decision may be registered at the Courts of Appeal within 30 days from the last relevant communication of the Information and Data Protection Appeals Tribunal.

Description of Permezz tal-prezenti nitlob li ninghata kopja shiha u mhix iccensurata tad-dokumenti kollha li permezz

Document/
Information/
decision:

taghom mill-bidu tas-sena 2013 s'allum il-Kummissarji tal-Pulizija u/jew Agent/i Kummissarju/i tal-Pulizija ikkomunikaw il-listi ta' persuni li minnhom il-Ministru tal-Finanzi sussegwentement ghazel persuni sabiex iservu bhalta membri tal-Bord tal-Gvernaturi tal-FIAU.

discharge of any of its functions.

(2) The Unit shall at least once a year prepare a report on its activities in general to the Minister and shall afford to the Minister facilities for obtaining information with respect to its property and its activities in general and furnish him with returns, accounts and other information with respect thereto.

17. The Unit, its Board, officers and employees shall not be liable in damages for anything done or omitted to be done in the discharge or purported discharge of any function under this Act, unless the act or omission is shown to have been done or omitted to be done, as the case may be, in bad faith.

Liability for
damages.
Added by:
XXXI. 2001.4.

18. (1) The Unit shall consist of a Board and a Director.

(2) The Board shall be responsible for the policy to be adopted by the Unit and to be executed and pursued by the Director and to ensure that the Director carries out that policy accordingly. The Board shall also be responsible for advising the Minister as provided in article 16(1)(g).

Distribution of
duties of the Unit.
Added by:
XXXI. 2001.4.

(3) The Director shall be responsible for the execution of the policy established by the Board and for carrying out all the functions of the Unit not attributed by this Act to the Board in accordance with the policy and subject to the general supervision of the Board.

(4) The Board may appoint any officer or any member of the staff of the Unit to act as director when the Director is absent, unable to act or on vacation or during any vacancy in the office of the Director.

19. (1) The Board shall consist of:

- (a) four members appointed by the Minister in the manner provided in subarticle (2);
- (b) not more than two other members, as may be requested by the Board, appointed by the Minister in the manner provided in subarticle (3).

Composition of the
Board.
Added by:
XXXI. 2001.4.

(2) The Minister shall appoint the four members referred to in subarticle (1)(a) by selecting one member from each of four panels, each of at least three persons, nominated respectively by the Attorney General, the Governor of the Central Bank, the Chairman of the Malta Financial Services Authority and the Commissioner of Police.

(3) The Minister shall appoint each additional member as may be requested by the Board in pursuance of the provisions of subarticle (1)(b) from a panel of not less than three persons nominated by the authority to be indicated by the Board with respect to each additional member.

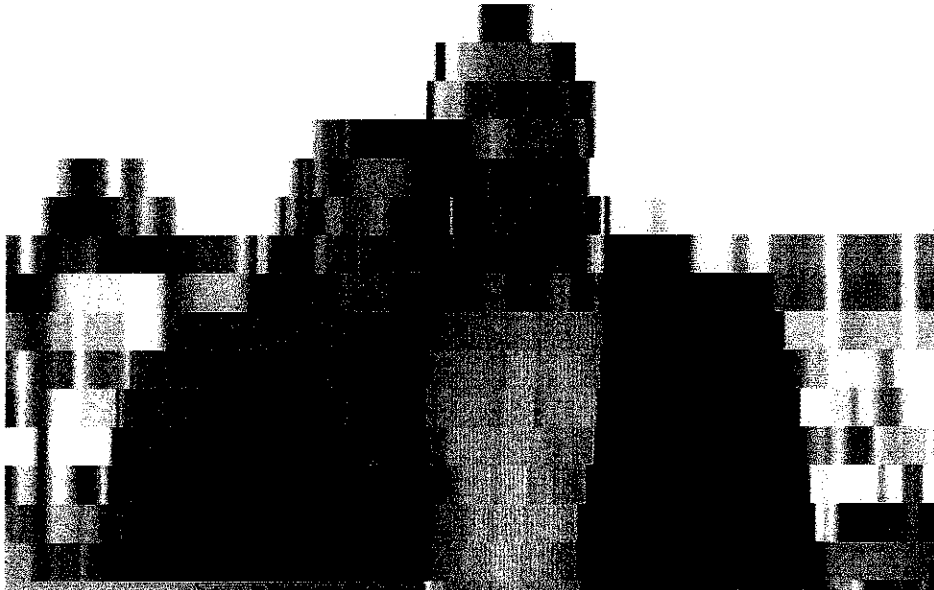
(4) The members of the Board shall be appointed for a term of three years against such remuneration as the Minister may determine and may be re-appointed in the manner laid down in subarticles (2) or (3), as the case may be, on the expiration of their term of office.

Minister resigns • Husband filmed inside Yorgen Fenech's Rolls Royce

First casualty in the Abela Cabinet • Minister resigns after footage extracted from Yorgen Fenech's mobile phone shows Silvio Valletta inside his Rolls Royce



Last updated on 20 January 2020, 8:08am by Matthew Vella



Gozo minister Justyne Caruana with husband Silvio Valletta

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TWEET (https://twitter.com/share url=https://www.maltatoday.com/mt/news/national/99839/justyne_caruana_resig resigns • Husband filmed inside Yorgen Fenech's

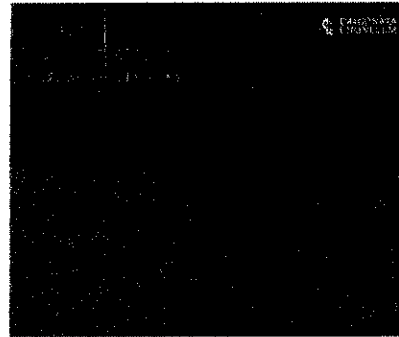
SHARE (https://www.facebook.com/shar u=https%3A%2F%2Fwww.maltatoday.com/mt%2Fnews%2Fnational%2F99839%2Fjus



[REDACTED]

Gozo minister Justyne Caruana has resigned her post over revelations that her husband, a former deputy police chief, had travelled abroad to watch a football match with Tumas magnate Yorgen Fenech.

Advertisement



Yesterday the Times revealed that Silvio Valletta had travelled with Yorgen Fenech to the UK to watch a Chelsea

play at Stamford Bridge stadium in London on 29 September 2018, when the Electrogas power station owner and former Tumas Group director had already been identified.

Now the Maltese police have in their possession a mobile phone video extracted from the cell phone of the Caruana Galizia assassination's alleged mastermind Yorgen Fenech, showing Valletta, the former deputy police chief removed from the investigation, inside the magnate's Rolls Royce.

Caruana submitted her resignation on Sunday evening. She was made minister for Gozo in 2017 and reappointed to the post after Robert Abela was elected Labour leader and PM just a week ago.

But Valletta has denied having had any knowledge of Fenech as a suspect, despite the fact that he was also a board member of the Financial Intelligence Analysis Unit, the same entity that had been investigating the alleged links between the Dubai firm 17 Black and the Panama firm opened by former chief of staff Keith Schembri.

Valletta has declared the mobile phone video was shot after he left the police force, but sources were quoting as saying that it proves an intimate relationship with Fenech.

Valletta on Sunday gave a statement to the police. He has also insisted that he had paid for his flights himself and that he had not been part of the Caruana Galizia murder investigation since June 2018.

Valletta has insisted he had not known of Fenech's involvement as a suspect, despite having been identified as early as May 2018 by the Malta Security Services. Valletta oversaw part of the investigation but was removed by court order on request of the Caruana Galizia family. He travelled with Fenech months after leaving the force.

In June 2018, Valletta suspended himself from the investigation into the journalist's assassination

(https://www.maltatoday.com.mt/news/national/87532/silvio_valletta_pulls_out_of_caruana)

a court ruled that he desist in taking part in the case as a result of a potential conflict of interest due to his marriage to Gozo Minister Justyne Caruana.

The Caruana Galizia family had contested Valletta's participation in the investigation, insisting he had a conflict of interest as a result of his marriage to Caruana and his role as a board member of the Financial Intelligence Analysis Unit (FIAU).

The family said Valletta's link to a cabinet minister was problematic since the slain journalist had written numerous times about alleged wrongdoing of members of the executive.

The court's decision was appealed by the Attorney General, but was in October 2018 confirmed by the Constitutional Court (https://www.maltatoday.com.mt/news/court_and_police/89941/constitutional_court Uphold) which upheld the order for Valletta's involvement in the investigation to stop.

Home Affairs minister Byron Camilleri said he had communicated with the acting police chief Carmelo Magri, but said it was up to police top brass to decide on an ethics investigation.

According to The Times, around the time that the trip to the UK took place, the FIAU had just transmitted to the police an intelligence report saying that Fenech was the owner of the secret Dubai company 17 Black. In August last year it was announced in the Government Gazette that Valletta had retired from the police corps and as a result no longer sits on the FIAU board.

Advertisement

**Gallarija
Darmanin**



Matthew Vella is executive editor at MaltaToday.

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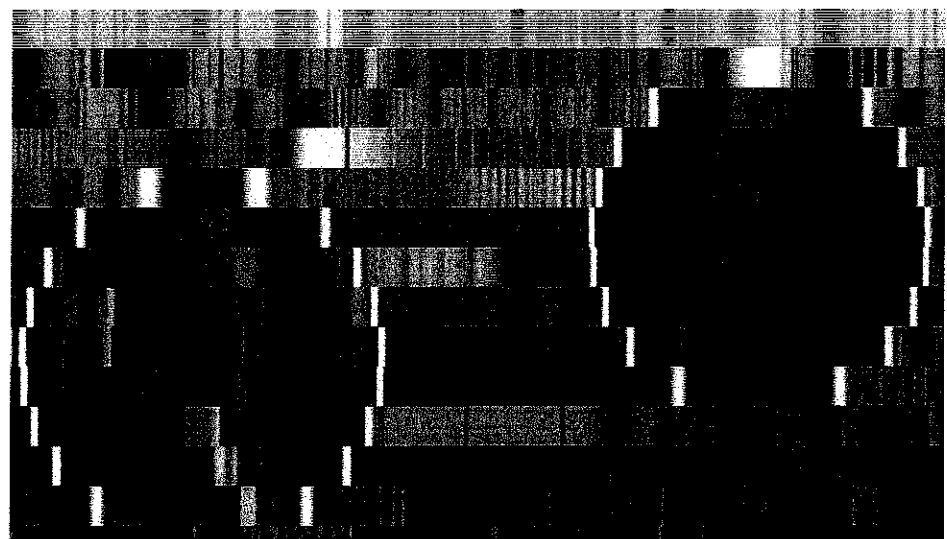
MORE IN NATIONAL

Silvio Valletta watched Champions League Final with Yorgen Fenech in May 2018

Silvio Valletta was still handling the Caruana Galizia murder case when he travelled with suspect Yorgen Fenech in May to watch Liverpool play Real Madrid in the Champions League final in Kiev



21 January 2020, 12:17pm
by David Hudson



Yorgen Fenech and Silvio Valletta went to Kiev together to watch Liverpool take on Real Madrid in Kiev, the tickets for which were paid by the businessman

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[url=https://www.maltatoday.com/mt/news/national/99875/silvio_valletta_watched_valletta_watched_champions_league_final](https://www.maltatoday.com/mt/news/national/99875/silvio_valletta_watched_valletta_watched_champions_league_final)


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[u=https://www.maltatoday.com/mt/news/national/99875/silvio_valletta_watched_valletta_watched_champions_league_final](https://www.maltatoday.com/mt/news/national/99875/silvio_valletta_watched_valletta_watched_champions_league_final)

Former deputy police commissioner Silvio Valletta watched the Champions League Final with Yorgen Fenech in Kiev, Ukraine, back in May 2018. Fenech has since then been charged with masterminding the murder of Daphne Caruana Galizia.

Valletta has confirmed travelling to Kiev with Fenech, in what is the latest twist after Times of Malta revealed that the pair had gone to watch another game in London in September 2018.

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 medirect

In May 2018, Valletta was still handling the Daphne Caruana Galizia murder case and Fenech was considered a possible suspect. According to court testimony of Inspector Keith Arnaud, chief investigator in the murder case, middleman Melvin Theuma's phone had started being tapped in the first week of May.

Fenech had also been identified as the owner of Dubai company 17 Black by the Maltese Financial Intelligence Analysis Unit, in a report submitted to the police force around this time.

Valletta was still a board member of the FIAU and deputy police chief. He took a step back from the Caruana Galizia case in June 2018 when a court ruled that he should not oversee proceedings given a potential conflict of interest as a result of his marriage to a government minister.

The judgement was confirmed on appeal in October 2018.

A video on Fenech's mobile phone also showed Valletta playing around behind the wheel of the businessman's Rolls Royce.

On Monday evening, Valletta was questioned at police headquarters. He denied knowing Fenech was a murder suspect and denied any wrongdoing.

In a comment to Times of Malta, Valletta said, "I worked so hard for this case, do you think I would willingly jeopardise all that work?"

Valletta said that he knew there was an issue between Theuma and Fenech but not that Fenech was a murder suspect. He is reported saying that, with hindsight, he regrets having gone abroad with Fenech.

Valletta's wife, former Cabinet minister Justyne Caruana was forced to resign her post as Gozo minister as a result of the revelations.

How did we get to this stage?

April 2016

Financial Intelligence Analysis Unit (FIAU) chief, Manfred Galdes, hands incriminating evidence on OPM chief of staff Keith Schembri directly to Police Commissioner Michael Cassar.

27 April 2016

Michael Cassar resigns from his post, citing health reasons. He is replaced by Lawrence Cutajar.

16 October 2017

Journalist Daphne Caruana Galizia dies in a car bomb that detonated outside her home in Bidnija.

4 December 2017

Three men are arrested in connection with her murder: brothers Alfred and George Degiorgio, and Vince Muscat.

May 2018

According to court testimony, middleman Melvin Theuma's phone is tapped in the first week of May and alleged mastermind Yorgen Fenech's phone is tapped sometime later.

The phone-tapping would have been conducted by the Malta Security Service and would have had to receive authorisation from then prime minister Joseph Muscat.

At this time, deputy police chief Silvio Valletta went to Kiev with Fenech to watch Liverpool FC take on Real Madrid for the Champions League Final. The tickets to the match were paid for by Fenech.

June 2018

Judge Silvio Meli orders that deputy police chief Silvio Valletta desists from taking part in the investigation and orders his involvement in the investigation to be re-examined by his replacement.

This was the result of a court case filed by the Caruana Galizia family in 2017, accusing Valletta of a conflict of interest because of his marriage to a cabinet minister and his role as a board member of the FIAU.

Attorney General Peter Grech appealed the judgement. Valletta pulls out of the investigation out of his own volition without waiting for the appeal to conclude.

29 July 2018

Valletta is removed from the FIAU, 10 months after Occupy Justice activists called for his withdrawal due to conflict of interest, being married to a Cabinet minister.

29 September 2018

Valletta goes to the United Kingdom with Yorgen Fenech. Fenech is already a suspect in the murder investigation and his phone is already tapped at this point.

Valletta goes to Stamford Bridge in London to watch another football match between Chelsea and Liverpool. Video on Fenech's phone also shows Valletta inside the businessman's Rolls Royce around this time.

7 December 2018

Gozo Minister Justyne Caruana leaves parliament ahead of a debate on the Nationalist Party motion calling for an independent inquiry into the murder. The motion also includes a mention of Valletta's conflict of interest, which prompts Caruana to renounce participation in the debate.

"I want to assure my children, who for the past year have had to live with a police escort because of undue attention given to my family, that their father performed his job well, leading to results like never before. I want to assure my children that their father and I did nothing to be ashamed of and that our actions were always righteous and in the best interest of the country," an emotional Caruana tells parliament.

20 November 2019

Yorgen Fenech is arrested after he is intercepted at sea aboard his yacht, which had left the Portomaso Marina in St Julian's at 5.30am.

December 2019

Middleman Melvin Theuma, after being granted a presidential pardon in November, testifies before a court, saying that he was aware that his phone was tapped back in May 2018 because Yorgen Fenech had told him to use Whatsapp, where phone calls are encrypted.

He also says that in April 2018, Fenech had informed him that a Cabinet meeting was taking place and was discussing a presidential pardon for one of the three accused of Caruana Galizia's murder, Vince Muscat.

He claims that Keith Schembri was Fenech's informant throughout this time.

January 2020

Justyne Caruana is reappointed Gozo Minister after Robert Abela replaces Joseph Muscat as Prime Minister.

Caruana resigns from her post after information related to her husband's friendship with Fenech is revealed.

Advertisement



David Hudson is an IGM press awards (Investigative stories) winner of 2019

[More from David Hudson \(/author/david_hudson/\)](/author/david_hudson/)

MORE IN NATIONAL

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NEWS

Yorgen Fenech was receiving information from Silvio Valletta – murder middleman tells court

the Shift by The Shift Team
6 months ago




Photo: YouTube

Murder suspect Yorgen Fenech was receiving inside information about one of the men on trial for the killing journalist Daphne Caruana Galizia from former chief of staff Keith Schembri and Deputy Police Commissioner Silvio Valletta, middleman Melvin Theuma told a court.


Theuma, who was granted a presidential pardon for his collaboration with the police, was testifying on Wednesday morning in the compilation of evidence of Fenech, who is charged with being the mastermind of Caruana Galizia's murder in October 2017 when she was killed by a car bomb. He was being interrogated about a number of recordings that he had made and that were presented to court.

Replying to questions by Magistrate Rachel Montebello and Police Inspector Keith Arnaud, who is leading the murder investigation, Theuma said he felt betrayed by Vince Muscat – one of the three men facing a murder trial – as he felt Muscat was going to blame him.




Theuma was then asked by lawyer Jason Azzopardi, who is representing the Caruana Galizia family, whether he knew the source of Fenech's information that Muscat was speaking to the police. "If I am not mistaken Fenech had told me that he got the information from Keith Schembri and Silvio Valletta," said Theuma, confirming that he would refer to him as "*Valletta l-ohxon*" (Valletta, the fat one). He also said that Schembri had informed Fenech that the police had arrived at the point where they were ready to take action on people involved in the murder.



Corinne Vella
about 6 months ago



Deputy police commissioner SILVIO VALLETTA informed YORGEN FENECH *directly* about investigations into Daphne's assassination.
- sworn testimony in compilation of evidence against murder suspect Yorgen Fenech.
#DaphneCaruanaGalizia

 8  Comment  6

Valletta recently hit the headlines after his wife Justyne Caruana had to resign from Gozo Minister when Valletta's close ties to Fenech were revealed.

Theuma also spoke about his meeting with Kenneth Camilleri, who used to form part of former prime minister Joseph Muscat's security detail. Theuma met Camilleri

through Johann Cremona, however could not say who sent Cremona. During that meeting, Camilleri walked away to make a phonecall and Theuma was convinced he was speaking to Schembri. Theuma told the court that was convinced Camilleri was sent by Schembri.

At that first meeting, Camilleri told Theuma to inform Mario Degiorgio – the brother of suspected killers Alfred and George Degiorgios – immediately, which he did. Communication between Degiorgio and Theuma reached such an extent that Theuma felt “he would rather die”, and said that he was considering taking Degiorgio to speak to Keith Schembri in Mellieha, to take the responsibility of guaranteed bail off his shoulders.

The following day, Theuma went to Johann Cremona’s garage where there was Camilleri. Cremona showed three mobile numbers and asked whether Theuma recognised any of them. Theuma identified one as his old mobile phone number, to which Cremona replied “then you are the mastermind behind the Caruana Galizia murder”, Theuma said.



Corinne Vella
about 6 months ago



EVIDENCE IN CRIMINAL CASE vs YORGEN FENECH

Joseph Muscat's chief of staff Keith Schembri informed Yorgen Fenech that a suspect in custody was speaking to the police about Daphne's assassination.

Keith Schembri sent Joseph Muscat's security man Kenneth Camilleri to murder intermediary Melvin Theuma to promise bail and 1,000,000 Euros for each of the three suspects in custody.... See More

👍 27 💬 Comment ➦ 19

Theuma told Cremona that it was not him but Fenech because he was the one paying Alfred Degiorgio. Asked by Magistrate Montebello whether Theuma knew from where Cremona got hold of the mobile numbers, Theuma said no.

The next day, Theuma was at a restaurant when Cremona turned up and told him that Camilleri wanted to meet him in Zejtun. Theuma said that he did not go as he feared for his life.



Corinne Vella
about 6 months ago



In a recorded conversation with intermediary Melvin Theuma, Yorgen Fenech mentions "Joseph". Theuma tells the criminal court Fenech meant JOSEPH MUSCAT.

Muscat's chief of staff Keith Schembri told Yorgen Fenech the police were closing in on the murder case.

- sworn testimony, compilation of evidence in criminal case against Yorgen Fenech... See More

👍 26 💬 3 ➦ 19

At one point in the recordings, Theuma was heard telling Fenech that he would take Degiorgio to Mellieha. Questioned by Arnaud, Theuma said he preferred that Schembri confirmed the bail guarantee rather than himself remaining in that position. "I couldn't continue my life like that, I would have rather been dead at that point," said Theuma, referring to the constant messages from Degiorgio.

Theuma was questioned about a line in the recordings where Fenech says "they were angry, Joseph, everyone". Theuma confirmed that the "Joseph" referred to Joseph Muscat and it was implied that they were angry because of the murder.

Judge Antonio Mizzi was also mentioned in the recordings. Theuma explained that Degiorgios said that the bail request was going to happen under Mizzi. In a line in the recording, Fenech told Theuma that Schembri went to speak to Mizzi because of "ix-xih" – a reference to Joseph Muscat. The specific of why he went to speak to him were not elaborated on.

Theuma also revealed that Fenech had sent him a message telling him to put pressure on Maksar, who allegedly made the bomb. Montebello pointed out that

Theuma did not know about the manufacturing of the bomb, but Fenech did, despite Theuma being the point of contact between Degiorgio.

The first recording was played in court last week and Theuma could be heard telling Fenech about the bail and the need for one million euro for the three murder suspects.

Theuma said that, during his meetings with Camilleri, he was so convinced that the information was coming from Schembri that he did not question it.

During Wednesday's sitting, court-appointed transcriber Margaret Debattista presented the transcriptions of the recordings. Five have been done so far out of a total of 60 audio recordings and 70 video recordings.



NOTIFIKAZZJONIJIET TAL-GVERN**GOVERNMENT NOTICES**

Nru. 142

No. 142

**PUBBLIKAZZJONI TA' ATTI
FIS-SUPPLIMENT****PUBLICATION OF ACTS
IN SUPPLEMENT**

HUWA avżat għall-informazzjoni generali illi l-Atti li ġejjin huma ppubblikati fis-Suppliment li jinsab ma' din il-Gazzetta:

IT is notified for general information that the following Acts are published in the Supplement to this Gazette:

Att Nru. II tal-2014 imsejjaħ l-Att tal-2014 li jemenda l-Kodiċi Kriminali (Emenda Nru. 2); u

Act No. II of 2014 entitled the Criminal Code (Amendment No. 2) Act, 2014; and

Att Nru. III tal-2014 imsejjaħ l-Att tal-2014 li jemenda l-Kodiċi Kriminali (Emenda Nru. 3).

Act No. III of 2014 entitled the Criminal Code (Amendment No. 3) Act, 2014.

L-14 ta' Frar, 2014

14th February, 2014

Nru. 143

No. 143

**PUBBLIKAZZJONI TA' ABBOZZ TA' LIĠI
FIS-SUPPLIMENT****PUBLICATION OF BILL
IN SUPPLEMENT**

HUWA avżat għall-informazzjoni generali illi l-Abbozz ta' Liġi li ġej huwa ppubblikat fis-Suppliment li jinsab ma' din il-Gazzetta:

IT is notified for general information that the following Bill is published in the Supplement to this Gazette:

Abbozz ta' Liġi Nru. 39 imsejjaħ Att tal-2014 li jemenda l-Att dwar iż-Żwieġ.

Bill No. 39 entitled the Marriage (Amendment) Act, 2014.

L-14 ta' Frar, 2014

14th February, 2014

Nru. 144

No. 144

**FORZI ARMATI TA' MALTA
(FORZA REGOLARI)****ARMED FORCES OF MALTA
(REGULAR FORCE)**

IL-PRESIDENT ta' Malta għogbu japprova t-trasferiment tal-Kurunell Harold Stivala mil-Lista Attiva tal-Forza Regolari tal-Forzi Armati ta' Malta għar-Riżerva Regolari tal-Uffiċjali, meta rtira b'seħħ mit-12 ta' Frar, 2014

THE President of Malta has been pleased to approve the transfer of Colonel Harold Stivala from the Active List of the Armed Forces of Malta Regular Force to the Regular Reserve of Officers, on retirement, with effect from 12th February, 2014.

L-14 ta' Frar, 2014

14th February, 2014

No. 145

Nru. 145

**ATT KONTRA MONEY LAUNDERING
(KAP. 373)****MONEY LAUNDERING ACT
(CAP. 373)****Bord tal-Gvernaturi****Board of Governors**

NGHARRFU b'din illi, skont l-Artikolu 19 tal-Att kontra *Money Laundering*, il-Ministru għall-Finanzi għamel in-nomini li ġejjin biex iservu fuq il-Bord tal-Gvernaturi tat-Taqsimi tal-*Financial Intelligence Analysis*.

IT is hereby notified that, in terms of Article 19 of the Prevention of Money Laundering Act, the Minister for Finance has appointed the following persons to serve on the Board of Governors of the Financial Intelligence Analysis Unit.

Barra minn hekk, skont l-Artikolu 20 tal-istess Att, il-Prim Ministru, wara konsultazzjoni mal-Ministru għall-Finanzi, f'atar iċ-*Chairman* u Deputat *Chairman* tal-imsemmi Bord tal-Gvernaturi, kif ġej:

Chairman
Dott. Peter Grech, LL.D.

Deputat Chairman
Dott. Anton Bartolo, LL.D.

Membri
Is-Sur Anthony P Cortis
Is-Supt Silvio Valletta

Segretarju
Dott. Manfred Galdes, LL.D.

Dawn il-karigi huma għal perijodu ta' tliet snoin sat-22 ta' Jannar, 2017.

It-12 ta' Frar 2014

Nru. 146

**ORDINANZA DWAR ID-DFIN
(KAP. 17)**

Bord dwar id-Dfin

BIS-SAHHA tas-setgħat mogħtija bl-Artikolu 9 tal-Ordinanza dwar id-Dfin u għall-finijiet ta' dik l-Ordinanza, il-persuni hawn taħt imsemmija huma maħtura fuq il-Bord dwar id-Dfin għal perjodu ta' sena kif ġej:

Chairperson
Is-Sur Joe Debono

Membri
Rev. Carmelo Busuttil
Perit Daniel Micallef

L-14 ta' Frar, 2014

Nru. 147

**ATT DWAR IS-SIGURTÀ SOĊJALI
(KAP. 318)**

Nomina ta' Arbitri

BIS-SAHHA tas-setgħat mogħtija bl-Artikolu 107 tal-Att dwar is-Sigurtà Soċjali, il-Ministru għall-Familja u Solidarjetà Soċjali għogħobha taħtar lill-Onor. Imħallef Dott. Franco Depasquale, LL.D., Dott. Reno Borg, LL.D., Dott.

Furthermore, in terms of Article 20 of the same Act, the Prime Minister, in consultation with the Minister for Finance, has appointed the Chairman and Deputy Chairman of the said Board of Governors, as follows:

Chairman
Dr Peter Grech, LL.D.

Deputy Chairman
Dr Anton Bartolo, LL.D.

Members
Mr Anthony P Cortis
Supt Silvio Valletta

Secretary
Dr Manfred Galdes, LL.D.

These appointments are for a period of three years up to 22nd January, 2017.

12th February, 2014

No. 146

**BURIALS ORDINANCE
(CAP. 17)**

Burials Board

IN exercise of the powers conferred by Article 9 of the Burials Ordinance, and for the purposes of that Ordinance, the following persons shall be appointed on the Burials Board for a period of one year as follows:

Chairperson
Mr Joe Debono

Members
Rev. Carmelo Busuttil
Arch. Daniel Micallef

14th February, 2014

No. 147

**SOCIAL SECURITY ACT
(CAP. 318)**

Appointment of Umpires

IN exercise of the powers conferred by Article 107 of the Social Security Act, the Minister for the Family and Social Solidarity is pleased to appoint the Hon. Judge Dr Franco Depasquale, LL.D., Dr Reno Borg, LL.D., Dr Noel Camilleri,

Nru. 55

ATT KONTRA MONEY LAUNDERING
(KAP. 373)

Bord tal-Gvernaturi

NGHARRFU b'din illi, skont l-artikolu 19 tal-Att kontra *Money Laundering* (Kap. 373), il-Ministru għall-Finanzi għamel in-nomini li ġejjin biex iservu fuq il-Bord tal-Gvernaturi tat-Taqsima tal-*Financial Intelligence Analysis*.

Barra minn hekk, skont l-artikolu 20 tal-istess Att, il-Prim Ministru, wara konsultazzjoni mal-Ministru għall-Finanzi, hatar iċ-*Chairman* u d-*Deputat Chairman* kif ġej:

Chairman

Dr Peter Grech, LLD

Deputat Chairman

Dr Anton Bartolo, LLD

Membri

L-Assistent Kummissarju Silvio Valletta
Is-Sur Jesmond Gatt, BSc.

Dawn il-karigi huma għal perijodu ta' tliet snin sat-22 ta' Jannar, 2020.

L-20 ta' Jannar, 2017

No. 55

PREVENTION OF MONEY LAUNDERING ACT
(CAP. 373)

Board of Governors

IT is hereby notified that, in terms of Article 19 of the Prevention of Money Laundering Act (Cap. 373), the Minister for Finance has appointed the following persons to serve on the Board of Governors of the Financial Intelligence Analysis Unit.

Furthermore in terms of Article 20 of the same Act, the Prime Minister, in consultation with the Minister for Finance, has appointed the Chairman and the Deputy Chairman, as follows:

Chairman

Dr Peter Grech, LLD

Deputy Chairman

Dr Anton Bartolo, LLD

Members

Assistant Commissioner Silvio Valletta
Mr Jesmond Gatt, BSc.

These appointments are for a period of three years up to 22nd January, 2020.

20th January, 2017

Nru. 56

ATT TAL-2003
DWAR IL-KUMMISSARJU GHAT-TFAL
(KAP. 462)

Hatra tal-Kunsill għat-Tfal

NGHARRFU b'din għall-informazzjoni ta' kulhadd illi bis-saħħa tas-setgħat mogħtija bl-artiklu 12 tal-Att tal-2003 dwar il-Kummissarju għat-Tfal (Kap. 462), u għall-finijiet ta' dak l-Att, il-Ministru għall-Familja u Solidarjetà Soċjali hatar il-Kunsill għat-Tfal kif ġej:

Chairperson

Kummissarju għat-Tfal

Membri

Is-Sa Maria Abela, SRN, BA (Youth & Comm. Studies), MA (Youth & Comm. Studies),

L-Onor. Anthony Agius Decelis, Dip. ECG, BA, PQD Hse., PGD Ger., MGG, MP

Dr Alexia Aquilina, LLD

Is-Sa Carmen Buttigieg, MA, BA, Dip. Soc. Studies., Dip. Ges. Psy.

No. 56

COMMISSIONER FOR CHILDREN
ACT, 2003
(CAP. 462)

Appointment of the Council for Children

IT is hereby notified for general information that in exercise of the powers conferred by section 12 of the Commissioner for Children Act of 2003 (Cap. 462), and for the purpose of this Act, the Minister for the Family and Social Solidarity has appointed the Council for Children as follows:

Chairperson

Commissioner for Children

Members

Ms Maria Abela, SRN, BA (Youth & Comm. Studies), MA (Youth & Comm. Studies)

Hon. Anthony Agius Decelis, Dip. ECG, BA, PQDHse., PGD Ger., MGG, MP

Dr Alexia Aquilina, LLD

Ms Carmen Buttigieg, MA, BA, Dip. Soc. Studies., Dip. Ges. Psy.

Is-Sa Elizabeth Pisani, BPsych., PCGE, MEd.
Dr Patrick Zahra, MD, MRCP (UK)

Ms Elizabeth Pisani, BPsych., PCGE, MEd.
Dr Patrick Zahra, MD, MRCP (UK)

Dawn il-hatriet huma ghal perjodu ta' sena, b'seħħ mit-18 ta' Jannar, 2017.

These appointments are for a period of one year with effect from 18th January, 2017.

L-20 ta' Jannar, 2017

20th January, 2017

Nru. 57

No. 57

**NOMINA TA' MEMBRI TAL-KUMITAT
GHAL WELFARE**

**APPOINTMENT OF MEMBERS
OF THE WELFARE COMMITTEE**

BIS-SAFHA tas-setghat mogħtija bl-Artikolu 130 tal-Att dwar is-Sigurtà Soċjali (Kap. 318), u għall-finijiet ta' dak l-Att, il-Ministru għall-Familja u Solidarjetà Soċjali approva l-kompozzjoni tal-Kumitat għal *Welfare*, imwaqqaf taħt u skont l-Att hawn fuq imsemmi, kif jidher hawn taħt. Dawn il-hatriet huma għal perjodu ta' sena b'seħħ mis-16 ta' Jannar, 2017.

IN exercise of the powers conferred by Article 130 of the Social Security Act (Cap. 318) and for the purpose of that Act, the Minister for the Family and Social Solidarity has approved the following composition of the Welfare Committee, established by and under the aforesaid Act. These appointments are valid for one year with effect from the 16th January, 2017.

Chairperson

Is-Sur Joseph Fava

Chairperson

Mr Joseph Fava

Membri

Is-Sur Mario Caruana
Is-Sur Vince Ellul
Dr Anthony Gatt
Is-Sa Silvana Mifsud
L-Onor. Silvio Parnis, MP
Il-Prof. Angelo Psaila
L-Onor. Clyde Puli, MP
Dr Zaid Teebi
Dr Geoffrey Vella

Members

Mr Mario Caruana
Mr Vince Ellul
Dr Anthony Gatt
Ms Silvana Mifsud
Hon. Silvio Parnis, MP
Prof. Angelo Psaila
Hon. Clyde Puli, MP
Dr Zaid Teebi
Dr Geoffrey Vella

Segretarja

Is-Sa Mary Louise Borg

Secretary

Ms Mary Louise Borg

L-20 ta' Jannar, 2017

20th January, 2017

Nru. 58

No. 58

**HATRA TA' AĠENT DIRETTUR
(STANDARDS GĦALL-HARSIEN SOĊJALI)**

**APPOINTMENT OF ACTING DIRECTOR
(SOCIAL WELFARE STANDARDS)**

IS-SEGRETARJU Permanenti fil-Ministeru għall-Familja u Solidarjetà Soċjali approva l-hatra temporanja li ġejja:

THE Permanent Secretary in the Ministry for the Family and Social Solidarity has approved the following acting appointment:

ISEM NAME	POST POST	DIPARTIMENT DEPARTMENT	DATA DATE
Is-Sa Rita Calleja	Direttur Director	Standards għall-Harsien Soċjali Social Welfare Standards	8.1.2017 - 20.1.2017

L-20 ta' Jannar, 2017

20th January, 2017

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Cabinet member's husband sits on Financial Intelligence Analysis Unit board

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Published: May 8, 2017 at 10:01am

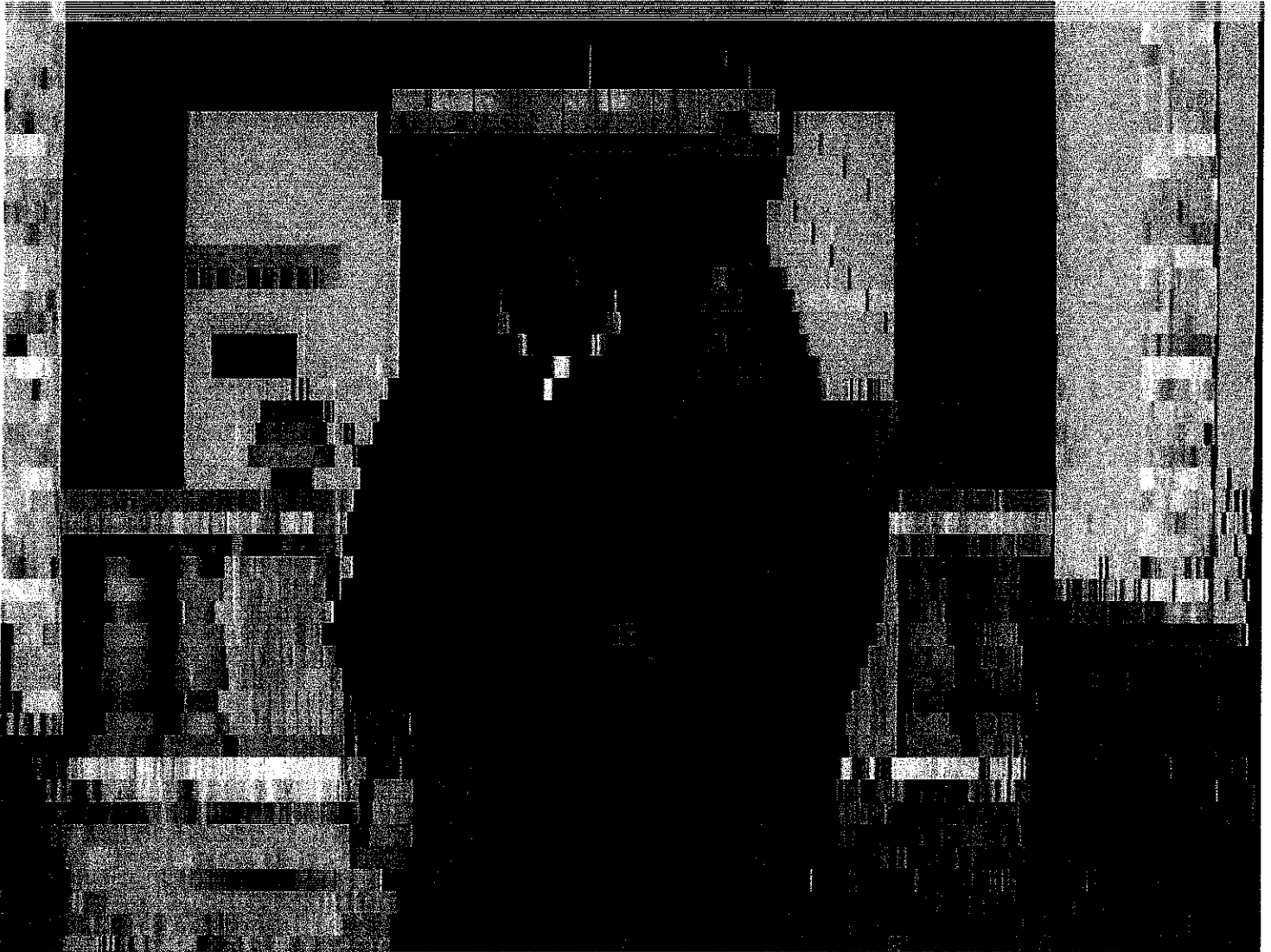
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The Financial Intelligence Analysis Unit board, which is chaired by the Attorney-General who says he does not have access to the reports of the organisation he chairs, is composed of representatives of law enforcement and other state authorities.

The member who represents the Police is Deputy Commissioner Silvio Valletta (promoted some months ago), appointed to that position on the board in 2014. He is married to a member of Muscat's cabinet of government: parliamentary secretary Justyne Caruana.



Deputy Commissioner (Police) Silvio Valletta with his wife, Justyne Caruana

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Now that the FIAU reports have been leaked to the public, the government is trying to claim they're fake

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Published: June 14, 2017 at 10:12pm



Yesterday's shocking news about the further deterioration of the rule of law in Malta: the Finance Minister, who is the minister responsible for the Financial Intelligence Analysis Unit, answered a journalist who said that the FIAU reports into the activities of Keith Schembri & co were leaked because the police had sat on them for a year and failed to act, by saying: "Were those reports written to be leaked?"

This is so outrageous that I can't think where to begin ripping it apart. He is a minister of the government. More specifically, he is the Finance Minister. He should be shoring up public and institutional confidence in the state's Financial Intelligence Analysis Unit, and not undermining it to protect his corrupt colleagues who are heavily protected enough already.

That the Finance Minister, of all people, should seek to plant doubt in people's minds by suggesting that the reports of serious investigations "were written to be leaked" – in other words, they are fake – is so unbelievable that anywhere else in the civilised world it would warrant his immediate resignation. I am completely taken aback that Edward Scicluna would choose to go down this mad road in defence of two or three colleagues who he knows are breaking the law. If he has somehow adjusted his conscience by convincing himself that they have not broken any laws, he must have jumped through plenty of mental hoops to get there.

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The Financial Intelligence Analysis Unit: a grave situation in which two 'non-compliant' officials have been summarily removed

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Published: June 30, 2017 at 5:31pm



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“PN expresses serious concern over removal of two top FIAU officials”, the headline says today. Serious concern? I express serious concern about the amount of sugar in soft drinks.

More is required to convey the full and true gravity of this terribly dangerous situation. But when you are raised in Maltese you never quite grasp the scope and potential of words in other languages and how nuanced they are.

I say this because language shapes thoughts and thoughts shape language, and one of the reasons there are so many problems with thinking in Malta, just as there are in the United States of America, is vast numbers of people have a lexicon of very few words.

If they had more thoughts they would need more words to express them, and if they had more words it would encourage them to have more thoughts.

I will write about the gravity of the situation at the Financial Intelligence Analysis Unit later on this evening or tomorrow, because serious concern simply doesn't cut it. Another state institution has been captured and decimated – not only for the protection of the crooks in government, but equally crucially, for the harassment of the enemies of those crooks and the government they run.

The 'next five' is when entrenchment and consolidation takes place, and when enemies are purged, harassed and eliminated. This is dangerous to everyone. It makes Malta an unsafe and threatening place in which to live, and no amount of money can make up for the choice people are then forced to make between sucking up and losing self-respect (and peace of mind) or living in constant fear of retaliatory harassment.

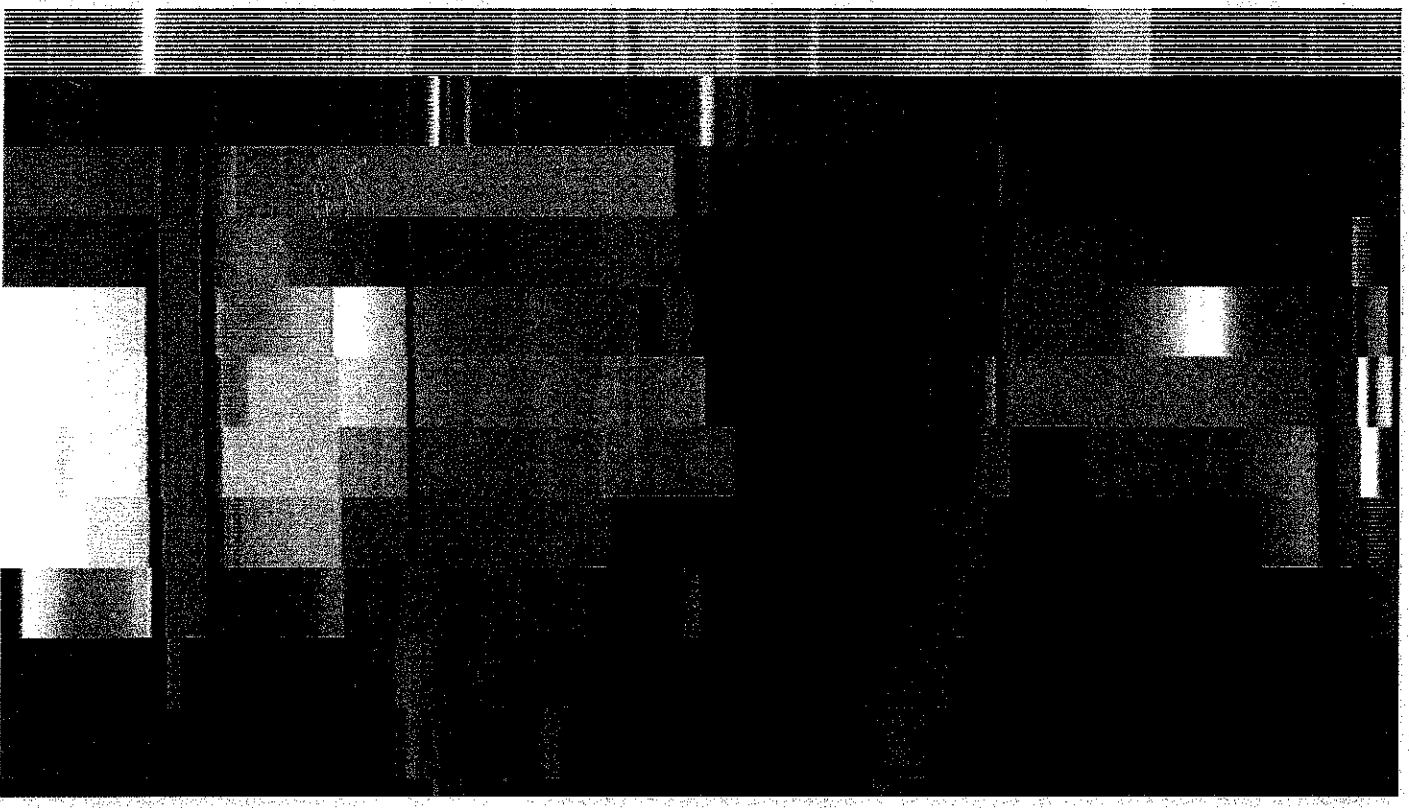
Meanwhile, you will have read the reports of the removal of two top FIAU officials, so please post your comments here.

Watch: Were FIAU reports written to be leaked, minister asks

Sciicluna to accompany Muscat at EP grilling

National Finance Crime Government Panama Papers

June 13, 2017 | Vanessa Macdonald | 240



Updated 2pm with PN reaction

The Financial Intelligence Analysis Unit board must explain how damning reports probing alleged kickbacks were leaked, who leaked them and for what reason, the Finance Minister warned this morning.

"What is money laundering? What was ignored? I want to know whether they [the authors of the report] were really apolitical. [I want to know] whether there are

characters on whichever side who turned their heads away," Prof. Edward Scicluna said.

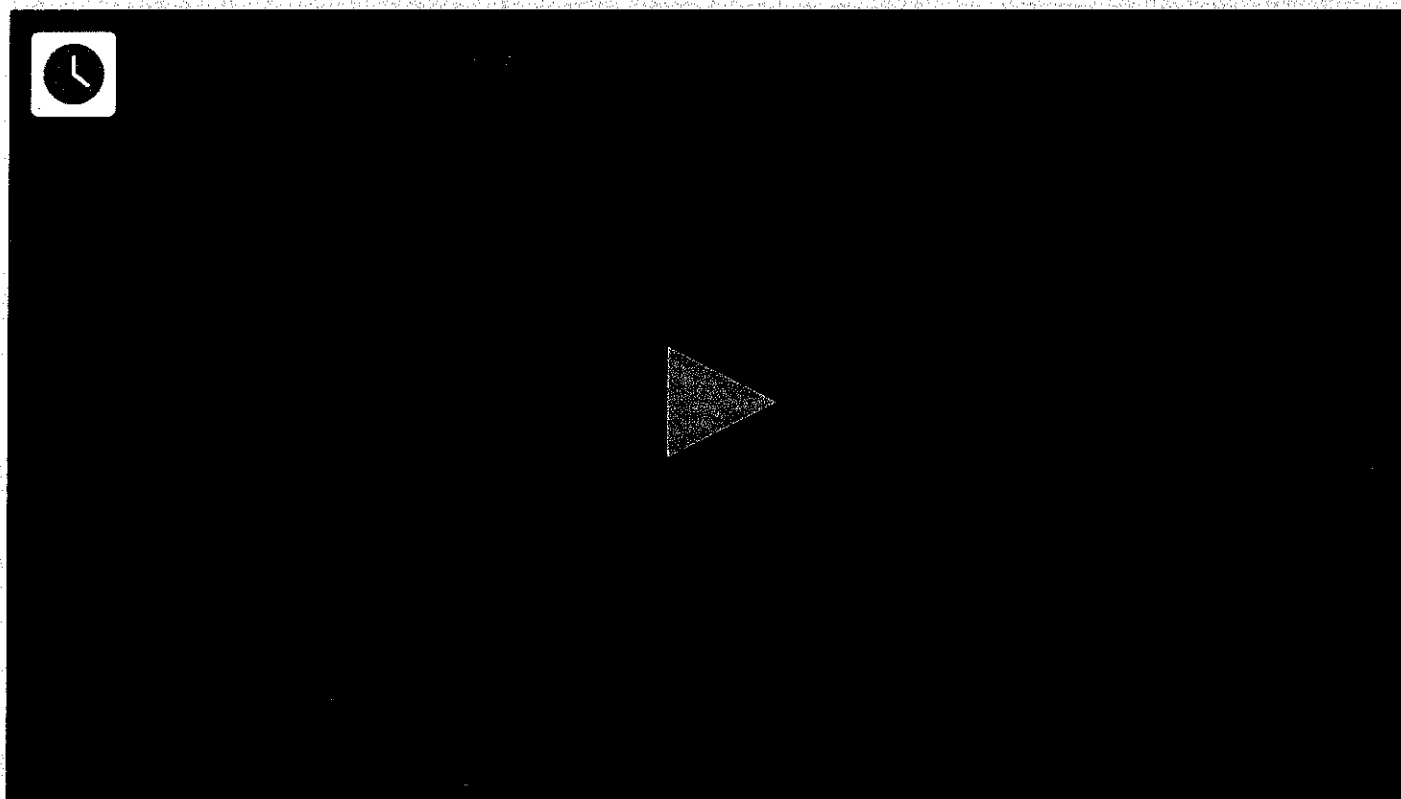
The minister was contesting a question by *Times of Malta* that the FIAU could have leaked reports to the press because the police had failed to act on suspicious money laundering activities.

The FIAU carried out a preliminary report on the Panama Papers leaks and suspicious money laundering activities involving chief of staff Keith Schembri, among others.

Prof. Scicluna will be going to Strasbourg with the Prime Minister later today to attend a European Parliament debate which will discuss Malta and the rule of law, following the Panama Papers revelations.

He said the FIAU had to explain why certain "characters" had been mentioned in their reports and not others.

"Were these reports written to be leaked? I'm just asking questions. For the sake of the rule of law one has to be rest assured that we can have a strong institution."



Video: Chris Sant Fournier

Prof. Scicluna said the claims will also be examined by Moneyval [Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

at the Council of Europe], and the Financial Sector Assessment Programme FSAP.

PN calls for investigation outcome to be published

The Nationalist Party expressed its concern about Prof. Scicluna's remarks, saying that as the minister responsible for the FIAU, he should ensure that steps were taken against the reports of criminal activity by Mr Schembri and Konrad Mizzi – and not attack those who leaked them.

It challenged him to confirm that investigations were carried out and to publish the outcome in full.

“An election does not in any way erase the facts that, in more than one report, the FIAU found reasonable suspicion that Keith Schembri was involved in corruption, bribery and money laundering. The same can be said for Konrad Mizzi,” it said.

The PN added that Prof. Scicluna's duty was not to threaten those who had worked on the investigations but to ensure that the law in Malta applied to everyone, including Mr Schembri, Dr Mizzi and [Prime Minister] Joseph Muscat.

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Vanessa Macdonald

Assistant editor

