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| Public Authority | The Office of the Refugee Commissioner |
| Description of the department/directorate/entity's structure | The Office of the Refugee Commissioner is headed by the Refugee Commissioner. Assisting the Refugee Commissioner in the operations of the office are the Assistant Refugee Commissioner, Managers, Case Officers, Case Workers and Administrative Staff. |
| Description of the department/directorate/entity's functions and responsibilities | <p>The Office of the Refugee Commissioner's main responsibility is to receive, process and determine applications for international protection that are lodged in Malta, as stipulated by the Refugees Act (Chapter 420 of the Laws of Malta), amended by Act XX of 2017, and its Subsidiary Legislation 420.07 on Procedural Standards in Examining Applications for Refugee Status Regulations. This Office is also bound by the obligations assumed by Malta under the 1951 Geneva Convention relating to the status of Refugees and its 1967 Protocol, as well as its obligations under European Directive 2011/95/EU, European Directive 2013/32/EU and the Dublin Regulation.</p> <p>The Office's fundamental objective is to ensure a totally independent, fair, efficient and swift eligibility determination process while, at the same time, guaranteeing the best quality possible regarding the hearing, examination and determination of applications.</p> |
| General description of the categories of documents the department/directorate/entity holds (including exempt documents) | <p>Administrative Files:</p> <ul style="list-style-type: none"> • Human Resources • Accounts • Operations • Procurement • Returns • Memos/Circulars • Parliamentary Questions <p>REFCOM Files:</p> |

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| | <ul style="list-style-type: none"> • Personal Files of Asylum Seekers <p>Reception Documents:</p> <ul style="list-style-type: none"> • Request for Lost Documents • Temporary Humanitarian Protection ‘n’ Evaluation Sheets • Request for the issuing of Police Conduct for Temporary Humanitarian Protection ‘n’ renewals • Receipt for Documents • Decisions’ Register • Certificates’ Register • Documents’ Register • Visitors’ Registration Sheet <p>Standard Operating Procedures</p> <p>Internal Memos</p> <p>Internal guidelines related to country analysis and asylum determination</p> |
| <p>Description of all manuals and similar types of documents which contain policies, principles, rules or guidelines in accordance with which decisions or recommendations are made in respect of members of the public (including bodies corporate and employees of the public authority in their personal capacity)</p> | <ol style="list-style-type: none"> 1. Public Service Management Code 2. Manual on Resourcing Policies and Procedures 3. Manual on the Selection and Appointment Process under Delegated Authority in the Malta Public Service 4. Manual on Work Life Balance Measures 5. Manual Regarding the Position of Assistant Director, Senior Manager and Assistant Manager in the Public Service 6. Manual of Procedures – Public Procurement Regulations 2016 7. Country Information and Guidance Notes |

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| <p>Statement of the information that needs to be available to members of the public who wish to obtain access to official documents from the public authority, which statement shall include particulars of the officer or officers to whom requests for such access should be sent</p> | <p>FOI Officers may be contacted by e-mail on foi-ps.mhas@gov.mt or by telephone 25689314/306</p> <p>FOI Requests may be submitted by e-mail to foi-ps.mhas@gov.mt, through the FOI Portal www.foi.gov.mt via the e-ID or through the online form.</p> |
| <p>Details of 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 notification indicating whether a request would be met or not, may address a complaint to the Public Authority.</p> <p>The complaint should be addressed to the FOI Officer, who shall bring the complaint to the attention of the officer responsible¹. The officer responsible shall reply 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).</p> <p>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.</p> |

¹ The officer responsible shall be the Director or most senior official within the Department, Directorate or Secretariat concerned. In the absence of such officer, a reply may be provided by the Assistant Director. In the absence of an Assistant Director, a reply would be provided by the officer higher in rank than the Director or most senior official.

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| | <p>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.</p> |
| <p>Other Information</p> | <p>Complaints may be submitted to the Public Authority by e-mail to foi-ps.mhas@gov.mt, through the FOI portal www.foi.gov.mt via the e-ID or through the online form.</p> <p>Payments can be made in cash or by cheque payable to the Office of the Permanent Secretary, Ministry for Home Affairs & National Security, at the following address: Accounts Section Ministry for Home Affairs & National Security 201, Strait Street Valletta</p> <p>Applicants are requested to make an appointment with the FOI Officer before calling at the Public Authority for payment and/or collection of document.</p> <p>Working Hours Winter Hours 8.00am – 12.30pm and 1.15pm – 5.15pm</p> <p>Summer Hours 8.00am -1.00pm</p> |
| <p>Public Authority Contact Details</p> | <p>Office of the Permanent Secretary, Ministry for Home Affairs and National Security (MHAS), 201, Strait Street Valletta VLT 1433 Tel No: (+356) 2568 9314</p> |