

General information on drugs in Malta • 10.11.2011

The illegal use of substances is not, per se, recognized in Maltese law, although use of these substances, if proved in court, will lead to a conviction for possession or trafficking. Maltese law recognizes two kinds of possession: simple possession, or possession for personal use; and aggravated possession or possession not for the offender's exclusive use.

The Attorney General must, possibly before the initiation of criminal proceedings, decide whether the offender is to be tried before the lower courts or before the superior courts. Punishments vary accordingly. For example, the maximum punishment that may be awarded by the lower courts is 10 years' imprisonment, whereas the superior courts may award a maximum punishment of life imprisonment.

Non-criminal sanctions are not contemplated by Maltese law, yet the laws do provide certain non-custodial sanctions in minor cases. For example, the court may order drug addicts to undergo treatment for their addiction. Drug trafficking carries a penalty of life imprisonment unless exceptional circumstances are proved. When certain offences take place within 100 metres of the perimeter of a school, youth club or centre, or such other place where young people habitually meet, the normal punishment is increased in that these circumstances are deemed to be an aggravation of the offence.

For further information on Maltese drug laws please contact the National Commission for the Abuse of Drugs, Alcohol and other Dependencies.

National Commission on the Abuse of Drugs, Alcohol and Other Dependencies

National Commission on the Abuse of Drugs, Alcohol and Other Dependencies
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Nota:

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