

Memorandum of Understanding between
the National Statistics Office and
the International Protection Appeals Tribunal

List of abbreviations

EC – European Commission

IPAT– International Protection Appeals Tribunal

NSO – National Statistics Office

MOU – Memorandum of Understanding

MSA – Malta Statistics Authority

ONA – Other National Authority



Memorandum of Understanding entered into agreement on the 25/8/26 between the National Statistics Office hereinafter referred to as 'NSO' and represented by Mr Etienne Caruana; and the International Protection Appeals Tribunal hereinafter referred to as 'IPAT' and represented by Dr Charlton Falzon Cascun.

Preamble

Official Statistics in Malta are regulated by the MSA Act and a number of EU Regulations in the field of Statistics. The NSO is set up by the MSA (Chapter 422 of the laws of Malta) and is responsible for the preparation of methodological and technical bases, data collection, compilation, publishing, and dissemination of data on a national basis and to Eurostat.

The NSO coordinates the statistical activities of all other national authorities that develop, produce and disseminate European statistics. They act in this regard as the main contact point for Eurostat on statistical matters. Legislation and well defined and established procedures are in place for implementing the coordination role at both national and European levels.

In collecting data, NSO relies heavily on administrative data sources. Regulation (EC) No 223/2009 on European statistics gives National Statistical Institutes and 'Other National Authorities' (ONAs) the right of access to administrative data, promptly and free of charge for the production of official statistics. This introduction puts greater emphasis on the importance that administrative data is made available for statistical purposes. The efficient access to administrative data ensures that the production of statistics is relevant, reliable, comparable, and less burdensome on respondents.

The International Protection Appeals Tribunal, established by Chapter 420 of the Laws of Malta (International Protection Act), hears and determines appeals against decisions of the International Protection Agency with regards to applications for international protection and decisions relating to responsibility determination and transfer decisions under the European Union's asylum acquis, including the Dublin III Regulation and, as applicable, the Asylum and Migration Management Regulation (Regulation (EU) 2024/1351), in accordance with European Union and national law. The procedures undertaken by the International Protection Appeals Tribunal are outlined and regulated by S.L. 420.01 of the Laws of Malta - International Protection Appeals Tribunal (Procedures) Regulations.

The close and well-functioning cooperation between NSO and IPAT is essential for the effective use of administrative data and for the continuous quality assurance of data to be used for the production of official statistics. Therefore, in line with article 4 of Regulation (EC) 223/2009, the IPAT is recognised, in accordance with applicable national law and designation procedures, as an Other National Authority (ONA). The IPAT will lead the collection, analysis and delivery of specific asylum-related statistics in Malta as per Article 2 of this agreement.



The NSO and IPAT will ensure that information shared by virtue of this MOU will only be used for statistical purposes; and will not be shown, disseminated and published in a way that persons and/or undertakings are identifiable.

Responsibilities and Functions of the IPAT as an ONA

1. The IPAT is part of the National Statistical System, and for the statistics used directly by Eurostat for the production of official statistics, listed in Article 2, is bound by Regulation (EC) 223/2009 and by the European Statistics Code of Practice.
2. The IPAT shall collect and transmit the following official statistics related to international protection in accordance with Regulation (EU) 2021/2303:

Dataset	Indicators
Final decision in appeal or review	Rejected applicants for international protection
	Persons granted refugee status
	Persons granted subsidiary protection status
	Persons granted authorisation to stay for humanitarian reasons
Pending cases	Applicants with pending asylum applications at the end of month

3. The data listed in Article 2, gathered by the EUAA under Regulation (EU) 2021/2303, will be used for compiling European statistics on international protection under Regulation (EC) No 862/2007.
4. The IPAT shall inform NSO of changes that transpire from revisions, updates and reviewing of the data listed in Article 2 being provided to the EUAA and/or NSO when such changes are significant and may affect the quality of the data being produced.
5. Should the IPAT change the compilation procedures and/or relevant definitions, wherever material, to the extent that they affect the quality or relevance of the data listed in Article 2, this should be communicated, in writing, to NSO within the shortest reasonable time.
6. The IPAT commits itself to provide clear definitions for the variables used, and time dimensions, whenever these are not comparable with definitions of the NSO and/or the definitions laid in Regulation (EC) No 862/2007, and in any accompanying Commission Regulation, and inform the NSO accordingly.



7. The NSO may review the integrity, confidentiality, quality, handling and security of the data listed in Article 2.
8. The NSO shall continue assisting the IPAT with improving the quality of its statistics covered by this agreement in so far as resources permit.
9. The IPAT recognises its obligations under the MSA Act, to provide the NSO with information as requested.
10. This MOU does not preclude collaboration between the NSO and the IPAT on topics that fall outside the scope of this agreement.

Coordination

11. While this MOU specifies some key coordinating procedures, it presumes continuing inter-institutional cooperation to complement these efforts. Therefore, the Parties agree to cooperation and coordinate their efforts to the greatest extent possible to ensure the implementation of this MOU.
12. The contact point at NSO is Ms Isabel Sultana Cassar, Head of Unit Population and Migration Statistics, email: population.nso@gov.mt, Tel: 2599 7855.
13. The contact point at the IPAT is Mr Matthew Sciberras, email: matthew.a.sciberras@gov.mt, Tel: 25689448.
14. Notification of any change in contact points may be made in writing without the necessity of amending this MOU, but records shall be kept of the change in nominee and effective date so as to ensure the smooth running of this MOU.

General

15. This MOU shall be valid for a period of one (1) year from the date of its signing and shall be automatically renewed for successive periods of one (1) year unless either Party notifies the other in writing, at least three (3) months before expiry, of its intention not to renew the MOU or to review its terms.
16. The Parties agree that changes to this MOU may be needed to respond to emerging issues. This MOU can be updated, revised, or amended in writing as needed and subject to the mutual written consent of both Parties. Any update, revision or amendment shall be made by virtue of a written addendum that shall be annexed to this MOU.
17. Without prejudice to the obligations of both Parties to fulfil their obligations in particular the reporting obligations under both the National and EU legislation, this MOU may be terminated by the appropriate authority of either Party. Notice of termination of this MOU shall be made in writing

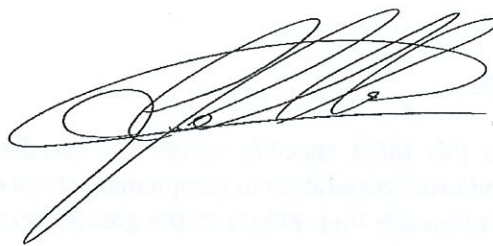


and is to be received by the other Party at least ten (10) working days prior to the termination of the MOU.

The MOU shall be governed and construed in accordance with the Laws of Malta.

A blue ink signature, appearing to be 'E. Caruana', written in a stylized, cursive manner.

Mr Etienne Caruana
Director General
National Statistics Office

A black ink signature, appearing to be 'C. Falzon Cascun', written in a complex, cursive style with multiple loops.

Dr Charlton Falzon Cascun
Chairman
International Protection Appeals Tribunal