

APPROVED 1540 COMMITTEE MATRIX

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) and 2325 (2016). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions. Thus:

An “X” in any data field signifies only that the 1540 Committee considers that a State has taken the steps required, and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An “X” against any data field does not necessarily signify that a State has met in full its 1540 obligations for that data field.

A “?” in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A “NA” (Not Applicable) in any data field signifies that the data field is not applicable to that State where through legally binding instruments States specified that they do not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an “X” or “?” against a particular data field.

State:	Republic of Malta
Date of Report:	20 October 2004
Dates of Additional Reports:	4 August 2005 9 November 2005
Date of Approval:	9 December 2020

I. OP 1 and related matters from OP 5, OP 8 (a), (b), (c) and OP10

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.		Relevant information (i.e., signing, deposit of instrument of accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	Deposit 6 February 1970	
2	Nuclear Weapons Free Zone/ Protocol(s)		
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 26 September 2012	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 16 October 2003	
5	2005 Amendment to the CPPNM	Deposit 16 September 2013	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 23 July 2001	
7	Chemical Weapons Convention (CWC)	Deposit 28 April 1997	
8	Biological Weapons Convention (BWC)	Deposit 7 April 1975	
9	Geneva Protocol of 1925	Deposit 21 September 1964	
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposit 11 November 2001	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 11 November 2001	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Deposit 26 September 2016	
15	Other relevant regional legally binding instruments		
16	International Atomic Energy Agency (IAEA)	Deposit 29 September 1997	
17	Directly relevant Arrangements	Nuclear Suppliers Group (NSG) Australia Group (AG) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism (GICNT) Hague Code of Conduct (HCoC) Megaport Initiative	
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that it does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.	
19	Membership in relevant international, regional or sub-regional organisations	World Customs Organization and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) INTERPOL World Health Organization (WHO) World Organisation for Animal Health (OIE) International Maritime Organization (IMO) European Union (EU) Organization for Security and Co-operation in Europe (OSCE) Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of	

		Terrorism (MONEYVAL) Egmont Group Inter-Parliamentary Union (IPU) International Monetary Fund World Bank	
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II. OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework					Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 314CC (make a lethal device which is defined to include any radioactive dispersal or radiation emitting device and any other thing designed or that has the capability to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material), 328A (2)(f) (act of terrorism includes manufacture of a nuclear, biological or chemical weapon)</p> <p>National Interest (Enabling Powers) Act (CAP. 365), as amended</p> <p>NW: Criminal Code, as amended, Articles 314B (alter nuclear material which is likely to cause death or serious injury to any person or substantial damage to property)</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 8 (without lawful authority alter nuclear material which causes or is likely to cause death or serious injury to any person or substantial damage to property)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (takes part in</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 314CC, 328A (3) (criminal penalty)</p> <p>National Interest (Enabling Powers) Act (CAP. 365), as amended</p> <p>NW: Criminal Code, as amended, Article 311</p> <p>Nuclear Safety and Radiation Protection Regulations, (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67 (criminal penalty)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended , Article 4 (criminal</p>	

				any activity which leads to the production of chemical weapons)				penalty)	
2	acquire	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 328A (2)(f) (acquisition)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 8 (without lawful authority receipt of nuclear material)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (acquisition)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 328A (3)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations, (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997, as amended, Article 4</p>
3	possess	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 314C (possession of a lethal device or nuclear material for the purpose of proliferation; lethal device is defined to include any radioactive dispersal or radiation emitting device and any other thing designed or that has the capability to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material), 314CC (possession of radioactive material or lethal device), 328A (2)(f) (possession)</p> <p>NW: Criminal Code, as amended, Article 314B (possess nuclear material)</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 8 (without lawful authority possess nuclear material)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 313, 314CC, 328A (3)</p> <p>NW: Criminal Code, as amended, Article 311</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67</p>

					CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (retaining)				CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4	
4	develop		X	X	CW/BW: Criminal Code, as amended, Article 328A (2)(g) (research) CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (development)		X	X	CW/BW: Criminal Code, as amended, Article 328A (3) CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4	
5	transport	X	X	X	NW/CW/BW: Criminal Code, as amended, Article 328A (2)(f) (transport)	X	X	X	NW/CW/BW: Criminal Code, as amended, Article 328A (3)	
6	transfer	X	X	X	NW/CW/BW: Criminal Code, as amended, Article 328A (2)(f) (supply) NW: Criminal Code, as amended, Articles 314B, 328A(4)(h) (transfers nuclear material) Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 8 (without lawful authority transfer nuclear material) CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (direct or indirect transfer of chemical weapons; transfer any chemical product listed in the schedules to the CWC for purposes other than those specified in Articles IV and V of the Convention or in a manner other than that specified in the Convention)	X	X	X	NW/CW/BW: Criminal Code, as amended, Article 328A (3) (supply) NW: Criminal Code, as amended, Articles 311, 328A(3) Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67 CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4	
7	use	X	X	X	NW/CW/BW: Criminal Code, as amended, Articles 314A (detonate a lethal device which is defined to include any radioactive dispersal or radiation emitting device and any other thing designed	X	X	X	NW/CW/BW: Criminal Code, as amended, Articles 314A, 314CA, 314CB, 328A (3)	

				<p>or that has the capability to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material), 314CA (use of radioactive material or a lethal device), 314CB, 328A (2)(f)</p> <p>NW: Criminal Code, as amended, Article 314B (make use of, disperse nuclear material)</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 8 (without lawful authority use nuclear material)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (use of a chemical weapon, use any chemical product listed in the schedules to the Convention for purposes other than those specified in Articles IV and V of the Convention or in a manner other than that specified in the Convention)</p>				<p>NW: Criminal Code, as amended, Article 311</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>	
8	attempt to engage in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 41</p> <p>NW: Criminal Code, as amended, Article 328A(4)(h)(v)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 41</p>
9	participate as an accomplice in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 42-48 (on accomplices)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 43</p>
10	assist in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 83A</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 83A</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>

11	finance abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 328F (prohibition on financing)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (prohibition on financing)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Article 328F</p> <p>Prevention of Money Laundering Act, as amended</p> <p>Prevention of Money Laundering and Funding of Terrorism Regulations, as amended, Article 5 (Financial Intelligence Analysis Unit (FIAU))</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>	
12	abovementioned activities related to means of delivery ¹	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 314C (possession of a lethal device or nuclear material for the purpose of proliferation; nuclear material and lethal device are defined to include “delivery systems”), 328A(2)(f)-(g) (biological, chemical weapons)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>	X	X	X	<p>NW/CW/BW: Criminal Code, as amended, Articles 313, 328A(3)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4</p>	

1. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons that are specially designed for such use.

III. OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ²

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework			Enforcement and civil/criminal penalties			Remarks	
		X / ?			X / ?				
		N W	C W	B W *	N W	C W	B W		
1	Measures to account for production	X	X					<p>NW: INFCIRC/193 Additional Protocol</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 62 (accounting for radioactive substances involved in work with ionising radiation)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(iii) (The National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p>	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62 (Radiation Protection Board), 67 (enforcement)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5 (The National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p>
2	Measures to account for use	X	X	X	X	X		<p>NW: INFCIRC/193 Additional Protocol</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 62 (accounting for radioactive substances involved in work with ionising radiation)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(iii) (The</p>	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62, 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5 (The National</p>

				<p>National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p> <p>BW: Directive 2000/54/EC of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work, as amended, Article 13 (prior notification of first time use of groups 2, 3 or 4 agents)</p> <p>Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations, 2003 (L.N. 228 of 2003) (S.L. 242.25), Regulation 13 (prior notification for the first time use of groups 2, 3 or 4 biological agents)</p>			<p>Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p>		
3	Measures to account for storage	X	X	<p>NW: INFCIRC/193 Additional Protocol</p> <p>Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 62</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(iii) (The National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p>	?	X	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62, 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5 (The National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)</p>		
4	Measures to account for transport	X	X	X	X	X	<p>NW/CW/BW: EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended</p>	<p>NW/CW/BW: European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), Regulations concerning the International Carriage of Dangerous Goods by</p>	

				<p>European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), Regulations concerning the International Carriage of Dangerous Goods by Rail (RID), European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 7 (authorisation for air and sea transport of nuclear material)</p>			<p>Rail (RID), European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 7 (Registrar-General)</p>	
5	Measures to secure production	?	?	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 64(2) (notification to Board in the event a radioactive substance is lost or stolen)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(ii) (The National Authority shall have the power to inspect any premises, after giving reasonable due notice and after giving the person in charge of the premises sufficient time to explain and justify any action carried out therein, and to give such orders and directions in order to enforce the implementation of the provisions of the Convention)</p>	?	?	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62 (Radiation Protection Board), 67 (enforcement)</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(ii) (The National Authority shall have the power to inspect any premises, after giving reasonable due notice and after giving the person in charge of the premises sufficient time to explain and justify any action carried out therein, and to give such orders and directions in order to enforce the implementation of the provisions of the Convention)</p>	
6	Measures to secure use	?		<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 64(2)</p>	?	?	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62, 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(ii) (The National Authority shall have the power to inspect any premises, after giving reasonable due notice and</p>	

									after giving the person in charge of the premises sufficient time to explain and justify any action carried out therein, and to give such orders and directions in order to enforce the implementation of the provisions of the Convention)	
7	Measures to secure storage	?	X	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 64(2)</p> <p>BW: Directive 2000/54/EC of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work, as amended, Annex V (secure storage of containment level 4 agents)</p> <p>Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations, 2003 (L.N. 228 of 2003) (S.L. 242.25), Schedule V (secure storage of containment level 4 agents)</p>	?	?	X	<p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 62, 67</p> <p>CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5 (The National Authority shall have the power to inspect any premises, after giving reasonable due notice and after giving the person in charge of the premises sufficient time to explain and justify any action carried out therein, and to give such orders and directions in order to enforce the implementation of the provisions of the Convention)</p> <p>BW: Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations, 2003 (L.N. 228 of 2003) (S.L. 242.25), Regulation 20 (offences)</p>		
8	Measures to secure transport	X	X	X	<p>NW/CW/BW: EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended</p> <p>European Agreement concerning the</p>	X	X	X	<p>NW/CW/BW: European Agreement concerning the international Carriage of dangerous goods by road (ADR), Regulations concerning the International Carriage of Dangerous Goods by Rail (RID), European Agreement concerning the International Carriage of</p>	

				<p>International Carriage of Dangerous Goods by Road (ADR), Regulations concerning the International Carriage of Dangerous Goods by Rail (RID), European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 6 (physical protection requirements for the import into, transit through or export from Maltese territory of nuclear material) and 7 (international nuclear transport by Maltese ships and aircraft)</p>					Dangerous Goods by Inland Waterways (AND)	
9	Physical protection measures									
10	Personnel Reliability									

2. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

IV. OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority	Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 62 (Radiation Protection Board in the Occupational Safety and Health Authority)	
2	Licensing of nuclear installations/entities/ use of materials	Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 6 (authorisation for import into, transit through or export from Maltese territory of nuclear material), 7 (prior authorisation for international nuclear transport by Maltese ships and aircraft), 9(3) (the Radiation Protection Board co-ordinates the authorisation of practices)	
3	IAEA Safeguards Agreements	INFCIRC/387 in force 13 November 1990 was suspended on 1 July 2007 on which date INFCIRC/193 entered into force. Additional Protocol	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Notification pursuant to GC(47)/RES/7.B	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Notification pursuant to GC(48)/RES/10.D; Contact Point Designated; Response to Questionnaire	
6	IAEA Incident and Trafficking Database	Participates	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		

9	Other Agreements related to IAEA	Convention on Nuclear Safety (Deposit 15 November 2007) Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (deposit 16 September 2013) Revised Supplementary Agreements Concerning the Provision of Technical Assistance by the IAEA (RSA) (in force since 30 March 2000)	
10	National legislation and regulations related to nuclear material including CPPNM	Nuclear Safety and Radiation Protection Regulations, as amended, Part II (physical protection of nuclear material related to transfers and transport)	

V. OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Measures to establish domestic controls to prevent the proliferation of CW, and their means of delivery; controls over related materials		Source document	Remarks
1	National CWC authority	Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5 (Ministry of Foreign Affairs)	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials	Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 5(3)(iii) (The National Authority shall be responsible for the compiling of a national register containing information on all types of existing chemicals and chemical production facilities, the nature of the activity carried therein as well as the ultimate destination of the finished products)	
3	Old or abandoned chemical weapons		

VI. OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
<p>1</p> <p>Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Directive 2000/54/EC of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work, as amended, Article 13 (prior notification of first time use of groups 2, 3 or 4 agents)</p> <p>Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations, 2003 (L.N. 228 of 2003) (S.L. 242.25), Regulation 13 (prior notification for the first time use of groups 2, 3 or 4 biological agents)</p>	

VII. OP 3 (c) and (d) and related matters from OP 6 - Controls of NW, CW and BW, including Related Materials

Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery including related materials		National legal framework					Enforcement and civil/criminal penalties					Remarks
		X / ?			Source document	X / ?			Source document			
		N W	C W	B W		N W	C W	B W				
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended, Articles 134 and 267</p> <p>Customs Ordinance, Chapter 37, as amended, Articles 6 (report of cargo), 11 (permit for landing of goods), 17 (concealed prohibited goods forfeited), 60 (forfeiture of smuggled goods), 82 (power to prohibit imports)</p>	X	X	X	<p>NW/CW/BW: Customs Ordinance, Chapter 37, as amended, Article 62 (offences and penalties related to smuggling), Part XII (powers and procedure) (Commissioner for Revenue)</p>			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended Article 198</p> <p>Customs Ordinance, Chapter 37, as amended, Article 85 (Power of President of Malta to authorise certain customs officers to exercise the duties of Police officers)</p>	X	X	X	<p>NW/CW/BW: Customs Ordinance, Chapter 37, as amended, Article 85 (Power of President of Malta to authorise certain customs officers to exercise the duties of Police officers)</p>			
3	Border control detection measures	X	X	X	<p>NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended Article 46 (risk management and customs controls)</p>	X	X	X	<p>NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended, Article 46</p> <p>Container Monitoring Unit with qualified staff members that act as certified Radiation Protection Supervisors; they operate mobile x-ray container scanners, etc.; a container scanner, and two x-ray vans are also used continuously to assist Customs officials on targeted operations; the Customs Container</p>			

									Monitoring Unit risk manages transshipment manifests at the Freeport, selecting high risk containers for examination by the VACIS (vehicle and cargo inspection system) container scanning team; eventual physical checks of containers are effected where deemed necessary.	
4	Control of brokering	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 5</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulations 8A, 8B, 8C</p> <p>Military Equipment (Export Control) Regulations (Legal Notice No. 269 of 2001), as amended, Regulation 4A</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 5</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15 (criminal penalties)</p> <p>Military Equipment (Export Control) Regulations (Legal Notice No. 269 of 2001), as amended, Regulation 10 (criminal penalties)</p>	
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended</p> <p>Military Equipment (Export Control) Regulations (Legal Notice 269 of 2001), as amended</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 6 (authorisation for export from Maltese territory of nuclear material)</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p> <p>Military Equipment (Export Control) Regulations (Legal Notice 269 of 2001), as amended, Regulation 10</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67 (enforcement)</p>	
6	Licensing provisions and Authority	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May</p>	X	X	X	<p>NW/CW/BW: Dual-Use Items (Export Control) Regulations</p>	

				<p>2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Articles 3, 4, 5, 9, Chapter III (intra-Community transfers do not require an authorisation, except for items listed in Annex IV and items listed in Part 2 of Annex IV shall not be covered by a general authorisation (Article 22)), Annexes II (EU General Export Authorisations) and IIIa and b (models)</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulations 3, 4, 6, 7, 8, 9</p> <p>Military Equipment (Export Control) Regulations – (Legal Notice 269 of 2001), as amended, Regulation 3</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 6</p>			<p>(Legal Notice 416 of 2004), as amended, Regulation 2 (Director responsible for trade)</p> <p>Military Equipment (Export Control) Regulations – (Legal Notice 269 of 2001), as amended, Regulation 3 (Director responsible for trade)</p> <p>Commerce Department (Trade Services Directorate) Trade Licensing Unit</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 6 (Radiation Protection Board)</p>			
7	Control lists of materials, equipment and technology	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 2 (“dual-use items shall mean items, including software and technology, which can be used for both civil and military purposes...”), Annex I</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 3</p> <p>Military Equipment (Export Control) Regulations – (Legal Notice 269 of 2001), as amended, Regulation 3, First Schedule</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Annex I</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 3</p> <p>Military Equipment (Export Control) Regulations – (Legal Notice 269 of 2001), as amended, Regulation 3, First Schedule</p>	

8	Intangible technology transfers	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 2</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulations 2 (“dual-use” items include software and technology; “export” includes transmission of software or technology by fax, telephone or other electronic media; it includes making available in an electronic form such software and technology to legal and natural persons and partnerships; export also applies to oral transmission of technology when the technology is described over the telephone), 5 (regarding export consisting of the transmission by fax, telephone or other electronic media of dual-use items in the form of software or technology)</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Article 2</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p>
9	Inclusion of means of delivery	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Annex I</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 3 (referring to Annex I of the Council regulation No. 428/2009)</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Annex I contains the items controlled by the MTCR</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p>
10	End-user controls	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Articles 9, 20</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 9</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Articles 9, 20</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p>

11	Catch all clause	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 4</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulations 5(1)(b), 7</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Article 4</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p>
12	Transit control	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 6</p> <p>Council Regulation (EU) No 952/2013 (Union Customs Code), as amended, Title VII, Chapter 2 (transit)</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 3A (transit of dual-use items)</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 6 (physical protection requirements for transit of nuclear material)</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 6</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p> <p>NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulation 67</p>
13	Trans-shipment control	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 6</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 3A</p> <p>Control of Re-Export of Supplies and Services Regulation -Government Notice 180 of 1956 as amended</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 6</p> <p>Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended, Regulation 15</p>

					NW: Nuclear Safety and Radiation Protection Regulations (Legal Notice No. 44 of 28 January 2003), as amended, Regulations 6 and 7					
14	Re-export control	X	X	X	NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended	X	X	X	NW/CW/BW: Council regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended Dual-Use Items (Export Control) Regulations (Legal Notice 416 of 2004), as amended	
15	Control over financing of exports/transhipments that would contribute to proliferation	X	X		NW: Criminal Code, as amended, Articles 328A(h) and 328F (prohibition on financing of terrorist activities which is defined to include transfers of nuclear material without lawful authority) CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (prohibition on financing of, inter alia, transfers of chemical weapons)	X	X		NW/CW: Prevention of Money Laundering Act, as amended Prevention of Money Laundering and Funding of Terrorism Regulations, as amended, Article 5 (Financial Intelligence Analysis Unit (FIAU)) NW: Criminal Code, as amended, Article 328F CW: Chemical Weapons Convention Act (Act No. V of 1997), as amended, Article 4 (criminal penalty)	
16	Control over services related to exports/transhipments that would contribute to proliferation including transportation									

VIII. OP 7 and 8 (d) - Assistance, Work with and inform Industry and Public, and other Information

1	Assistance offered	Prepared to share experience in the field of implementation, if requested.
2	Assistance Point of Contact (for assistance providers only)	<p>Dr Mariella Grech and/or Mr Christian Sgandurra (Directorate Global Issues International Development and Economic Affairs, Ministry of Foreign Affairs) Tel: +356-2204-2391 Fax: +356-2133-7063</p> <p>Ms Natasha Meli Daudey (Deputy Permanent Representative, Permanent Mission of Malta to the United Nations) Tel: 212-725-2345 ext. 105 Fax: 212-779-7097</p>
3	Assistance requested	
4	Action taken to work with and inform industry	Legal Notices and Government Notices concerning the implementation of provisions for the implementation of legislation and regulations relating to the CWC are available in hard copy and on Government web sites. The National Authority keeps contact with chemical industries operating in Malta.
5	Action taken to work with and inform the public	Legal Notices and Government Notices concerning the implementation of provisions for the implementation of legislation and regulations relating to the CWC are available in hard copy and on Government web sites.
6	Point of Contact	<p>Dr Mariella Grech and/or Mr Christian Sgandurra (Directorate Global Issues International Development and Economic Affairs, Ministry of Foreign Affairs) Tel: +356-2204-2391 Fax: +356-2133-7063</p> <p>Ms Natasha Meli Daudey (Deputy Permanent Representative, Permanent Mission of Malta to the United Nations) Tel: 212-725-2345 ext. 105 Fax: 212-779-7097</p>
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	