

I D E N T I T Ā S

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IDENTITĀS

The Latin word **identitās** means identity. It refers to the quality or condition of being the same (identical), as well as the distinctiveness or individuality of a person. In broader terms, **identitās** encapsulates the concept of sameness, uniqueness, and selfhood.

At Sciberras Advocates, we understand that identity, or **identitās**, is at the core of each individual's journey. As a distinguished law firm in Malta specialising in immigration, we handle numerous procedures for third-country nationals related to work permits, change of employment, family reunification, related appeals and more. Our mission extends beyond merely navigating legal procedures; we are committed to honouring and safeguarding the unique identities of those we serve.

This guidebook was created to simplify the process, ensuring that you have clear, comprehensive, and accessible information at your fingertips. We recognise that a work permit is not just a legal document; it is a key to new opportunities, experiences, and growth for both the employer and the employee. By placing identity at the forefront of our services, here at Sciberras Advocates we want to show our commitment to upholding one's identity, and this is reflected in the meticulous attention and personalised service we provide.

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Non-EU Nationals Single Permit Application Process

Non-EU Nationals Single Permit Application Process (in Malta)

The following is a checklist for documents required for a single permit application of an individual already **in Malta**.

Documents required from the **employer** (company or self-employed individual).

1. VAT certificate
2. PE number
3. ID card/Residence card (front/back)
4. Covering letter
5. Phone number and email address
6. Proof of advert (not older than 6 months, can be posted on any social account, should include date, and date of posting should be visible)
7. Work contract (clearly indicating job position and minimum monthly salary of €926)

Additional documents required when the employer is a **company**.

1. Service agreement
2. Memorandum and articles of association
3. Board resolution
4. Company certificate of incorporation

Documents required from the **employee**.

1. CV in Europass format
2. Full copy of passport (all pages) including entry stamp into Malta
3. Phone number and email address
4. Marital status (Single/Married/Separated/Divorced)
5. Last settlement of country before this application
6. Health insurance policy
7. Health screening results
8. Health screening approval (the employer should send a copy of the health screening to the IDCU on workpermit.idcu@gov.mt and request approval)
9. Rental agreement (minimum 6 months)
10. Housing Authority approval (the landlord should register the rental agreement with the Housing Authority on www.rentregistration.mt)
11. Lease Attestation Form – completed and attested by a lawyer, notary or legal procurator

Non-EU Nationals Single Permit Application Process (still abroad)

The following is a checklist for documents required for a single permit application of an individual who is **still abroad**.

Documents required from the **employer** (company or self-employed individual):

1. VAT certificate
2. PE number
3. ID card/Residence card (front/back)
4. Covering letter
5. Phone number and email address
6. Proof of advert (not older than 6 months, can be posted on any social account, should include date, and date of posting should be visible)
7. Work contract (clearly indicating job position and minimum monthly salary of €926)

Documents required from the **employee**:

1. CV in Europass format
2. Full copy of passport (all pages)
3. Phone number and email address
4. Marital status (Single/Married/Separated/Divorced)
5. Last settlement of country before this application

Once the employee has obtained the Approval in Principle by Identità, and obtained a visa to travel to Malta, the employee will then require presenting these documents upon arrival in Malta and at the time of the biometrics appointment to complete the procedure.

1. Copy of the entry stamp page and passport bio-page
2. Health insurance policy
3. Health screening results
4. Health screening approval (the employer should send a copy of the health screening to the IDCU on workpermit.idcu@gov.mt and request approval)
5. Rental agreement (minimum 6 months)
6. Housing Authority approval (the landlord should register the rental agreement with the Housing Authority on www.rentregistration.mt)
7. Lease Attestation Form – completed and attested by a lawyer, notary or legal procurator

Highly Qualified Individuals

Identità offers two different work permits applications for highly qualified individuals.

Key Employee Initiative (KEI)

If an employee has an annual gross salary of at least €35,000, the employee can apply under the Key Employee Initiative. The administrative process of KEI applications follows that of the regular Single Permit, including the due diligence process, however the process is fast-tracked. The processing time is five working days.

Additional documents required from the **employee**.

1. Certified copies of the relevant qualifications, warrants or proof of work experience

For the **renewal** of Key Employee Initiative application, documents required are:

1. A valid definite or indefinite contract
2. Payslips and FS3 - Payslips of the last three months and FS3 covering the previous latest calendar year of employment.
3. The original annual tax declaration form stamped by the Office of the Commissioner for Revenue

Specialist Employee Initiative (SEI)

If an employee has an annual gross salary of at least €25,000, the employee can apply under the Specialist Employee Initiative. The administrative process of SEI applications follows that of the regular Single Permit, including the due diligence process, however the process is fast-tracked. The processing time is fifteen working days.

Additional documents required from the **employee**.

Possession of:

- either an MQF Level 6 or higher in an area directly related to the employment position being offered in Malta; or,
- other academic, vocational or other certified qualified skill qualifications, which equate to an MQF level lower than MQF Level 6, but which are directly related to the position being offered by the Maltese employer, together with, a minimum of three (3) years' experience in a position directly related to the one being offered in Malta.

Proof of experience must be presented in the form of either or a combination of the following:

- previous employment contracts (signed by both employer and employee);

- or employment history issued and officially certified (stamped or legalised) by the official employment authority in the country where employment was held;
- or reference letters by former employer/s. Reference letters must show the start and end dates and details of the work carried out. The letters should contain clear contact details of the referee including a valid email address, postal address and contact number.

For the **renewal** of Specialist Employee Initiative application, documents required are:

1. A valid definite or indefinite contract
2. Payslips and FS3 - Payslips of the last three months and FS3 covering the previous latest calendar year of employment.
3. The original annual tax declaration form stamped by the Office of the Commissioner for Revenue

Renewal of Single Permit Application Process

Single Permits must be renewed yearly and may only be submitted while current permits are still valid. Holders may proceed with the renewal application within 90 days from the date of expiry of the Single Permit.

The following is a checklist for documents required for the renewal of a single permit application.

1. Work contract
2. Passport bio-page and residence card
3. Payslips of last three months
4. FS3 form signed by the employer
5. Rental agreement (minimum 6 months)
6. Housing Authority approval (the landlord should register the rental agreement with the Housing Authority on www.rentregistration.mt)
7. Health screening results
8. Health screening approval (the employer should send a copy of the health screening to the IDCU on workpermit.idcu@gov.mt and request approval)

Change of Employer Single Permit Application Process

The following is a checklist for documents required for a change of employer single permit application.

1. CV in Europass format
2. Full copy of passport (all pages)
3. Phone number and email address
4. Marital status (Single/Married/Separated/Divorced)
5. Rental agreement (minimum 6 months)
6. Housing Authority approval (the landlord should register the rental agreement with the Housing Authority on www.rentregistration.mt)
7. Health screening results
8. Health screening approval (the employer should send a copy of the health screening to the IDCU on workpermit.idcu@gov.mt and request approval)
9. Termination letter from Jobsplus
10. Copy of previous residence card
11. Proof of advert (not older than 6 months, can be posted on any social account, should include date)
12. Work contract (clearly indicating job position and minimum monthly salary of €926)

New Additional Part-Time Permit Process

Third Country Nationals who are already in possession of a valid single permit and wish to take up secondary employment on part-time basis require an Employment Licence (work permit) issued by Jobsplus.

The following is a checklist for documents required for a new part-time work permit application.

1. Application form
2. Passport bio-page
3. Valid residence card (certified true copy)
4. A of a valid residence permit
5. CV in Europass format
6. Processing fee (€120 to be paid on application)

Renewal Additional Part-Time Permit Process

The following is a checklist for documents required for the renewal of part-time work permit application.

1. Application form
2. Last three payslips of secondary employment
3. Processing fee (€120 to be paid on application)

Change of Designation Application Process

The following is a checklist for documents required for a change of designation application.

1. CV in Europass format
2. Full copy of passport (all pages)
3. Phone number and email address
4. Marital status (Single/Married/Separated/Divorced)
5. Rental agreement (minimum 6 months)
6. Housing Authority approval (the landlord should register the rental agreement with the Housing Authority on www.rentregistration.mt)
7. Health screening results
8. Health screening approval (the employer should send a copy of the health screening to the IDCU on workpermit.idcu@gov.mt and request approval)
9. Termination letter from Jobsplus
10. Copy of previous residence card
11. Proof of advert (not older than 6 months, can be posted on any social account, should include date)
12. Work contract (clearly indicating job position and minimum monthly salary of €926) for the new position and the reason for need of particular job position.

Notes

Identità Portal

To register employees on the Identità portal, there should be at least one individual employed with Jobsplus.

If a company is already registered on the Identità portal, the employer needs to connect Sciberras Advocates with the Identità portal to gain access to submit the application. This is done with an ID card number and date of birth.

Health Insurance Policy

The health insurance policy requires to have a minimum coverage of €100,000. This insurance must cover medical treatment, including hospitalisation, in Malta and, if necessary, in other European Union countries. The policy must be valid for the whole first year of the residence permit.

This is valid for new and still abroad applicants applying for employment purposes and family members applying under both regulations and policy.

Health Screening

Health screening for individuals working on the following jobs:

- Administrative jobs
- Construction/Manual workers
- Footballers
- Hairdressers/Makeup artists
- Working in transport
- Cleaners/Housekeepers
- Security guards
- Delivery persons
- Laboratory technicians working in a non-medical field (e.g. construction, chemicals, pharmaceuticals, etc);

and who are not from the list of countries listed in the provided link: https://hpd.gov.mt/idcu/work_permits_for_first_time_applicants; or have not resided there for 6 months, do not need health screening.

Skills Pass (Tourism and Hospitality Industry)

The Skills Pass is a verification process initiated by the Government of Malta that allows skilled individuals in the Tourism and Hospitality sector to gain recognition for their skills and be able to work in Malta in this industry.

Candidates/employees who work within an MTA licensed establishment in any role need to obtain the Skills Pass (housekeeping, kitchen, food service, bar service and front office).

The Skills Pass process consists of two phases:

- Online Training and Assessment
- Online Interview via Video Conferencing

More information can be found here: <https://skillspass.org.mt/>

Employees require to apply directly themselves through the following links:

Still abroad: <https://skillspass.org.mt/categories#non-european-still-abroad>

Living in Malta: <https://skillspass.org.mt/categories#non-european-living-in-malta>

Workbook

If the employee is an unskilled worker, one needs to ensure that the job being applied for matches the job description on the workbook. This increases the probability of obtaining an approval for the work permit.

Malta Qualifications Recognition Information Centre (MQRIC)

If the employee is a qualified individual, one needs to ensure that the qualifications meet the right standards. This can be checked from here: <https://mfhea.mt/academic-qualifications/>.

Taxi Drivers

Taxi drivers require to apply for a driver's permit and tag issued by Transport Malta. For requirements and application process please refer to: <https://www.transport.gov.mt/land/professional-transport-services/professional-drivers-operating-for-hire-or-reward/taxis-and-electric-mini-cabs-778>

Catering Industry

Anyone working in the catering industry must present a copy of the Food handlers certificate.

Security Officers

Anyone working as a security officer must present a copy of the Security Tag and the police license.

Power of Attorney

Anyone requesting our services to enquire on status of or anything else, to Identità or any other government department or agency must provide us with a power of attorney giving Sciberras Advocates the authority to act on behalf of.

Jobsplus

Occasionally Jobsplus may contact the employer to confirm proof of works and establishment, so we it's important that employers keep on the lookout for such emails to avoid any delays in the processing of permits.

Other Services

Sciberras Advocates can assist in obtaining or drafting certain documentation that the employer might not have in hand, such as the PE number, employment contracts, board resolutions, service agreements, covering letters, appeals for work permit refusals and appeals for visa refusals, Jobsplus Engagement Forms, Jobplus Termination Forms, payroll services, and more.

Furthermore, Sciberras Advocates can assist with other legal services. We invite to visit our website for more information: <https://sciberras.legal/practice-areas/>

Immigration FAQs for Third Country Nationals

Sciberras Advocates has created a comprehensive list of questions and answers targeting to third country nationals covering:

- Prior arrival in Malta
- Arriving in Malta
- Changing jobs in Malta

Visit the link here for more information: <https://sciberras.legal/practice-areas/immigration-law/immigration-faqs-for-third-country-nationals/>

Family Member Policy Application Process

A third-country national who holds a residence permit in Malta with a validity period of at least one year may apply to be joined by family members in Malta. Such family members include a spouse (if engaged in a monogamous marriage by law) and children.

It's important that the family members are not physically present in Malta, otherwise they will be considered inadmissible.

The following is a checklist for documents required for the family reunification under the family member policy application process. All documents must be presented in original format.

1. A request in writing to Identità by the sponsor in order that the family member may join him/her in Malta, which should include details about the sponsor's:
 - Length of stay in Malta
 - Relationship with the family member
 - Other relevant information, including details on the place of residence where the family shall be residing
 - The expected duration of the sponsor's stay in Malta
2. Photocopy of all passport pages of the family member
3. Civil status certificates, such as birth or marriage certificates, attesting the relationship between the sponsor and the family member. These certificates must be Apostilled
4. Evidence of stable and regular resources declared with the Office of the Commissioner for Revenue: Currently the threshold is estimated to be €18,940 in addition to a 20% of the said median wage for each family member. To qualify the disposable income of the sponsor shall be superior to this threshold
5. A copy of the last six (6) payslips of the sponsor prior to the date of application and any additional acceptable income for the last six (6) months prior to application which would render eligible applicant to apply for such family reunification.
6. Evidence of accommodation regarded as normal for a comparable family in Malta which meets the general health and safety standard in force in Malta, by means of an architect attestation
7. Rental agreement
8. Housing Authority approval
9. Health insurance policy
10. For children aged 18 and older, health insurance policy
Where the family member is a minor: where the sponsor has sole custody, legal proof of care and full custody is required; where the custody is shared a signed agreement of the other parent's concession is required.
11. Health screening: refer to the following:
https://hpdp.gov.mt/idcu/health_screening/family_reunification

Any documentation in a foreign language must be translated to Maltese or English by a sworn translator. Sciberras Advocates can assist in outsourcing translation requests.

Renewal of Family Member Policy Application Process

The following is a checklist for documents required for the renewal of the family reunification under the family member policy application process. All documents must be presented in original format. All documents must be presented in original format.

1. Copy of the sponsor's Maltese residence permit.
2. Evidence of stable and regular resources declared with the Office of the Commissioner for Revenue: Currently the threshold is estimated to be €18,940 in addition to a 20% of the said median wage for each family member. To qualify the disposable income of the sponsor shall be superior to this threshold
3. A copy of the last six (6) payslips of the sponsor prior to the date of application and any additional acceptable income for the last six (6) months prior to application which would render eligible applicant to apply for such family reunification.
4. Evidence of accommodation regarded as normal for a comparable family in Malta which meets the general health and safety standard in force in Malta, by means of an architect attestation
5. Rental agreement
6. Housing Authority approval
7. A copy of the health insurance plan for the applicant and the family member or proof of national insurance payments for the preceding six (6) months or more.
8. For children aged 18 and older, health insurance policy
Where the family member is a minor: where the sponsor has sole custody, legal proof of care and full custody is required; where the custody is shared a signed agreement of the other parent's concession is required. When a child between the ages of 5 and 16 is subject to this application, a letter signed and stamped by the Head of School or another Education attesting to the child's enrolment in school is required
12. Health screening: refer to the following:
https://hpdp.gov.mt/idcu/health_screening/family_reunification

Long Term Residence Application Process

The following is a checklist for documents required for the long term residence application process. All documents must be presented in original format.

1. A covering letter explaining:
 - (i) the intentions of the applicant to apply for the long-term resident status; and (ii) the background of the applicant in Malta, including: (a) accurate information on the applicant's first settlement in Malta, (b) the nature of the stay throughout the years, and (iii) the existence of any family members.
2. Chronological list of dates of arrivals and departures from the territory of the European Union. If one travel abroad for work, it's essential to have all relevant documentation readily available as proof.
3. Full copies of the passport/s used in the last five years prior to the submission of the application.
4. Proof of effective residence in Malta for the last five years prior to the submission of the application.
5. Tax declarations and (Jobsplus history) of the last two years prior to the submission of the application, confirming that the applicant has stable and regular resources which are equivalent to, at least, the minimum wage in Malta with an addition of another twenty percent of the national minimum wage for each additional member of the family;
6. A certificate by a warranted architect confirming that the applicant's accommodation is regarded as normal for a comparable family in Malta and meets the standards established by the Housing Authority.
7. Lease agreement signed by both landlord and tenant, which must include the full name, ID Card number of landlord, rental address.
8. The name of the tenant must match the name on the passport. If the landlord is not Maltese, a purchase agreement of the same premises must be presented.
9. A copy of the approval letter issued by the Housing Authority for the registration of property as a rental as per Chapter 604 of the Laws of Malta.
10. Evidence of sickness insurance covering the applicant and all the related family members, or proof of an exemption issued by the Entitlement Unit.
11. Evidence of complete integration measures, specifically:

- i. I Belong course provided by the Human Rights and Integration Directorate: confirmation of at least 100 hours of attendance and the achievement of an examination pass mark of at least 75%, obtained at most 12 months before the date of application; ii. A pass mark of at least 65% in MQF Level 2 Maltese language certificate; iii. Documentation showing that the relevant course fees have been paid. Lease Agreement Attestation Form - To be filled and signed by the landlord and also filled and officially stamped by a lawyer/ notary/ legal procurator.

Note: Individuals having stayed in non-EU regions for 6 months (consecutively) or 10 months (inconsecutively) will be refused.

Documents to Assist the Process

Sample Covering Letter

Letterhead with details of Employer

[Date]

I, [Name/Surname], of ID card number [123456], a self-employed with PE number [123456], after having reviewed all documents and understood all terms and conditions applicable to Organisation Services made available through the electronic portal of the Government of Malta UNANIMOUSLY RESOLVE AS FOLLOWS:

- (a) To enter into an Organisation Services Agreement in order to enable the Organisation to make use of the Organisation Services and Organisation Services Functionalities (as described in the Organisation Services Agreement) available through the electronic portal of the Government of Malta.
- (b) To authorise and appoint [Name/Surname] of the employer to sign, execute and deliver on behalf of the Organisation.
- (c) To authorise and appoint [Sciberras Advocates - Name/Surname], having ID Card Number [1234567] to act as Organisation Manager and carry out the duties of an Organisation Manager.

Signed this: [Date]

Signature

[Name/Surname]

Sample Proof of Advert



I am looking for a house keeper to help me. Interested people can send me an email on [redacted] or else contact me on [redacted]

21st February 2024

👍 Like 💬 Comment 📧 Send ➦ Share

Sample Service Agreement

This document is required only if the employer is a company.

<https://sciberras.legal/wp-content/uploads/2024/07/Sample-Organisation-Services-Agreement.pdf>

Sample Email for the Health Screening Approval

To: workpermit.idcu@gov.mt

Subject: [Employee Name/Surname] – [Job Title]

Dear IDCU,

kindly register [Employee Name/Surname] health screening as soon as possible and send the approval email. For your reference we have attached the health screening documents.

Thank you for your assistance.

Kind regards,

[Name/Surname]