

WHPARTNERS

# A GUIDE TO MALTA'S NEW LABOUR MIGRATION POLICY

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Today, foreign workers make up about one-third of Malta's entire workforce and are now essential in almost every industry. They have also brought valuable skills that were missing in the local job market, helping not just with economic growth but also with the smooth running of important services.

However, this rapid increase has also created challenges, putting extra pressure on housing, transport, healthcare, and other public services. To better manage these changes, the Maltese Government introduced a new Malta Labour Migration Policy ("Policy"). This Policy aims to better plan for future job market needs while helping to keep skilled workers in Malta.

The new Policy puts forward 32 recommendations to meet these 4 goals:

1. Retention and stability
2. Protecting workers' rights and improving work conditions
3. Aligning the Policy with labour market needs
4. Focusing on skills when bringing in new workers

These 32 recommendations shall be implemented in the coming months/year, starting as of 1 August 2025.

**1 AUGUST 2025**

## MINIMUM TERMINATION RATES

Jobsplus is set to review an employer's recruitment practices whenever certain types of single permit applications are submitted. These include new applications, applications for employees still abroad, and applications involving a change of employer.

If the employer's termination rate exceeds a specific threshold (determined by the size of the company) the single permit application will be rejected. The thresholds are as follows:



**Small firms (10–49 employees):**  
termination rate above 50%



**Medium firms (50–249 employees):**  
termination rate above 45%



**Large firms (250+ employees):**  
termination rate above 40%

The implementation shall happen gradually. Initially, the thresholds shall be increased by 15% and then gradually reduced to the target levels above by 1 July 2026.

Certain exemptions apply, including companies with fewer than 10 employees, applications under the Key Employee Initiative (KEI), as well as those related to sportspersons, students, and the healthcare sector.



## VACANCY REQUIREMENT

Previously, employers were only required to show that a job vacancy had been advertised, with no restrictions on the platform used. However, under the new Policy, stricter guidelines have been introduced regarding where and how vacancies must be advertised prior to submitting a single permit application.

Employers must now follow these requirements:

- For new applications and applications for employees still abroad: 1 job advert must be posted on the Jobsplus portal and another on the EURES portal, both for a minimum of 3 weeks within the 2 months before the application is submitted.
- For applications under the KEI, Specialist Employee Initiative (SEI), the EU Blue Card Directive, and the Skilled Occupation List: 1 job advert must be placed on any local media platform for at least 2 weeks, also within the 2 months preceding the application.

## REDUNDANCIES

If an employer wants to hire a third country national (TCN), but an employee for the same role was made redundant in the previous 12 months because there was no more work or the business closed, then the single permit application will be rejected.

## PROMPT SUBMISSION OF ENGAGEMENT AND TERMINATION FORMS

Engagement and termination forms must be submitted to Jobsplus within 4 working days of the employee's start or end date. Failure to meet this deadline will lead to the suspension of all the employer's submitted single permit applications, except renewals. Frequent delays in submitting these forms may result in the employer being disqualified from submitting new single permit applications.

## COMPLIANCE WITH THE PERSONS WITH DISABILITY (EMPLOYMENT) ACT

The Persons with Disability (Employment) Act mandates that at least 2% of an employer's workforce should be persons with disabilities or otherwise make an annual contribution if they fall short of this requirement.

Non-compliance will lead to the suspension of all the employer's submitted single permit applications, except renewals.

## REVISED FEES

The fees for single permit applications fees will be revised as follows:



**First time applications will increase from €300 to €600.**



**Change of employer applications will increase from €300 to €600**



**Renewal applications will decrease from €300 to €150**



## EXTENSION OF GRACE PERIOD FOLLOWING TERMINATION OF EMPLOYMENT

In accordance with Maltese law, a single permit holder whose employment is terminated is required to leave Malta immediately. However, Identità previously allowed a 10 day grace period from the date of termination during which the individual could submit a new single permit application if alternative employment was secured. Under the new Policy, Identità is extending this grace period to 30 days, allowing the individual to remain in Malta to seek new employment. This 30-day period may be extended by an additional 30 days, provided the individual can demonstrate sufficient financial means to support themselves while searching for alternative employment.

## NEW SALARY BENCHMARKS FOR THE KEI & SEI

The annual gross salary thresholds will be revised as follows:



**KEI will increase from €35,000 to €45,000**



**SEI will increase from €25,000 to €30,000**

## RESTRICTION OF SINGLE PERMIT APPLICATIONS FOR NON-WORK VISA HOLDERS

TCNs residing in Malta on a visa that does not permit employment, such as a tourist visa are not eligible to submit a single permit application. Any such application will be rejected. In these cases, the individual must leave Malta and submit the single permit application from abroad.

## VERIFICATION CHECKS ON RENEWALS

Upon submission of a renewal application, Identità will verify that the employment conditions in place at the time of the original single permit approval are still being met. This verification will be carried out through confirmation requests and by gathering information from relevant authorities such as the tax department.

## WORKFORCE APPLICATION LIMITS

Employers are eligible to apply for additional TCNs based on a percentage of their workforce, which is determined by the size of the company. The increase is calculated against the number of employees the company had 12 months prior to the application date:



**Micro firms  
(1–9 employees):  
Up to 200% increase**



**Small firms  
(10–49 employees):  
Up to 100% increase**



**Medium firms  
(50–249 employees):  
Up to 50% increase**



**Large firms  
(250+ employees):  
Up to 25% increase**

Certain exemptions apply, including applications under the KEI, as well as those related to sportspersons, students, and the healthcare sector.

## PARTNERS AND FAMILIES OF MALTESE CITIZENS

Partners of Maltese citizens, as well as parents of Maltese citizens under the age of 23, will be granted a residence permit. While they are not required to apply for a single permit to reside in Malta, they must still obtain an employment licence from Jobsplus to work.



**1 OCTOBER 2025**

## **SALARY PAYMENT METHOD**

TCNs whose employment is registered on or after 1 August 2025 must be paid their salaries through licensed financial institutions. Cash payments will not be permitted.

## **INTERIM PERMITS FOR INDIVIDUALS FROM VISA WAIVER COUNTRIES**

TCNs from visa waiver countries who apply for a single permit within 60 days of entering the Schengen Area will be issued an interim permit, allowing them to reside in Malta while their application is processed. Those submitting their application from the 61st day onwards will not be granted an interim permit and will be required to await the outcome outside the Schengen Area.

## **VICTIMS OF HUMAN TRAFFICKING**

TCNs identified as victims of human trafficking who apply for a residence permit will be exempt from the application fees. Their residence permit validity shall increase from 6 months to 1 year and may be renewed throughout the entire duration of any related court proceedings.

We are still waiting for the formal issuance of the implementation of the recommendations below, however, in line with the Policy released in January 2025, the expected recommendations are as follows.

**1 JANUARY 2026**

## **REVIEW OF RENEWAL PERIODS**

Currently, single permit renewals are granted at the employer's request and at Identità's discretion as follows:

- Single permit renewals: up to 2 years
- Renewals under KEI, SEI, and the EU Blue Card Directive: up to 3 years

Under the new Policy, Identità's discretion will be removed, and renewals will be granted according to these fixed terms. Additionally, low-skilled workers who demonstrate enrolment in training programmes launched by Identità will have their renewal period extended to 2 years.

## **DESK INVESTIGATIONS OF EMPLOYMENT REGULATIONS AND OTHER LEGAL REQUIREMENTS**

The Policy will disqualify employers who violate laws on TCN employment. Those breaching employment conditions or regulations face up to 12 months' disqualification, while failure to meet legal obligations like tax and social security leads to disqualification until resolved.



## PROHIBITION OF FINANCIAL COMPENSATION

Employers cannot request any financial compensation from employees for hiring or termination.

## FIRST EMPLOYMENT

Before applying to hire TCNs, employers must first employ a full time Maltese/EU national or TCN with equal treatment, such as a long-term resident:



**Micro firms**  
(1–9 employees):  
minimum of 2  
such employees



**Small firms**  
(10–49 employees):  
minimum of 4 such  
employees



**Medium firms**  
(50–249 employees):  
minimum of 20 such  
employees



**Large firms**  
(250+ employees):  
minimum of 40  
such employees

## MINIMUM NUMBER OF MALTESE/EU NATIONAL EMPLOYEES

To be eligible to apply for TCNs, based on company size, employers must already employ a minimum number of full-time Maltese/EU nationals or TCNs with equal treatment such as long-term residents:



**Micro firms**  
(1–9 employees):  
At least 2 such  
employees



**Small firms**  
(10–49 employees):  
At least 4 such  
employees



**Medium firms**  
(50–249 employees):  
At least 20 such  
employees



**Large firms**  
(250+ employees):  
At least 40 such  
employees

Employers with a workforce made up of over 80% TCNs will be viewed unfavourably and subject to enhanced labour market needs testing by Jobsplus.

## SUITABILITY CHECK

Each applicant will be subject to an independent suitability check. The following requirements must be met:

- CV: must be signed by both the applicant and employer and this must be relevant to the job being applied for.
- Qualifications: copies of certificates are to be submitted. Recognition from MQRIC is needed for lesser-known institutions.
- Regulated occupations: must be approved by the relevant regulatory body.
- References: At least 2 reference letters have to be submitted confirming the applicant's experience and character.
- Language proficiency: Proof of English or Maltese language skills is required (minimum equivalent to IELTS Band 6). If qualifications are not submitted, interviews may be conducted.

## INTEGRATION COURSES PRIOR TO ARRIVAL TO MALTA

At present, TCNs applying for a single permit are not required to complete any pre-departure integration course, leaving many unsure of what to expect in Malta. To close this gap, a pre-departure integration training will become mandatory under a restructured I Belong programme. Identità would issue an approval in principle only once the TCN provides documentary evidence of the course completion. TCNs would also need to demonstrate fluency in Maltese or English.



## RESTRICTIONS ON NEWLY REGISTERED BUSINESSES

Currently, newly registered businesses are exempt from the current Labour Market Needs Test. This exemption shall be removed as of January 2026. Additionally, new businesses without Maltese, EU nationals, or long-term residents among their owners will no longer be eligible to apply for TCNs. Exceptions may be considered in justified cases, such as those involving Foreign Direct Investment (FDI) based on input from Malta Enterprise, provision of business plans and growth projections.

**1 OCTOBER 2026**

## STUDY ON SALARY OCCUPATIONS

A study will be carried out to determine the salary levels across skilled occupations, which will serve as a basis for establishing occupation-specific salary thresholds. Employers are expected to pay TCNs a salary in line with this study.

## DATABASE ON JOB POSTING

A comprehensive database of TCNs job postings will be created to verify that assigned roles match the original employment contract tied to the permit.

## REGISTER OF EXEMPLARY EMPLOYER

A register will be created for employers who wish to hire TCNs and meet certain criteria. Employers must demonstrate that they are aligned with all employment laws and have invested in their workforce by participating in official training schemes. Employers on this register will enjoy a streamlined labour market testing process and their employees would be eligible for a renewal period between 2 years – 4 years.

## COURSES ON THE APPLICATION PROCESS

Employers currently struggle to apply directly for TCNs, leading many to depend on third-party services that limit their control over recruitment. To address this, authorities plan to introduce specialised training programs aimed at building employers' capacity to manage TCN applications independently and more effectively.

**ONGOING BASIS**

## ASSESSMENT OF SHORTAGES AND SURPLUSES

Jobsplus will continue analysing the labour market, identifying overall and sector-specific shortages and surpluses. Based on this analysis, it may implement temporary or permanent measures such as quotas or hiring moratoria. The authorities will announce which occupations will be subject to these quotas or moratoriums.

## UPSKILLING AND INTEGRATION OF FOREIGN WORKFORCE

The large number of foreign workers in low-skilled jobs calls for a joint effort between the Maltese Government and employers to invest in workforce development. Various training programmes are being proposed, which may be supported by government funding, including targeted tax credits for both existing and newly arriving TCNs.



## SKILLS CARDS

So far, the skills card has been introduced in the hospitality and catering industry. Identità will explore expanding its use to other sectors, including construction.

## STRATEGIC PARTNERSHIP

Jobsplus is tasked with helping job seekers find employment. However, this role has been challenged by the influx of TCNs and Malta's low unemployment rate. To address this, Jobsplus will explore the possibility to establish strategic partnerships and tailored memorandums of understanding with other countries. This ensures that individuals possess the right skills for specific jobs in Malta.

## LIST OF HIGH-RISK COUNTRIES

A list of high-risk third countries will be created, which will be based on security, public policy or health concerns. Applications for low-skilled jobs from nationals of these countries will be automatically rejected. For other job categories, applications will be reviewed individually, taking into account factors like whether the applicant is already legally residing in another EU or EEA country.



# WHPARTNERS

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