

Policy on Family Members of Nomad Residence Permit Applicants

The said policy contains the following features:

- 1) The definition of family members
- 2) Eligibility of main applicant
- 3) Application procedure
- 4) Decisions on request
- 5) Access to employment
- 6) Renewal of Permits

1) The Definition of Family Members

For the purpose of this policy, family members are defined as:

- (i) the spouse of the main applicant in a monogamous marriage or in another relationship having the same or a similar status to marriage, including a civil union, domestic partnership, common law marriage, provided that for the purpose of these regulations, the term "spouse" shall be gender neutral, and saving the CEO of Residency Malta Agency's discretion to authorise, on a case by case basis, other relationships having a similar status as aforesaid;
- (ii) a child, including an adopted child, of the main applicant or of his spouse who, at the time of application, is less than eighteen (18) years of age;
- (iii) a child, including an adopted child, of the main applicant or of his spouse, who at the time of application is over eighteen (18) years of age, is not married, and who proves, to the satisfaction of the Agency that at the time of application he is principally dependent on the main applicant;

2) Eligibility of Main Applicant

Main Applicants, must prove that he/she is a third country national who can work location-independently, using telecommunications technologies.

In addition, applicants must prove that they fit under any one of the three following categories:

- (i) work for an employer that is registered in a foreign country and you have a contract of work with that employer;
- (ii) conduct business activity for a company that is registered in a foreign country and of which you are a partner/shareholder; or
- (iii) offer freelance or consulting services mostly to clients, whose permanent establishments are in a foreign country, and with whom you have contracts.

Moreover, applicants must reach a monthly income threshold of EUR 2,700 gross of tax, in addition to a 20% of the median wage for each family member.

The above-mentioned figure may be reviewed periodically, upon the publishing of the new median by the National Statistics Office.

The policy does not, however, apply to:

- (i) Citizens of the European Union and their family members, including third-country nationals who have free movement in the EU;
- (ii) Refugees, persons granted subsidiary protection, or any other form of protection or status as provided for by international obligations in Malta or in any other country of the European Union/EEA/Swiss Confederation.

3) Application Procedure

Applicants may submit applications for their family member(s) with their application or even when already holding a Nomad Residence Permit or Visa. Application forms and supporting documentation as stipulated by checklist, may be submitted by email on nomad.residencymalta@gov.mt. The duration of the permits/visa issued to family members depends on that of the Main Applicant.

4) Decisions of Request

Residency Malta Agency shall communicate the decision on the request submitted by the Main Applicant within 30 days from the submission of the application. The Main Applicant shall be informed in writing whenever it is found to be impossible to conclude the verifications within the said period.

Applications submitted by applicants over the age of 12 years are vetted by the Police Immigration Office. The application will be rejected if it is determined that the family member is considered a threat to public security or public policy.

5) Access to employment

Residence permits issued to family members under these guidelines do not grant them the automatic right to work in Malta. The said third country nationals who wish to take up employment in Malta must apply for an employment license with Jobsplus.

6) Renewal of Permit

Permits issued to family members in accordance with these guidelines shall only be renewed if the conditions continue to be satisfied.

ENDS

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