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**L.N. 146 of 2025**

**IMMIGRATION ACT  
(CAP. 217)**

**Malta Permanent Residence Programme  
(Amendment) Regulations, 2025**

IN EXERCISE of the powers conferred by articles 7A and 36 of the Immigration Act, the Minister responsible for immigration has made the following regulations:-

Citation.                   **1.** The title of these regulations is the Malta Permanent Residence Programme (Amendment) Regulations, 2025 and these regulations shall be read and construed as one with the Malta Permanent Residence Programme Regulations, hereinafter referred to as the "principal regulations".

S.L. 217.26.

Amends  
regulation 3 of  
the principal  
regulations.

**2.** Regulation 3 of the principal regulations shall be amended as follows:

(a) in the definition "agent" the words "under the Agents (Licences) Regulations" shall be substituted by the words "by the Agency in accordance with these regulations";

(b) in the definition "contribution" the words "or in relation to an application for inclusion of a dependant on a certificate in terms of regulation 11, where applicable" shall be deleted;

(c) in paragraph (d) of the definition "dependant" the words "spouse who proves" shall be substituted by the words "spouse, who is not in a full-time employment, and who proves".

Amends  
regulation 4 of  
the principal  
regulations.

**3.** In sub-regulation (6) of regulation 4 of the principal regulations the words "the Agents (Licences) Regulations" shall be substituted by the words "these regulations".

Substitutes  
regulation 5 of  
the principal  
regulations.

**4.** Regulation 5 of the principal regulations shall be substituted

by the following new regulation:

"Licence for a person to act as an Agent.

5. (1) Persons who intend to render services to applicants in relation to the Programme, and who satisfy the requirements laid down in these regulations, shall apply for a licence with the Agency. The application for a licence shall be made with the Agency on the appropriate form available on the Agency's website and shall be accompanied with such documents and information as the Agency may require. The agent shall be subject to a due diligence assessment by the Agency, both upon application and annually thereafter:

S.L. 188.05. Provided that an agent duly licensed in accordance with the Agents (Licences) Regulations may continue to operate with that licence for the purpose of these regulations until 31<sup>st</sup> December 2025.

(2) The Agency may grant or refuse a licence to an applicant to act as an agent. The said licence shall be subject to renewal every year and the Agency may refuse to renew such licence.

(3) Both the application for a licence and the renewal thereof shall be subject to the payment to the Agency of such annual fee as provided in the Third Schedule."

5. Regulation 6 of the principal regulations shall be amended as follows:

Amends regulation 6 of the principal regulations.

(a) in sub-regulation (1) thereof the words "who have complied with the requirements set out in regulation 5" shall be substituted by the words "who are licensed in accordance with these regulations";

(b) in sub-regulation (3) thereof the words "license in accordance with the Agents (Licences) Regulations" shall be substituted by the word "licence";

(c) in sub-regulation (4) thereof the words "informs the Agency that he no longer wishes to render services to applicants in relation to the Programme" shall be substituted by the words "surrenders his licence in accordance with regulation 8A".

6. Immediately after regulation 6 of the principal regulations

Adds new regulations to the principal regulations.

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there shall be added the following new regulations:

"Qualification  
for a person to  
act as an  
Agent.

6A. (1) A person shall be qualified to apply for a licence to act as an agent for the purpose of these regulations, if he is a public accountant or auditor, a lawyer, or a financial advisor duly licensed by a competent authority, and if he satisfies such other conditions and requirements as may be set out in guidelines issued by the Agency from time to time.

(2) An agent may apply to act either in his personal capacity or on behalf of an audit firm, a law firm or a financial advisory firm, being a body duly registered in accordance with the applicable law and having separate legal personality provided that such firm, as represented by the agent, is also authorised by the Agency to act as an agent for the purpose of these regulations. For the avoidance of doubt, such firms shall always be represented by a duly licensed agent.

Eligibility for  
a licence.

6B. (1) The Agency may grant a licence to a person to act as an agent if it is satisfied that the applicant:

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(a) has a clean police conduct certificate issued in accordance with the Conduct Certificates Ordinance in the prescribed Form A or its equivalent; and

(b) satisfies the due diligence process carried out in respect of such person by the Agency.

(2) The person authorised to act as an agent shall:

(a) hold a professional indemnity insurance policy with a reputable insurance company acceptable to the Agency, with a cover of not less than five hundred thousand euro (€500,000) or such higher figure as the Agency may determine from time to time;

(b) be able to demonstrate to the satisfaction of the Agency that he, or in the case of a legal person, that the group of which it forms part has unrestricted access to a recognised, reputable due diligence database, and in either case, be able to provide the Agency, upon request, with the results of his due diligence procedures;

(c) submit an application form together with all requested documentation and information that the Agency may request;

(d) undertake to provide any documentation or information as may be requested by the Agency from time to time;

(e) provide the Agency with a fixed address and an email address where any notifications under these regulations shall be sent, and update them in case of any change thereto:

Provided that a notification by the Agency to such fixed address or email address so provided shall be deemed to have been validly affected.

Processing of applications for a licence.

6C. (1) When processing an application for a licence to act as agent under these regulations, the Agency shall, in particular, have regard to:

(a) the protection of applicants under these regulations;

(b) the protection of the reputation of Malta, taking into account Malta's international commitments; and

(c) the promotion of competition and choice.

(2) The Agency may impose on the applicant for a licence such conditions as it may deem appropriate. The Agency may, add to, vary or revoke any conditions as it may deem fit.

(3) The Agency shall notify the applicant of its decision to grant or refuse a licence within six (6) months from the receipt of a valid application, completed in accordance with the applicable provisions of these regulations and any applicable guidelines and accompanied by the prescribed application fee. In the case of a refusal, the notification shall also set out the reasons for such decision."

7. Regulation 7 of the principal regulations shall be amended as follows:

Amends regulation 7 of the principal regulations.

(a) in paragraph (e) of sub-regulation (1) thereof the words "of any changes to his licence in terms of the Agents (Licences) Regulations or if his appointment" shall be substituted by the words "without delay of its intention to renounce to the engagement or if such engagement";

(b) immediately after sub-regulation (4) thereof there shall be added the following new sub-regulation:

"(5) Agents shall be personally responsible to ensure

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that they impose the same standards, requirements and obligations applicable to them in accordance with these regulations on their employees, assistants or associates."

Substitutes regulation 8 of the principal regulations.

**8.** Regulation 8 of the principal regulations shall be substituted by the following new regulation:

"Revocation or suspension of licence.

8. (1) Where the Agency considers that an agent, or any person acting on behalf of an agent, has contravened or defaulted upon any of the provisions of these regulations or has failed to satisfy or comply with any obligation, requirement or condition to which he may be subject for the purpose of these regulations, or has reasonable and sufficient grounds to consider at any time that he is no longer a fit and proper person, it may revoke or suspend an agent's licence after giving the agent a reasonable time, which shall not in any case be less than ten (10) days, to make submissions in writing.

(2) Without prejudice to the provisions of sub-regulation (1), if the Agency has reasonable and sufficient grounds to consider at any time that a person acting on behalf of an agent is no longer a fit and proper person, the Agency shall be empowered to demand the substitution of the said person within a time fixed by the Agency."

Adds new regulation to the principal regulations.

**9.** Immediately after regulation 8 of the principal regulations there shall be added the following new regulation:

"Surrender of a licence.

8A. (1) When an agent intends to surrender his licence, he shall inform the Agency at an early stage of his intention to do so. Any outstanding licence fees payable by the agent to the Agency shall be settled without delay, while any fees already paid by the agent to the Agency shall not be refundable. The Agency may require an agent to delay the surrender of his licence and if the Agent intends to wind up its business, he shall do so in accordance with such conditions as may be reasonably imposed by the Agency.

(2) No such surrender of a licence shall take effect:

(a) if it results that the agent is still acting as such for an applicant or applicants of the Programme, unless the agent provides satisfactory evidence to the Agency either that he has given notice to his clients of his intention to surrender his licence and any pending applications have been transferred to another agent or that the applicants under these regulations have themselves decided to use the services of another agent; or

(b) if it appears, in the Agency's discretion, that the surrender of the licence is being done in order to avoid prosecution in terms of any applicable law or to otherwise obstruct or hinder such prosecution or that it is reasonably likely to have this effect."

**10.** Regulation 9 of the principal regulations shall be amended as follows:

Amends  
regulation 9 of  
the principal  
regulations.

(a) sub-regulation (4) thereof shall be amended as follows:

(i) immediately after the words "administration fee payable in respect of dependants" there shall be added the words "referred to in paragraphs (c) and (d) of the definition "dependant" in regulation 3";

(ii) in paragraph (a) thereof the words "in respect of the main applicant and each dependant" shall be deleted;

(b) immediately after sub-regulation (5) thereof there shall be added the following new sub-regulation:

"(6) Upon submission of an application in accordance with regulation 9, or of an application in accordance with regulation 11, the applicant shall be entitled to apply for a temporary residence permit valid for a period of one (1) year, for himself and, or any of his dependants, in such manner as the Agency may require, and subject to the applicant providing all information and documentation and complying with such procedures as the Agency may require for this purpose. The said temporary residence permit may be renewed by the Agency for additional periods of one (1) year each, provided that all documentation and information in relation to the application in accordance with regulation 9 or regulation 11 as prescribed by these regulations are submitted to the

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Agency within six (6) months from the date of said application.".

Amends  
regulation 11 of  
the principal  
regulations.

**11.** Regulation 11 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof immediately after the words "for each and every dependant," there shall be added the words "except for a dependant referred to in paragraphs (a), (b) and (e) of the definition "dependant" in regulation 3," and the words "and a contribution" shall be deleted;

(b) sub-regulations (7) and (8) thereof shall be deleted;

(c) the words "a contribution and", wherever they occur, shall be deleted.

Amends  
regulation 15 of  
the principal  
regulations.

**12.** Sub-regulation (1) of regulation 15 of the principal regulations shall be amended as follows:

(a) in the second proviso of paragraph (c) thereof the words "for such purposes;" shall be substituted by the words "for such purposes:" and immediately thereafter there shall be added the following new proviso:

"Provided further that the Agency may, from time to time, issue guidelines regulating the use which applicants may make of a qualifying property during their temporary periods of absence from Malta;"

(b) in paragraph (d) thereof the word "Malta." shall be substituted by the word "Malta;"

Amends  
regulation 25 of  
the principal  
regulations.

**13.** In sub-regulation (2) of regulation 25 of the principal regulations the words "in sub-regulation (3) of regulation 6 or" shall be deleted.

Substitutes the  
First Schedule  
to the principal  
regulations.

**14.** The First Schedule to the principal regulations shall be substituted by the following new Schedule:

**"FIRST SCHEDULE**  
**(regulations 9 and 11)**

**Administrative fees and contributions Schedule**

The non-refundable administration fee requirement to qualify for residency in accordance with these regulations shall be as follows:

(i) for the purposes of regulations 9 and 11:

- a non-refundable administration fee in respect of the main applicant of sixty thousand euro (€60,000), fifteen thousand euro (€15,000) of which need to be paid within one (1) month from the submission of the application, with the remaining forty five thousand euro (€45,000) payable within two (2) months from the issuance of the Letter of Approval in Principle;

- a non-refundable administration fee of seven thousand five hundred euro (€7,500) for each and every dependant payable within two (2) months from the issuance of the Letter of Approval in Principle or, in the case of regulation 11(2), (3), (4) and (5), upon submission of the application:

Provided that each and every dependant referred to in paragraphs (a), (b) and (e) in the definition "dependant" in regulation 3 shall not be subject to the payment of any non-refundable administration fee;

(ii) The contribution requirement to qualify for residency for the purposes of regulation 9 shall be as follows:

- a contribution of thirty seven thousand euro (€37,000) in respect of the main applicant where the necessary title to a qualifying property is a qualifying owned property payable within eight (8) months from the issuance of the Letter of Approval in Principle;

- a contribution of thirty seven thousand euro (€37,000) in respect of the main applicant where the necessary title to a qualifying property is a qualifying rented property payable within eight (8) months from the issuance of the Letter of Approval in Principle."

**15.** Immediately after the deleted Second Schedule to the principal regulations there shall be added the following new Schedule:

Adds new Schedule to the principal regulations.



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"THIRD SCHEDULE  
(regulation 5(2))

**Annual Licence Fee payable by Agent**

The annual licence fee exclusive of any applicable taxes payable by each agent to the Agency shall amount to:

five thousand euro (€5,000).".

Transitory  
provision.

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**16.** The non-refundable administration fees and the contributions set out in regulation 14 shall apply also to applications submitted after the 1<sup>st</sup> January 2025 which are still not concluded at the time of coming into force of the Malta Permanent Residence Programme (Amendment) Regulations, 2025, and for such applications the non-refundable administration fees and the contributions in force prior to the coming into force of these regulations shall no longer apply.

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