



EXPATRIATES UNIT PERMANENT RESIDENCE CERTIFICATE/CARD APPLICATION FORM

(This application is being submitted on the basis of the provisions of Free Movement of EU nationals and their Family Members Order (Subsidiary legislation 460.17) and/or Immigration Regulations (Subsidiary legislation 217.04))

☐ EU National ☐ EEA National ☐ Non-EU National

01 APPLICANT'S PERSONAL DETAILS

Surname _____

Name _____

Maiden Surname
(If applicable) _____

Registration Certificate No. or Residence Card No. _____
(If applicable)

Current Nationality _____

Nationality at Birth _____

Country of Birth _____

Place of Birth _____

Marital Status ☐ Single ☐ Married ☐ Separated ☐ Divorced ☐ Widowed ☐ Cohabitant

Gender ☐ Male ☐ Female ☐ X

Date of Birth _____

Telephone No. _____

Mobile No. _____

Email Address _____

Travel Document Type ☐ Passport ☐ Foreign ID ☐ Other (Specify) _____

Travel Document No. _____

Country of Issue _____

Date of Issue _____ Valid Until _____

Date of first settlement in Malta _____

Country of Residence prior to Settlement in Malta _____

Intended Country of Next Settlement _____

02 ADDRESS IN MALTA

Property No./Name _____

Street Name _____

Locality _____ Post Code _____

03 PERMANENT ADDRESS ABROAD

Property No. / Name _____

Street Name _____

Locality _____ Post Code _____

Country _____

04 DECLARATION BY THE APPLICANT

I, hereby, solemnly declare that the information given in this application is true to the best of my knowledge and belief and that no details have been omitted that could be of direct importance when the application is considered.

Applicant's Signature _____ Date _____

SUPPORTING DOCUMENTS

Persons shall be entitled to the right of permanent residence certificate in accordance with the provisions of Article 6 of Subsidiary Legislation 460.17, (Free Movement of European Union Nationals and their Family Members order) which is being reproduced overleaf.

The original version of all documents submitted with this application must be presented at the time of the biometrics appointment.

Documents submitted must be in line with the latest published Policy by Identità, establishing the standards for the recognition of foreign public documents.

In this regard the following documents are required:

- ☐ Eu/EEA nationals – Copy of valid Foreign ID (front and back) or Passport (bio data page only)
Non Eu nationals – Full copy of passport (including all pages compressed in one file)
- ☐ Dated and Signed letter addressed to the Chief Executive Officer, in which s/he should:
 - Indicate the date of his/her first arrival in Malta;
 - List all periods of absence from Malta during the last 5 years.
- ☐ Permanent residence new:

Documentary evidence attesting to his/her continuous residence in Malta for minimum of 6 months in each year for the last 5 years stay in Malta. Such evidence may include the following documents depending on the purpose of stay in Malta:

- Employment (copies of work permits/engagement letter/work contract/final settlement system – FS3's);
- Self-employment (contracts, etc.);
- Economic self-sufficiency. (Proof of residence in Malta and proof of comprehensive health insurance for each year) In such a case various documents could be produced such as Rental agreement; and/or utilities bills; and/or Tax payments in respect of every year under consideration; and/or A declaration by one's doctor that one has been under his/her care for the last 5 years or as applicable and, as far as s/he is aware, the person concerned has always been residing in Malta during this period; and/or bank statement which would show continuous bank activity; and/or any other document acceptable to the Department which would show continued residency in Malta;
- Study. Confirmation from University of Malta, College or Education Establishment concerned attesting to continuous attendance, should be produced;
- Minors certificate/s from the Head of School/s attended by the minor concerned should be produced.
- Proof of address - Such as utility bills, bank statements, contract of lease or contract of purchase of property with the details of the applicant. In case of applicants who cannot provide proof of address, kindly provide CEA Form D – Address Declaration.

- ☐ Permanent residence renewal:
 - Eu/EEA nationals – Copy of valid Foreign ID (front and back) or Passport (bio data page only)
Non Eu nationals – Full copy of passport (including all pages compressed in one file)
 - Documentary evidence attesting that the applicant was not absent from Malta for a period exceeding two consecutive years. One shall provide a minimum of one proof for the past 10 years.

**NOTE: Original documents must be presented upon appointment and will be returned to the applicant;
Copies must be uploaded on the online portal together with the application form;
The Department reserves the right to request any other additional document to process the application.**

Kindly note that applicants in hold of a valid or expired residence card shall return their residence card upon biometric appointment. If your residence card is lost, a Police Lost Report issued here in Malta needs to be presented upon appointment.

NOTES TO APPLICANTS

- 01 The Unit reserves the right to request any other additional document to process the application.
 - 02 If the applicant is already in his possession of a document certifying that he/she enjoys permanent residence in Malta under the above mentioned Subsidiary Legislation, the documents indicated above are not required but is only requested to submit the said document.
- If the applicant, since being granted permanent residence, has, however, been absent from Malta for a period of two consecutive years, such permanent residence is deemed to have been lost.
- 03 Applications will be accepted by the Unit only if the applicant satisfies the conditions stipulated in the above-mentioned Subsidiary Legislation.
 - 04 All required documents together with photocopies should be enclosed with the application. English translation of the documents is required if applicable.
 - 05 Applications in respect of minors, that is, persons who are still under 18 years of age, are to be submitted and signed by the parent/s or a person who has guardianship of the child. The relative document mentioned attesting the said authority over the child would have to be submitted.
 - 06 Application fee, if applicable, is to be paid in full upon application and is not refundable.
 - 07 Persons concerned are being reminded that, without prejudice to any legal action that may be taken against them if false information is deliberately given, this would lead to the rejection of the application.

Right of permanent residence — Extract from Subsidiary Legislation 460.17 (Free movement of European Nationals and their Family Members Order)

- [1] Subject to the provisions of this article, a Union citizen who has resided legally for a continuous period of five years in Malta and his family members who are not nationals of a Member State and who have legally resided with him in Malta for a continuous period of five years and persons referred to in article 5 as applicable, may reside permanently in Malta and such right, once acquired, shall not, without prejudice to any provisions of articles 12 and 13 which may apply, be subject to the conditions provided for in articles 8, 9, 10 or 11:

Provided that a person who is a Union citizen and who is referred to in article 5 shall, before acquiring the right of permanent residence, be able to show that he satisfies the conditions mentioned in articles 8, 9, 10 or 11 as applicable:

Provided further that a person referred to in article 5(1), (2) and (3), who is not a Union citizen shall, before acquiring the right of permanent residence, be able to show that he satisfies the conditions mentioned in articles 8, 9 or 11 as applicable or, in the case of his family members, they are members of the family already constituted in Malta.

- [2] The Director shall require the Union citizen and his family members referred to in this article to provide proof of continuous residence as may be prescribed.
- [3] Continuity of residence shall not be affected by:
 - [a] temporary absences not exceeding a total of six months in each year; or
 - [b] absences of a longer duration for compulsory military service; or
 - [c] one absence of a maximum of twelve consecutive months for important reasons including pregnancy and childbirth, serious illness, study or vocational training, or a posting in another Member State or a third-country.
- [4] Once permanent residence is acquired, the Union citizen and his family members shall only lose such status of permanent residence through absence from Malta for a period exceeding two consecutive years.
- [5] The following persons shall enjoy permanent residence in Malta before completion of the continuous period of five years of residence provided for in sub article (1):
 - [a] a worker or self-employed person who, at the time of his termination of employment, has reached the retirement age, provided that such person has been working in Malta for at least twelve months prior to the termination of his employment and has resided in Malta continuously for more than three years prior to such termination;
 - [b] a worker who has ceased paid employment to take early retirement, provided that such worker has been working in Malta for at least twelve months prior to the termination of his employment and has resided in Malta continuously for more than three years prior to such termination;
 - [c] a worker or self-employed person who has resided continuously in Malta for more than two years and has stopped working as a result of permanent incapacity to work, provided that the required minimum residence period shall not apply if such incapacity is the result of an accident at work or an occupational disease entitling him to a pension for which an institution or body in Malta is wholly or partially responsible;
 - [d] a worker or self-employed person who after three years of continuous employment and residence in Malta, works in an employed or self-employed capacity in another Member State, while retaining his place of residence in Malta to which he returns, as a rule, at least once a week.

- [6] For the purposes of entitlement to permanent residence by the persons referred to in sub article (5)(a), (b) and (c), periods of employment spent in another Member State in which such person concerned has worked or is working, shall be regarded as having been spent in Malta.
- [7] For the purposes of sub-article (5)(a), (b) and (c):
- [a] periods of inactivity for reasons not of the person's own making;
 - [b] periods of inactivity due to illness or accident, and
 - [c] periods of involuntary unemployment duly recorded by the employment agency, shall be treated as periods of activity as a worker or self-employed person.
- [8] Without prejudice to any rights that may be enjoyed under the Act, the conditions as to length of residence and employment laid down in sub article (5)(a), (b) and (c) shall not apply if the spouse of any such person is a former citizen of Malta who has lost Maltese citizenship by reason of marriage to him.
- [9] Family members of the person referred to in sub-article (5) and who are residing with him in Malta, shall have the right of permanent residence if such person has acquired such right:

Provided that, without prejudice to any rights that may be enjoyed under the Act, if such worker or self-employed person dies while still working before having acquired the right to remain permanently in Malta, family members shall be entitled to the right of permanent residence in Malta if:

- [a] such person had, on the date of his death, resided continuously in Malta for two years; or
- [b] that his death resulted from an accident at work or an occupational disease; or
- [c] that the surviving spouse is a former citizen of Malta and has lost Maltese citizenship by reason of marriage to such person.