



APPLICATION FOR A PERMANENT RESIDENCE CERTIFICATE/CARD

This application is being submitted on the basis of the provisions of the
Free Movement of EU nationals and their Family Members Order (LN191 of 2007) and the
Immigration Regulations (LN 205 of 2004)

EU National EEA National Non-EU National

1. Applicant Personal Details

Surname:	
Former Surname (if applicable):	Forename (s):
Current Nationality:	Nationality at birth (if different):
Country of Birth:	Place of Birth:
Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widow/er	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth (DD/MM/YYYY):
Travel Document Type: <input type="checkbox"/> Passport <input type="checkbox"/> Foreign ID <input type="checkbox"/> Other (specify): _____	
Travel Document No:	Country of Issue:
Date of Issue (DD/MM/YYYY):	Valid Until (DD/MM/YYYY):

Address in Malta:

Property No:	
Property Name:	
Street:	
Locality:	
Telephone:	Mobile:
E-mail:	

Permanent Address Abroad:

Door:
Street:
Locality:
Country:
Telephone:

FOR
OFFICIAL
USE

Bar Code

Application No

Person Registration No

New Application

Renewal

Current Permit No.

Received by:

Vetted by:

Permit Decision:

Approved

Validity: _____

Temporary

Validity: _____

Refused

Validity: _____

Conditions:

Card Permit No.

Date of First Settlement in Malta (DD/MM/YYYY):

Intended Duration of Stay in Malta :

Country of Residence prior to Settlement in Malta:

Intended Country of next Settlement:

2. Declaration

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.

Signature of Applicant

Date

3. Data Protection

All personal details are processed in a confidential manner and in accordance with the Data Protection Act, Chapter 440 of the Laws of Malta. The Data Controller is the Director for Citizenship and Expatriate Affairs.

Information furnished in this application form together with any biometric data that is required to be collected and any other subsequent information which may be provided by you at a later stage, are mandatory for processing the application for the purposes of issuing a Residence document. Such data as well as data concerning any decision taken on your application may be accessed by the Department for Citizenship and Expatriate Affairs, the Immigration Authorities, Police Authorities, the Ministry for Home Affairs and National Security and any other government department and/or public organisation that may be involved in the process of evaluating your application form, in line with Maltese law. This information may also be disclosed to other competent authorities in other EU member states if required, in line with Maltese legislation and applicable EU legislation

In the course of evaluating your application, the Department for Citizenship and Expatriate Affairs may also enquire information about you from other government departments, authorities or other organisations which may need to be taken in consideration to process your application form.

All details supplied by you (the applicant) are registered in a database regarding the processing of residence documents .

You have the right under the Data Protection Act to enquire about information that is being processed about you, and to request rectification of inaccurate data and the blocking or deletion of such personal data that has not been processed in accordance with the Act The national supervisory authority of Malta, the Office of the Information and Data Protection Commissioner [idpc.info@gov.mt] will hear claims concerning the protection of personal data.

Such requests to access personal data held by the Department are to be made in writing and have to be addressed to:

The Data Protection Officer
Department for Citizenship and Expatriate Affairs
Evans Building
St. Elmo Square
Valletta

Signature of Applicant

Date

4. 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 (LN 191/2007)) which is being reproduced overleaf - Information leaflet CEA/L/7, which can be downloaded through www.mhas.gov.mt also refers. In this regard the following documents are required:

1. Letter addressed to the Director, 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

2. Documentary evidence attesting to his/her continuous stay in Malta during the last 5 years or as applicable. Such evidence may include one or more of 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. 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 for the last 5 yrs or as applicable.
 - ◆ 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.

Notes to Applicants:

1. The Department reserves the right to request any other additional document to process the application.

2. If the applicant is already in his possession of a document certifying that he/she enjoys permanent residence in Malta under the above mentioned Regulations, 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.

3. Applications will be accepted by the Department only if the applicant satisfies the conditions stipulated in the above-mentioned Regulations

4. All required documents together with photocopies thereof should be enclosed with the application. English translation of the documents are required if applicable

5. 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.

6. Application fee, if applicable, is to be paid in full upon application and is not refundable.

7. 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

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

6. (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 subarticle (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.