

## Checklist for Third-Country Nationals applying for family reunification to join their relatives in Malta – [Subsidiary Legislation 217.06]

A third-country national who holds a residence permit having a validity period of at least one year may apply to be joined by family members in Malta. Family members are defined as:

- i. The sponsor's spouse who shall be twenty-one years of age who is engaged in a monogamous marriage by law;
- ii. The unmarried minor children of the sponsor and the spouse, including children adopted in a manner recognized by Maltese law;
- iii. The unmarried minor children, including adopted children, of the sponsor or the spouse where one of the parents has custody and the children are dependent on that parent.

The main sponsor for family reunification is required to present the following documentation in original format:

1. *Form C/ 22 (Non-EU)* for each family member, signed by the sponsor who already holds a residence permit in Malta. The application shall be submitted by the sponsor when the family members are residing outside Malta. Identity Malta may accept an application submitted while the family members are already in Malta in exceptional circumstances;
2. Covering letter signed by the main sponsor, explaining that he has been legally residing in Malta for the last two years. Requests by sponsors who have resided in Malta for a period which does not exceed two years will be examined on a case-by-case basis;
3. Evidence that the main sponsor has prospects of permanent residence in Malta;
4. Copy of the main sponsor's Maltese residence permit;
5. Documents attesting the family relationship that exists with the main sponsor such as marriage certificates and birth certificates;
6. Attestation by an architect concerning appropriate accommodation for the whole family which meets the general health and safety standards in force in Malta;
7. Confirmation of stable and regular resources of the main sponsor;
8. Evidence of sickness insurance in respect of all risks for each family member unless the sponsor is in employment;
9. Full copies of the passports of the family members.

Successful applicants shall be issued with a confirmation letter by the Head of Unit as soon as possible and in any event no later than nine months from the date on which the application was lodged.

The confirmation letter is required by the family member to be authorised to proceed to Malta. Once they arrive in Malta applicants are required to apply for a residence permit by submitting *CEA Form G* and *Form ID 1A* together with an application fee of €27.50.

### **Family members of third-country nationals who do not qualify for family reunification under the Family Reunification Regulations**

Third-country nationals who are legally residing in Malta and who do not satisfy the provisions of the above-mentioned regulations may still submit an application for the issue of residence permits in respect of family members.

Applications are considered on their own individual merits, with special consideration given to the stable and regular income of the sponsor, the sponsor's length of stay in Malta, the nature of the employment contract of the sponsor and the expected duration of stay of the family member.

### **Notes**

Documents in a foreign language must be translated to Maltese or English by a translator registered with the Maltese authorities. Identity Malta retains certified/apostilled copies of the said documents where original documentation would not be possible to retain. Family members must present the original documents once they are issued with the confirmation letter by the Head of Unit and are authorised to proceed to Malta.

Identity Malta and other related stakeholders reserve the right to request any further documentation that they may deem necessary in the evaluation process of the application.

The decision of Identity Malta to reject an application may be contested at the Immigration Appeals Board within three days from the date of receipt of the decision.