



## ASYLUM-SEEKERS' ENTITLEMENTS

Legal instruments: Refugees Act, Reception of Asylum-Seekers Regulations

### MATERIAL RECEPTION CONDITIONS

- Material reception conditions are available for applicants from the moment they make their application for international protection, and are available for applicants who do not have sufficient means to afford a standard of living adequate for their health and needs.
- Reception Regulations define “material conditions” to include elements such as: housing, food, clothing, financial allowance or vouchers and daily expenses allowance.
- Accommodation in an open reception center is offered. There are eight open centers in Malta with a total capacity of around 2,200 places.
- Some families, single women and unaccompanied children may be accommodated in separate open centers.
- Accommodation is offered for 6 months but applicants may request to stay further.
- Unemployed asylum-seekers accommodated in reception centers receive a monthly financial allowance/vouchers of approx. €130. This may also be granted to asylum-seekers living in the community, by request to AWAS.
- Asylum-seekers residing in reception centers enjoy freedom of movement around the island. They are required to regularly confirm residence through signing 3 times per week, securing the financial allowance.
- Material reception conditions may be withdrawn if the asylum-seeker abandons the established place of residence without providing further information, or if he does not comply with reporting duties, with requests to provide information or if he fails to appear for personal interviews concerning the asylum procedure.
- Asylum-seekers are not entitled to social welfare benefits.

***Comments on Practice:*** Asylum-seekers experience difficulties in securing an adequate standard of living as the daily allowance is barely sufficient to cover the basic needs. Living conditions in the reception centres are challenging.

### EMPLOYMENT

- Asylum-seekers are entitled to access the labour market, without limitations concerning the nature of employment that they may seek.
- Access is granted no later than 9 months following the lodging of the asylum application.
- Malta issues ‘employment licenses’ for asylum-seekers, with a 3-month duration. Fees are payable for new licenses and for every renewal. Employers must submit the application as licenses are issued in the employer’s name.



- Asylum-seekers originating from countries of origin deemed 'safe'<sup>1</sup> by the International Protection Act (Chapter 420) are provided with access to the labour market following the lapse of nine months from the date on which their application for international protection has been lodged.
- Asylum-seekers channeled into a Dublin procedure are also granted access to the labour market following the lapse of nine months subsequent to the lodging of the application.
- Failed asylum-seekers originating from 'safe' countries mentioned above are not granted access to the labour market.

*Comments on Practice: Asylum-seekers face several difficulties such as language obstacles, limited professional background, danger of exploitation and abuse. In practice, asylum-seekers are usually allowed to work as soon as they apply for international protection.*

## EDUCATION

- Asylum-seekers have access to state education and training.
- Children are entitled to access the education system in the same manner as Maltese nationals.
- Adults and young asylum-seekers are eligible to apply to be exempted from fees at state educational institutions, including the University of Malta, vocational training courses, languages lessons and other adult education (vocational training courses offered by JobPlus are also accessible to asylum seekers).

## HEALTHCARE

- Asylum-seekers are entitled to emergency healthcare and essential treatment of illness and serious mental disorders.

*Comments on Practice: lack of effective recourse to the mainstream health services when required, language difficulties, absence of full-time medical staff in the detention centers, problems with identification of persons suffering from mental health issues, lack of identification mechanism of victims of torture or serious violence are among the difficulties encountered in practice.*

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<sup>1</sup> Algeria, Australia, Bangladesh, Benin, Botswana, Brazil, Canada, Cape Verde, Chile, Costa Rica, Egypt, Gabon, Ghana, India, Jamaica, Japan, Morocco, New Zealand, Senegal, Tunisia, USA, Uruguay, EU and EEA.