



SPECIFIC RESIDENCE AUTHORISATION

Specific Residence Authorisation (SRA) was introduced on 15 November 2018 replacing the Temporary Humanitarian Protection New (THPN) status. SRA recognizes the needs of a specific group of rejected asylum-seekers who have been residing in Malta for a period of 5 years and are actively contributing to Maltese society.

CRITICAL UPDATE: In October 2020, the SRA policy was amended. No new applications will be received after 31 December 2020. SRA-holders must nonetheless continue meeting the employment criteria (below) in order to renew the SRA status.

ELIGIBILITY

Persons whose application for international protection has been finally rejected may apply for SRA. The assessment is based on the following criteria and carried out by ID Malta, together with the immigration authorities. The policy allows for some flexibility in how individual applications are assessed, yet how this works in practice is still unclear.

- Applicant must have entered Malta irregularly *prior to 1 January 2016* and been *physically present* in Malta for a period of 5 years preceding the date of application;
- Applicant must have his/her application for international protection *finally rejected* by the competent asylum authorities;
- Applicant must be of *good conduct*. Persons who have been convicted of *serious crimes* or are a *threat to national security, public order or public interest* are excluded from being granted SRA;
- Applicant must demonstrate that he/she has been in *employment on a frequent basis* (minimal accumulation of 9 months per year during the preceding 5 years, meaning that the period of employment should also be an aggregate of 45 months over a period of 5 years and not necessarily with the same employer);
- Applicant must present his/her *integration efforts*.

ENTITLEMENTS

SRA holders are entitled to the following.

- Residence permit valid for 2 years with the possibility of renewal;
- Access to core welfare benefits similarly to beneficiaries of subsidiary protection;
- Employment licence;
- Access to education and training;
- Access to medical care;
- Travel document.



<p>PROCESSING OF APPLICATION</p>	<p>Applicants are required to submit an application form at the Expatriates Unit of ID Malta in Hal Far (near Hal Far Hangar). The application form (<i>CEA Form H/V1</i>) is available here. <i>Application fee is €55 per applicant for two years so effectively €110.</i></p> <p>Along with the application form, applicants are required to submit the <i>supporting documents</i> listed below. ID Malta may also conduct personal interviews during the assessment of the application and it contact other authorities to collect and record personal information.</p>
<p>SUPPORTING DOCUMENTS</p>	<p>The following supporting documents are to be submitted, where available. Gaps can be explained, yet it is advisable to approach an NGO or lawyer for this:</p> <ul style="list-style-type: none"> • Travel documents; • Birth certificate and marriage certificate; • Jobs Plus Employment Record; • 45 FSS Payee Statement of Earnings (FS3), issued by the employer, over a period of 5 years; • Proof of continuous residence in Malta and letter giving background information regarding residence after arrival; • Lease Agreement and the original copy of Rental Declaration Form; • Police Conduct Certificate; • Document by Refugee Commissioner OR Police Identification Document
<p>FAMILY STATUS</p>	<p>The SRA status is to be granted to all the members of the family, considering who is the main household provider, the situation of the spouse or partner (a stable relationship for at least 2 years), as well as the education of their children. Applications of family members are to be assessed jointly.</p> <p>The validity of the dependent family members' status should not be solely dependent on the main household provider. In case of the loss (death, divorce, criminal sentence, etc.) of the main household provider, dependent family members should be allowed sufficient time to adapt to their new situation and referred to the appropriate support services where required, and are to be considered eligible for the autonomous qualification for the SRA status.</p>



PERSONS UNABLE TO WORK	ID Malta and the immigration authorities should apply their discretion when assessing the criterion of <i>employment on a frequent basis</i> and avoid excluding persons from eligibility who are in a vulnerable situation, such as single parents with no family or community support, pregnant women, persons who have suffered a partial or permanent disability and are, consequently, unable to work, persons with physical or mental health issues and persons in situations of domestic violence or abuse.
PERSONS IN EDUCATION	Persons who are in full-time education shall be exempt from the criterion of <i>employment on a frequent basis</i> until such time as they complete their full-time education. ID Malta and the immigration authorities should consider this factor when assessing the application of students.
RENEWAL OF PERMIT	Applicants are required to submit their applications 2 months prior to the expiry date. During the assessment, ID Malta and the immigration authorities assess the application on the basis of above-mentioned eligibility criteria. The assessment may underline the demonstration of efforts made by the applicant to integrate into Maltese society. A renewed SRA is also valid for 2 years.
TRANSITION FROM THPN TO SRA	<p>Persons who hold Temporary Humanitarian Protection New (THPN) will be granted an SRA automatically, without any individual assessment. As of 15 November 2018, THPN will not be renewed.</p> <ul style="list-style-type: none"> • If THPN status expired before 1 January 2019, applicants can apply for SRA <i>immediately</i>, following 15 November 2018. • If THPN status expires between 1 January 2019 and 31 December 2019, applicants can apply for SRA following 1 January 2019. • If THPN status has expired and they failed to renew it, applicants can apply for SRA following 1 January 2019. ID Malta will consider their applications as new and therefore conduct the individual assessment based on the above-mentioned criteria.



	<p>Persons who apply to convert their THPN status to SRA will need their identification documents or residence card and the original THPN certificate issued by the Refugee Commissioner.</p> <p>The granted SRA shall be valid for 2 years. Upon renewal, an individual assessment will be conducted by ID Malta and the immigration authorities based on the criteria outlined above.</p>
CONTACT OF ID MALTA	<p>Identity Malta Agency, Expatriate Unit, Specific Residence Authorisation Section</p> <p>Birżebbuġa Road, Birżebbuġa, Ғal-Far</p> <p>(+356) 25904841, expatriates.ima@gov.mt</p>