

L.N. 287 of 2020

**FEES ORDINANCE
(CAP. 35)**

Long-stay Visa Fees Regulations, 2020

IN EXERCISE of the powers conferred by article 2 of the Fees Ordinance, the Minister for Home Affairs, Law Enforcement and National Security with the concurrence of the Minister of Finance and Financial Services, has made the following regulations:-

1. (1) The title of these Regulations is the Long-stay Visa Fees Regulations, 2020. Citation and scope.

(2) For the purposes of these regulations, a long-stay visa issued to a third-country national shall be valid for a period of not less than ninety (90) days and shall not exceed a period of three hundred and sixty five (365) days.

2. In these regulations, unless the context, otherwise requires: Interpretation.

"border crossing point" means any crossing point between the territory of Malta and any other state;

"Central Visa Authority" means the Malta central authority responsible for the implementation of national visa policies and the provisions under the Schengen *Acquis* in so far as visa matters are concerned;

"external service provider" means an enterprise which has been contracted by the Government to accept the submission of visa applications and collect the relative fees on its behalf;

"long-stay visa" means a visa as defined in Article 18 of the Convention implementing the Schengen Agreement;

"Schengen *Acquis*" means the Schengen Agreement and includes all other acts building upon it or otherwise related to it, as well as related agreements;

"Schengen Agreement" means the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders of the 14 June 1985 and the Convention of 19 June 1990 implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and

B 1828

the French Republic on the gradual abolition of checks at their common borders;

"third-country national" means any person who is not a Union citizen within the meaning of Article 20(1) Treaty of the Functioning of the European Union and who is not covered by point 5 of Regulation (EU) 2016/399 of the European Parliament of 9 March 2016 on a Union Code on the Rules Governing the Movement of Persons across Borders (Schengen Borders Code).

Fees payable. **3.** The fees specified in the Schedule shall be paid at the offices of a Consulate of Malta in any country where such a representation is present or at an external service provider where such a provider is contracted or at the Central Visa Authority or at the border crossing points, as the case may be.

Fees may not be refunded. **4.** Fees paid upon application for a long-stay visa shall not be refundable.

Waiving of fees for a long-stay visa. **5.** Notwithstanding the fees specified in the Schedule, long-stay visas are issued free of charge to:

S.L. 460.17. (a) a family member as defined in article 2 of the Free Movement of European Union Nationals and their Family Members Order; and

(b) minors under six (6) years of age.

Central Visa Authority may waive fees. **6.** Notwithstanding any other provision of these regulations, long-stay visa fees, for justified reasons, may be waived by the Central Visa Authority.

Repeal. S.L. 35.31. **7.** The Fees (Schengen Visas) Regulations are hereby repealed.

SCHEDULE (Regulation 3)

The fees which are payable for the granting of a long-stay visa based are the following:

(a) study purpose €70

(b) any other purpose €100
