SUBSIDIARY LEGISLATION 409.22

TOURISM AND HOSPITALITY SKILLS PASS REGULATIONS

28th May, 2024

LEGAL NOTICE 78 of 2024, as amended by Legal Notices 113 and 294 of 2025.

Citation and scope.

1. (1) The title of these regulations is the Tourism and Hospitality Skills Pass Regulations.

(2) The scope of these regulations is to establish the requirements which any person working in the tourism and hospitality sector shall possess and to provide for the minimum skills and knowledge required, and the conditions for obtaining a Skills Pass.

(3) These regulations shall be read in conjunction with any other laws and regulations that require persons working in the tourism and hospitality sector to obtain any other licences and, or qualifications and to satisfy any other requirements applicable to their role.

Interpretation. *Amended by: L.N. 294 of 2025.*

2. (1) In these regulations, unless the context otherwise requires:

"Act" means the Malta Travel and Tourism Services Act; Cap. 409.

"Authority" means the Malta Tourism Authority as established by article 3 of the Act;

"holiday premises" shall have the same meaning as assigned to it in the Act;

"Institute" means the Institute of Tourism Studies as established by the Institute of Tourism Studies Act; Cap. 566.

"Member State" means any State which is a member of the European Union;

"Minister" means the Minister responsible for tourism;

"Pre-Departure Integration Course" means any course that any person, who is a third country national, may be required to undertake, prior to entering Malta for the purpose of employment, as may be required by any competent authority, irrespective of the nature of the work or employment to be carried out in Malta;

"Skills Pass" means the certification as referred to in regulation 4;

"tourism and hospitality courses" means the courses

organised by the Institute as set out in the First Schedule;

"tourism and hospitality establishment" means any hotel, guest house, hostel, holiday premises and any other similar tourism establishment, which provides accommodation to tourists and, or any catering establishments as licensed by the Authority;

"tourism and hospitality operator" means any licensee and, or operator of a tourism and hospitality establishment and, or any other person responsible for a tourism and hospitality establishment;

"tourism and hospitality worker" means any third country national, who intends to enter Malta to work in a tourism and hospitality establishment, including those directly and, or indirectly employed with the said establishment;

"third country national" means a person who is not a citizen of Malta or of a Member State.

(2) Unless otherwise defined in these regulations or unless the context otherwise requires, words and expressions used in these regulations shall have the same meaning as assigned to them in the Act or any regulations made thereunder and any other applicable legislation.

Applicability. *Amended by: L.N. 113 of 2025. Substituted by: L.N. 294 of 2025.*

3. Any third country national who intends to enter Malta to work as a tourism and hospitality worker, shall be required to obtain a Skills Pass in order to work within a tourism and hospitality establishment.

Skills Pass. *Amended by: L.N. 294 of 2025.*

4. (1) The Institute shall issue a Skills Pass to any person who:

(a) is at least sixteen (16) years of age;

(b) has filed the appropriate application form with the Institute and paid any applicable fees;

(c) has attended the applicable tourism and hospitality courses for the role that the applicant intends to undertake within a tourism and hospitality establishment; and

(d) has passed all obligatory assessments and interviews of the applicable tourism and hospitality courses;

(e) has passed any Pre-Departure Integration Course and obtained the necessary certification confirming this:

Provided that the persons referred to in Part II of the Second Schedule shall not be required to satisfy the requisites of

paragraphs (c) and (d) in order to obtain a Skills Pass.

(2) The persons referred to in Part I of the Second Schedule shall not be required to satisfy the requisites of sub-regulation 1(c) and (d) in order to obtain a temporary Skills Pass. Such temporary Skills Pass issued in accordance with this sub-regulation shall only be valid for such term as indicated in Part I of the Second Schedule.

(3) *Repealed by Legal Notice 294 of 2025.*

(4) A Skills Pass as issued by the Institute shall only be valid for the role for which the worker had applied and successfully undergone relative courses and assessments and interviews.

Obligations of tourism and hospitality operators.

5. (1) All tourism and hospitality operators shall ascertain that all tourism and hospitality workers working within their tourism and hospitality establishments are in possession of a valid Skills Pass.

(2) Tourism and hospitality operators shall maintain a record of every Skills Pass obtained by the tourism and hospitality workers working within their tourism and hospitality establishment and of any other document relating to the engagement of such tourism and hospitality workers, such as any document pertaining to the tourism and hospitality workers' remuneration, contracts of engagement, time-sheets and proof of payment and, or other similar documents.

Enforcement.

6. (1) Any government department or entity, including the Authority, or any other person so authorised by the same, may request any person to provide evidence in paper or electronic form of the tourism and hospitality workers who obtained the necessary Skills Pass.

(2) It shall be the duty of the tourism and hospitality operator to submit to any government department or entity, including the Authority, or any other person so authorised by the same, copies of any necessary documents when so requested:

Provided that the tourism and hospitality operator shall submit the documentation by any means as shall be indicated by the relative government department or entity or any person so authorised by the same within such date specified in such communication.

(3) Without prejudice to any other provision in any law, the Authority may exchange information and documentation that is in its possession with any other government department or entity for the purposes of enforcement.

Substituted by: L.N. 294 of 2025.

FIRST SCHEDULE
Tourism and hospitality courses

1. The Institute shall carry out a skills assessment for any one of the following job categories and their respective National Occupational Standards as approved by the Malta Further and Higher Education Authority, as established by article 3 of the Further and Higher Education Act:

Cap. 607.

(a) bar staff;

(b) front office staff;

(c) restaurant staff;

(d) kitchen staff;

(e) other front-facing occupations as may be published in the Gazette and on any website designated as the official Skills Pass website.

2. The nomenclature used for the job categories above-mentioned is for reference only and it shall not exclude tourism and hospitality workers and, or tourism and hospitality operators utilising alternative nomenclatures from being subjected to the relative assessment.

3. The Institute shall direct applicants to the appropriate courses that it may organise, which align with the applicant's role and responsibilities within the tourism and hospitality operation.

Substituted by: L.N. 294 of 2025.

SECOND SCHEDULE
(regulation 4)

PART I

The following persons shall not be required to satisfy the requisites established in paragraphs (c) and (d) of regulation 4 to obtain a temporary Skills Pass:

1. Full-time students enrolled with any recognised Maltese educational institution, in which case a temporary Skills Pass valid for six (6) consecutive months shall be issued;

2. Students enrolled in an English language learning course in Malta with a licensed English language teaching school, in which case a temporary Skills Pass valid for six (6) consecutive months shall

be issued; and

3. Students enrolled in tourism and hospitality related courses provided by recognised licensed educational institutions within a Member State, who shall be taking part in an internship with a tourism and hospitality operation in Malta, in which case a temporary Skills Pass valid for the duration of the internship shall be issued:

Provided that if any such persons require a Skills Pass for more than the term indicated, they shall satisfy all the requisites established in regulation 4.

PART II

The following persons are not required to satisfy the requisites established in paragraphs (c) and (d) of regulation 4 to obtain a Skills Pass:

1. Students enrolled in tourism and hospitality related courses offered by the Institute, excluding any courses required for the obtainment of a Skills Pass; and

2. Applicants who have already obtained a full qualification as per the below, and duly applied with the Institute to have the same qualification recognised and subsequently awarded an equivalent level of the Skills Pass:

MQF Level	**Colour**	**Minimum ECTS**	**Full Qualification**
MQF Level 2	Yellow	VNFIL Award (no ECTS)	60 ECTS
MQF Level 3	Green	VNFIL Award (no ECTS)	60 ECTS
MQF Level 4	Silver	VNFIL Award (no ECTS)	120 ECTS
MQF Level 5	Gold	VNFIL Award (no ECTS)	60 ECTS
MQF Level 6	Ruby		180 ECTS
MQF Level 7	Platinum		60-90 ECTS