



GOVERNMENT  
OF MALTA



Guidelines for Clients  
August 2025 | Employment Licences Unit



# Labour Market Testing

Labour market testing is based on three main areas, each ensuring that the employment request is necessary, legitimate, and appropriate.

Structured on  
three core pillars

01. ■ assessment of the labour  
market situation
02. ■ due diligence on  
the employer
03. ■ individual checks on  
the proposed worker

# Pillar 01 ■

## Assessment of the Labour Market Situation

- Employers must demonstrate a genuine need to employ a third country national.
- Employers must first try to fill vacancies with Maltese, EU or Swiss nationals, or with third country nationals who already have the right to work in Malta.
- A job advert must be placed with Jobsplus and the EURES portal for at least three weeks within the two months before a first-time application.
- Job adverts not meeting these standards will be ineligible and the application automatically refused.
- Jobsplus monitors labour market trends and may restrict recruitment of third country nationals in certain sectors or roles where there is adequate local or European labour, market saturation, or risk of undermining local employment conditions.

# Pillar 02.

## Due Diligence on the Employer

- Every employer must employ at least one Maltese, EU or Swiss national, or a third country national with an inherent right to work in Malta. This also applies at renewal stage.
- Applications will not be accepted from companies that made redundancies in the same or similar roles during the previous twelve months.
- Employers are subject to a Workforce Application Limit which controls growth through third country national recruitment. The calculation includes those TCNs with valid permits and those recommended but not yet issued with a permit. If a company exceeds its quota, no further applications are accepted until the following month.
- Employers may need to provide supporting documents such as contracts, evidence of business establishment, licences, and compliance records.
- Contracts based solely on future prospects or services in other countries are not valid grounds for recruitment.
- Employers must comply with the law on employing persons with disability, including the 2 percent quota or related contributions. Failure results in rejection or suspension of applications until compliance is restored.
- Temping agencies must provide evidence of contracts and a Declaration of Posting. Both the agency and end client will be assessed, and if the client does not meet requirements, the application will be refused.
- Employers must submit engagement and termination forms within four working days. Frequent backdated or late submissions may restrict future applications.
- Jobsplus compares monthly employment data with the previous year's records. Applications are assessed against the month's data at submission. Employers should keep records up to date.
- Results of due diligence checks are available to employers through the Jobsplus online portal.

## Pillar 03.

# Individual Checks on the Proposed Worker (TCN)

- Each applicant is assessed for qualifications, experience, and suitability for the role.
- Employers must submit a Declaration of Suitability confirming the worker is fit for the position.
- For regulated professions, employers must confirm that the worker is properly registered with the relevant body.
- Applications are checked for consistency of personal data, documentation, and compliance history.
- Jobsplus reviews applications for authenticity and may request additional verification from relevant bodies.
- Renewals are assessed to confirm that original working conditions are still being upheld.
- Jobsplus and Identità may also confirm compliance through tax and other authorities.



Have any  
questions?



Contact us today  
on the dedicated line

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