

Malta

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Valletta). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Malta scores 88.8 out of 100**. The overall score for Malta is higher than the regional average observed across the Middle East & North Africa (49.6).

Malta - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, Malta gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a women's pension, Malta could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Malta is on the indicator related to laws affecting women's work after having children (the WBL2020 Parenthood Indicator). To improve on the Parenthood Indicator, Malta may wish to consider making the government administer 100% of maternity leave benefits, and making paid parental leave available.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Subsidiary Legislation 61.02, Passport Regulations; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Employment and Industrial Relations Act, Sec. 26; Equal Treatment in Employment Regulations, Sec. 3
	Is there legislation on sexual harassment in employment?	Yes	Employment and Industrial Relations Act, Arts. 29 and 32; Equality for Men and Women Act, Art. 9
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Employment and Industrial Relations Act, Arts. 29 and 32; Equality for Men and Women Act, Art. 9 <i>Civil:</i> Employment and Industrial Relations Act, Arts. 29 and 30(2); Equality for Men and Women Act, Art. 19(1)
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Employment and Industrial Relations Act, Sec. 27
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: No restrictions could be located Construction: No restrictions could be located Factories: Work Places Act, Sec. 15 Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Social Security Act, Ch. 318, Art. 2
	Is there legislation specifically addressing domestic violence?	Yes	Gender Based Violence and Domestic Violence Act; Criminal Code, Arts. 202(h), 251BA(5) and 222(1)(A)
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Protection of Maternity (Employment) Regulations, Secs. 6-7
	Does the government pay 100% of maternity leave benefits?	No	Protection of Maternity (Employment) Regulations, Sec. 7
	Is there paid paternity leave?	Yes	Minimum Special Leave Entitlement Regulations, Secs. 2 and 4; Wholesale and Retail Trades Wages Council Wage Regulation Order, Sec. 10
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Subsidiary Legislation 452.91 of 5 January 2004, Sec. 12; Employment and Industrial Relations Act, Sec. 36(14)(d)
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Equality for Men and Women Act, Sec. 6
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Civil Code, Art. 1322
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Art. 811
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 810
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Code, Art. 1332
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Art. 1333
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Social Security Act, Sec. 2 Men: Social Security Act, Sec. 2
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Social Security Act, Sec. 64A Men: Social Security Act, Sec. 64A
	Are the mandatory retirement ages for men and women equal?	Yes	Women: Employment and Industrial Relations Act, Sec. 36(14) Provided Further (a) Men: Employment and Industrial Relations Act, Sec. 36(14) Provided Further (a)
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located