

Malta

Women, Business and the Law 2021 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 (51.5). Within the Middle East & North Africa region, the maximum score observed is 88.8 (Malta).

Malta - Scores for Women, Business and the Law 2021



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 woman'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 WBL2021 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

No reforms were observed during the past year.



Further data details for Malta are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/malta/2021>



| | QUESTION | ANSWER | LEGAL BASIS |
|-------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | Civil Code, Art. 3A |
| | 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 | Civil Code, Art. 3 |
| | 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 a woman work at night in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in a job deemed dangerous in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in an industrial job in the same way as a man? | No | Work Places Act, Sec. 15 |
| 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 | Civil Code, Art. 1238; 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 paid leave available to fathers? | 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) |
| Entreprene. | 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, Arts. 1322 and 1332 |
| | Does the law provide for the valuation of nonmonetary contributions? | Yes | Civil Code, Art. 1333 |
| Pension | Is the age at which men and women can retire with full pension benefits the same? | Yes | Women: Social Security Act, Sec. 2 Men: Social Security Act, Sec. 2 |
| | Is the age at which men and women can retire with partial pension benefits the same? | Yes | Women: Social Security Act, Sec. 64A Men: Social Security Act, Sec. 64A |
| | Is the mandatory retirement age for men and women the same? | 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 |