







# Malta

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>77.5</b>	<b>58.3</b>	<b>87.5</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Malta, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Valletta). The scores for Malta are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	75.0	100.0	50.0	75.0	100.0	75.0	75.0	50.0	100.0	75.0
Supportive frameworks score	100.0	100.0	33.3	0.0	100.0	66.7	100.0	0.0	33.3	50.0
Expert opinions score	62.5	100.0	81.3	50.0	100.0	100.0	100.0	93.8	100.0	87.5

In summary, the **WBL 2.0 legal frameworks score** for Malta (77.5 out of 100.0) is higher than the global average (64.2) and higher than the Middle East & North Africa regional average (38.6). When it comes to constraints on freedom of movement, constraints related to marriage and laws affecting women’s property and inheritance, Malta obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Malta is on the indicator measuring laws affecting women’s decisions to work. To improve on the Workplace indicator, Malta may wish to consider prohibiting discrimination in recruitment based on marital status, parental status, and age and allowing employees to request flexible work.

The **WBL 2.0 supportive frameworks score** for Malta (58.3 out of 100.0) is higher than the global average (39.5) and higher than the Middle East & North Africa regional average (24.9). When it comes to supportive frameworks affecting women’s safety, supportive frameworks affecting freedom of movement, supportive frameworks related to marriage and supportive frameworks affecting childcare, Malta obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Malta is on the indicator measuring supportive frameworks affecting women’s pay. To improve on the Pay

indicator, Malta may wish to consider putting in place pay transparency measures or enforcement mechanisms to address the gender pay gap and publishing sex-disaggregated data on employment in different industries or sectors at least on an annual basis.

The **WBL 2.0 expert opinions score** for Malta (87.5 out of 100.0) is higher than the global average (65.7) and higher than the Middle East & North Africa regional average (66.0). When it comes to expert opinions on freedom of movement, expert opinions on marriage, expert opinions on women's work after having children, expert opinions on childcare and expert opinions on women's property and inheritance, Malta obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Malta is on the indicator measuring expert opinions on women's pay.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Domestic Violence Act, Art. 2; Criminal Code, Arts. 202(h)(i), 222(1)(a), 251BA and 412C
Is there legislation on femicide?	Yes	Criminal Code, Art. 211A; Act No. X of 2022
Is there comprehensive legislation on sexual harassment?	Yes	Employment and Industrial Relations Act, Arts. 29, 30(2) and 32; Equality for Men and Women Act, Arts. 9 and 19(1); Criminal Code, Art. 251AA(3)(d) and 251AA(4)
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Passport Regulations, Arts. 2(1-a) and 4
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Citizenship Act, Arts. 5 and 6(1)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Civil Code, Arts. 3 and 1324
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
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
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 an industrial job in the same way as a man?	No	Work Places Act, Sec. 15
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Civil Code, Art. 1238; Social Security Act, Ch. 318, Art. 2
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Art. 66A
Does a woman have the same rights to remarry as a man?	Yes	Civil Code, Art. 66L(1)
<b>Parenthood</b>		

Is paid leave of at least 14 weeks available to mothers?	Yes	Protection of Maternity (Employment) Regulations, Secs. 6 and 7; The Work-Life Balance for Parents and Carers Regulations, Sec. 6
Are leave benefits for mothers paid solely by the government?	No	Protection of Maternity (Employment) Regulations, Sec. 6 and 7
Is there paid leave available to fathers?	Yes	The Work-Life Balance for Parents and Carers Regulations, Secs. 4-6
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)
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Education Act 2021, Ch. 605, Secs. 2, 4(2)(d), 21 and 22; Legal Notice No. 54 of 2008 on Registration of Childcare Facilities, Secs. 2-3; Official Website of the Ministry of Education; Official Government Portal (JobsPlus), Free Childcare Scheme
Does the law establish any form of support to families for childcare services?	Yes	Official Government Portal (JobsPlus), Free Childcare Scheme; Official Website of the Government, Work and Employment Services; Legal Notice No. 466 of 2010, Sec. 2(a)(b); Income Tax Act, Secs. 14C-14H
Does the law establish any form of support to non-state childcare providers?	Yes	Official Government Portal (JobsPlus), Terms and Conditions For Free Childcare Scheme Childcare Service Providers; Income Tax Act, Sec. 14(1)(n); Subsidiary Legislation No. 123.118 on Deduction (Childcare Facilities at the Workplace) Rules 2011, Sec. 3
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Art. 967
Does the law prohibit discrimination in access to credit based on gender?	Yes	Equality for Men and Women Act, Sec. 6
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Code, Arts. 1322 and 1332
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Art. 811
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 810
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Arts. 1316(1), 1319-1321 and 1333
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Social Security Act, Sec. 2
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	No applicable provisions could be located
Is the mandatory retirement age for men and women equal?	Yes	Employment and Industrial Relations Act, Sec. 36(14)
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Sexual Harassment Code of Practice, National Commission for the Promotion of Equality; Care for Victims of Sexual Assault (CVSA)
Are there special procedures for cases of sexual harassment?	Yes	Equality for Men and Women Act, Secs. 12(1) and 17(2); National Commission for the Promotion of Equality Complaints Procedure

Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Commission on Gender-Based Violence and Domestic Violence
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Budget 2023
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application form
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	Yes	National Transport Strategy 2050
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Equality for Men and Women Act, Arts. 2 and 12
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Court practice and procedure and good order rules, Art. 19(6)
Are there specialized family courts?	Yes	Subsidiary legislation 12.20, Arts. 1 and 2
Is legal aid available for family law disputes?	Yes	Legal Aid Malta
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Social Security Portal
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	The Work-Life Balance for Parents and Carers Regulations, Sec. 12
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Foundation for Educational Services (FES); Official Website of the Ministry of Education; Office of the Commissioner for Revenue
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Government Portal (JobsPlus), Application for Free Childcare Scheme; Official Website of Government Services
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	Yes	Official Government Portal (JobsPlus), Terms and Conditions For Free Childcare Scheme Childcare Service Providers
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of the Directorate for Quality and Standards in Education
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	No	Insufficient evidence located
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located



### Assets

Are there mechanisms or incentives to encourage women to register immovable property? Yes Civil Code, Art. 633

Are there awareness measures in place to improve women's access to information about marital and inheritance rights? No Insufficient evidence located

Is anonymized sex-disaggregated data on property ownership published on a regular basis? No Insufficient evidence located

### Pension

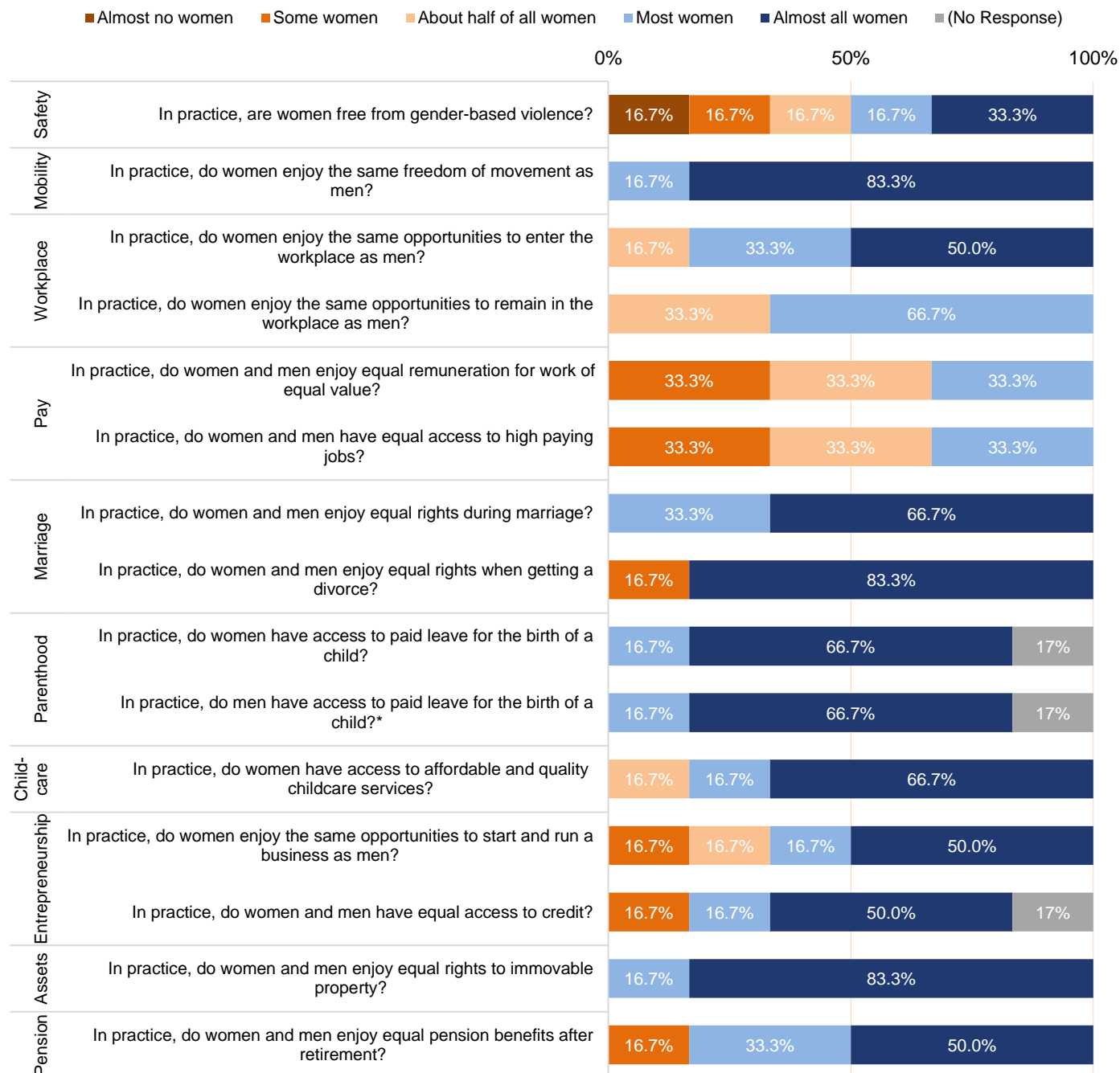
Are there incentives in place to increase women's retirement benefits? No Insufficient evidence located

Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits? Yes Appeal against a Decision by the Department of Social Security portal

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.