TEMPORARY AND CIRCULAR MIGRATION:  
EMPIRICAL EVIDENCE, CURRENT POLICY PRACTICE AND  
FUTURE OPTIONS IN MALTA

EUROPEAN MIGRATION NETWORK  
NATIONAL CONTACT POINT  
MALTA

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**Executive Summary**

The aim of the study is to understand the characteristics of temporary labour migration and circular/repetitive migration patterns of third-country nationals in Malta. Done in the context of the European Migration Network, as well as initiatives in this regard being suggested by the European Commission, as was the case through its Communication entitled ‘On circular migration and mobility partnerships between the European Union and third countries’\(^1\), and the European Council particularly through the Stockholm Programme\(^2\) the study underlines various aspect related to the Maltese situation from an economic and labour market perspective.

This study involved various entities as found within the National Contact Point, of which of note the Employment and Training Corporation within the Ministry for Education, Employment and the Family; the Citizenship and Expatriate Affairs Department within the Ministry of Foreign Affairs; the Policy Development Directorate and the Third Country Nationals Unit within the Ministry for Justice and Home Affairs and the Maltese Immigration Police authorities.

Malta does not have a definition within its national legislation for temporary and circular migration. Thus the definitions used within the European Migration Network were applied.

The Maltese population amounts to approximately 400,000 persons over 316km\(^2\) of territory. A little more than a third of the population in fact is registered as full-time gainfully occupied as at July 2010. This presents a challenge with respect to encouraging more participation from non-active persons into the labour market.

Given the demographic and economic situations particular to Malta, legal migration is linked to addressing the mismatches that arise from time to time in the national labour market. In this context most economic migration is considered as temporary until such labour shortages are addressed through the mobility of EU nationals and an upgrade of the Maltese population’s skills through the education and vocational systems.

As at end of July 2010, around 6,568 persons or 4.6% of the working population, was foreign, of which 1.3% were third country nationals. Figures for 2009 indicate that 669 persons were given a first residence permit for reasons related to remunerated activities. The top five nationalities requesting employment licences are Serbia and Montenegro, China, Philippines, India, and from the Russian Federation.

With regard to circular migration, the need has not yet been felt to formalise policy to promote such migration.

Malta’s Overseas Development Policy acknowledges the role of migration in that respect. In view of the low number of third country nationals working in the Maltese labour market coupled with the fact that most are considered as temporary postings it is not thought that this may be causing brain drain, but in actual fact it may be assisting the development of other countries as the worker migrants return back.

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\(^1\) COM (2007) 248

\(^2\) In which, the European Council is of the opinion that the Union should encourage the creation of flexible admission systems that are responsive to the priorities, needs, numbers and volumes determined by each Member State and enable migrants to take full advantage of their skills and competence.
No particular cooperation agreements promoting circular and temporary migration with third countries have been sought in recent years. However, Malta indeed has a Memorandum of understanding with Australia and New Zealand regarding the granting of residence and work permits to nationals under the age of 25 of such countries to enable them to reside/work in Malta for a maximum period of one year after which they would have to return to their country of origin. This agreement extends also to Maltese youth.

In conclusion, one observes that the European Union has already underlined various initiatives aimed at adopting a formal position on temporary and circular migration. Such an initiative must take due account of the different labour market situations, and other scenarios with respect to each Member State.
1. INTRODUCTION: PURPOSE AND METHODOLOGY FOLLOWED

The aim of the study is to understand the characteristics of temporary labour migration and circular/repetitive migration patterns of third-country nationals in Malta. Such migration includes several categories of migrants, including:

- third-country nationals moving temporarily to Malta and thus to the European Union for short-term employment, seasonal work, study or research;
- or settled migrants living in the EU moving temporarily to their countries of origin.

The study also includes the definitions and conceptualisation in Malta of such situations. It also particularly treats the various criteria and conditions applied in the Malta, such as entry conditions, work and residence permits and such.

It also seeks to review and analyse existing statistical data and empirical evidence for circular/temporary migration and to examine possible approaches for measuring or estimating whether, and if so to what extent, migration has become increasingly circular or temporary in nature.

The study also delves into policy preferences, convictions and conceptualisations of political actors, the research community and other stakeholders on temporary/circular migration, and to discuss policy options both for the national and the EU level.

The study also aims at responding to requests from the Council through Council Conclusions and the Stockholm Programme regarding further exploration and development of circular migration as a part of EU migration policy. The main focus is on third country national migrants.

This study, while compiled through contributions received from officials of the various national entities involved, does not necessarily reflect the opinions and views of the EMN National Contact Point or the various government entities represented or mentioned in this study, and it is made clear that they are not bound by its conclusions.

This report should be of interest to

- relevant Ministries, national policy officers and other decision makers concerned with migration patterns and management and control of migratory flows;
- organisations involved in the labour market such as employers, trade unions and employment agencies;
- relevant non-governmental organisations;
- academic researchers, and;
- other interested parties.

1.1 Methodology

This report, based on specifications agreed within the European Migration Network, was compiled by the EMN National Contact Point – Malta, in particular the Employment and Training Corporation within the Ministry for Education, Employment and the Family; the Citizenship and Expatriate Affairs Department within the Ministry of Foreign Affairs; the Policy Development Directorate and the Third Country Nationals Unit within the Ministry for
Justice and Home Affairs as well as the Maltese Immigration Police authorities. A number of civil society stakeholders were consulted, also with the assistance of the Malta-EU Steering and Action Committee (MEUSAC). Other sources were also utilised for the purposes of this study.

Data as well as findings from the report on ‘Satisfying Labour Demand through Migration in Malta’, prepared by this NCP were also used for this study.

The report, compiled in collaboration with the national authorities provides an overview of the current situation in Malta with respect to temporary and circular migration. It must be kept in mind that currently no particular initiatives with respect to circular migration are considered, thus no analysis on such programmes could be possible. It may also be noted that most, if not all, labour migration is considered as temporary in Malta.

1.2 Definitions

Malta does not have a definition within its national legislation for temporary and circular migration. For the purposes of this report the definition used within the European Migration Network is applied, which very summarily is as follows:

*Circular Migration* may be considered in the context of a *back-and-forth movement* between the EU and the country of origin, which is enabled by, for example, simplified admission/re-entry procedures for this type of migrants; whilst *Temporary Migration* refers more to a single movement and then *limited* stay in the EU.
2. APPROACH TO CIRCULAR AND TEMPORARY MIGRATION IN MALTA

Throughout the past century Maltese society has been characterised by a substantial outward migratory movement to other countries. Of note, the post-war period till the late 1970s saw significant numbers of Maltese migrating beyond neighbouring Mediterranean countries to new destinations such as Australia, Canada and the United States. This was in part due to the natural consequences of over-population coupled with high unemployment rates as the island’s economy shifted. As the situation became more stable from that perspective, during the past decade Malta’s main concern in the field of migration was that related to illegal immigration flows into the country, with over 13,000 persons reaching Maltese shores by boat from neighbouring African countries over a period of only 7 years – an unprecedented and heightened increase of such migration flows.

2.1 National vision, policy and programmes

The Maltese population amounts to approximately 400,000 persons over 316km\(^2\) of territory. The population density in Malta in 2009 as calculated by the National Statistics Office for its 2009 Demographic Review, stood at 1,307 inhabitants per square kilometre. According to population projections produced by NSO with the 2009 population as base, the total population is expected to decrease to 380,242 in 2050. Projections also reveal a continuously ageing population, with the share of elderly persons increasing in comparison with their younger counterparts. In fact, in 2050 the percentage of persons aged less than 20 is expected to decrease from 22%, as recorded in 2009, to 17%. On the other hand, the share of individuals aged 65 and over is expected to increase significantly in the coming forty years to 24% from the 15% recorded in 2009.

As at July 2010, the number of registered full-time gainfully occupied persons stood at 146,431 with the total labour supply (thus including persons registering for employment) at 153,259\(^3\). At 40.7% in 2009, female employment rate levels remain a challenge for the Maltese authorities\(^4\), and although this is increasing through various initiatives undertaken including fiscal incentives, legislative changes and firm policy commitment in this regard, the level is still quite low from what was to be achieved under the targets for the Lisbon Strategy for competitiveness.

The ensuing global economic crisis has had a limited effect on the Maltese labour market with the manufacturing sector suffering the majority of losses. This was however compensated for with a larger increase in the services sector. Demand by employers, through vacancies notified with the Employment and Training Corporation as well as those published on newspapers, has been noted to once again getting closer to levels seen in early 2007.

Given the demographic and economic situations particular to Malta, legal migration is linked to addressing the mismatches that arise from time to time in the national labour market. In this context most economic migration is considered as temporary until such labour shortages are addressed through the mobility of EU nationals and an upgrade of the Maltese population’s skills through the education and vocational systems.

Malta has retained the requirement for employment licences for all non-Maltese workers, although EU nationals are automatically granted a right to work. Accession to the European


Union in May 2004 did not change the trend wherein more employment licences were issued to third country nationals in relation to EU citizens. This however changed in 2006 with EU nationals now being in the majority.

As at end of July 2010, there were 8,293 active employment licences or 5.7% of the working population, were engaged with an employment licence\(^5\), of which 2247 or 1.5% were third country nationals and long-term residents\(^6\). Figures for 2009 indicate that 669 persons were given a first residence permit for reasons related to remunerated activities\(^7\). A third country national wishing to work in Malta requires an employment licence. Such employment licences are issued for a maximum duration of 1 year with possible renewal as long as the specific labour shortage remains. Such shortages are established after the labour market situation is assessed by the relevant authorities. It must be said that temporary employment is mostly related to specific and definite projects being conducted on the island.

The most popular single occupation for third country nationals in Malta is being a ‘chef’, closely followed by domestic care workers. The construction industry followed by the hotels and restaurants sector, collectively attract many third country nationals. Interestingly, approximately 100 employment licences (or 4.5% of the total) are issued for the posts of chief executive or director. The care sector (personal carers, nannies, doctors, nurses and other similar-natured categories) attracts the third largest amount of third country nationals. The top five nationalities requesting employment licences are Serbia and Montenegro, China, Philippines, India, and from the Russian Federation.

A good example of temporary migration relates to residence permits issued to third country nationals who have been admitted in Malta for the purpose of study in accordance with the relative national legislation\(^8\). Persons, who have been admitted under the provisions of these regulations, are granted an employment licence for the duration of their studies starting from their second year. Following the conclusion of such studies migrants are expected to return to their country of origin. And in fact a request for issue of licence in their regard is not entertained before 3 months following the successful completion of their studies. An exception to this is applied in the case of doctors and nurses, wherein a third country national who has studied in Malta to become a doctor or nurse, s/he can be immediately employed following successful completion of their studies and without waiting for the three months to pass.

Furthermore, Malta seeks to attract third country nationals to reside temporarily here for the purpose of English language study. This forms part of the Maltese Government’s Tourism Policy for the Maltese Islands\(^9\). Such persons either reside in Malta on the basis of a visa or else the issue of a residence permit. The question as to whether such persons remain in Malta on the basis of a visa or a residence permit depends on the country of origin or else the duration of the study. Such persons are not allowed to work in Malta.

\(^5\) All foreign nationals, including EU citizens, are required to obtain a permit to work in Malta, as per a temporary derogation negotiated in relation to accession to the European Union.
\(^6\) Source: Employment and Training Corporation – Employment Database July 2010
\(^7\) Eurostat data: First permits by reason and citizenship, updated 1 November 2010. For 2008, the figure was 950.
\(^8\) Council Directive 2004/114/EC, on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, has been transposed into Maltese legislation through Legal Notice 29 of 2008.
\(^9\) Tourism Policy for the Maltese Islands 2007-2010, p.54ff.
With regard to circular migration, the need has not yet been felt to formalise policy to promote such migration. However this does not mean that third country national workers may not work in Malta again after the expiry of their employment license, as such nationals who have worked in Malta may indeed return if the relevant criteria are satisfied. Indeed, once an employment licence’s purpose ceases, the person is obliged to return to his country of origin. However should the worker seek to return to Malta, and after having satisfied labour market tests, an application from a person who was already employed would be seen in a positive light. Seasonal work is not particularly relevant in the Maltese context and no particular demand has been noted to exist.

Malta’s Overseas Development Policy holds that migration is an important issue in the context of development and recognises that well-managed legal migration can be a positive phenomenon when it satisfies the aspirations of the migrants and their families and, contributes to counteract the negative population growth and/or economic expansion needs in host societies which require such. The issue of brain drain for countries of origin is however also considered as a potentially undermining factor for the development of such countries. This may in part be balanced by the value of remittances from migrants which remain an important source of income for some countries. In fact remittances generated by migrant populations in host countries are also seen as an important element in development, providing an essential injection of capital into the developing economies to complement the flow of aid and Foreign Direct Investment (FDI).

Malta adopts an intra-community first approach for recruitment purposes. Additionally, due to the small size of the Maltese labour market, migration of third country nationals for work purposes cannot be indicated to be causing particular brain drain on third countries. Less than 5% of the labour force is actually foreign. Also, in view of the fact that most economic migration is considered as temporary, the skills developed are expected to be used once again in the country of origin, not to mention that remittances forwarded during the person’s stay in Malta would have assisted in the development of his or her country.

Views from various major trade unions and employer bodies as well as civil society organisations were solicited. Reactions were limited however of note, the Malta Employers Association has indicated that the European Union should safeguard employment for EU citizens and that at a time when the Members States are still facing the brunt of the economic crises the European Union should, as far as possible, grant priority to EU nationals rather than facilitate the access of third country nationals to the European labour market. It however qualified this by saying that one cannot ignore the medium to long term demographic challenges facing EU countries in general whereby many countries will experience a shortage of labour in many sectors. A left-wing organisation, Žminijietna, has voiced its concerns on safeguarding working conditions for migrant workers as well as on the protection of the labour market from unfair competition and precarious jobs. With the main issue in Malta being irregular migration, the General Workers Union (Malta’s largest trade union) has mostly spoken in this regard. It has indicated that during the past years asylum seekers from sub-Saharan Africa have not adversely affected unemployment in Malta and that migrants carried out work that was not being done by Malta’s work force, benefitting them but ultimately also benefitting the country10.

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10 Times of Malta, 27th August 2010.
With respect to third country nationals wishing to return to their country of origin, particularly in the case of persons whose stay in Malta is or has become irregular, the Maltese authorities have over the past years offered in collaboration with international and non-governmental organisations various options for the possibility to return enhanced with reintegration assistance. The take-up of such options (with or without reintegration package) has averaged at around 80 annually for the last three years.

2.2 National legislation, conditions, criteria and enforcement

The main legislation concerned with immigration is the Immigration Act (Cap. 217) which is concerned with the restriction, control and regulation of immigration into Malta and to make provision for matters ancillary thereto. No legislative framework is in place to facilitate back and forth mobility, and thus no criteria and conditions are applied in this regard.

As has already been stated, most economic migration to Malta is considered as temporary. In the case of persons who do not abide by the conditions attached to their permit, re-entry bans are put in force against such individuals.

While no particular measures have been put in place Maltese health authorities have initiated an international call for nurses to pursue their profession in Malta in view of the current limited number of vacancies that can be filled in this sector.

With regard to enforcement of immigration rules, re-entry bans are served for persons who do not abide by the conditions attached to their employment licence.

2.3 Co-operation with Third Countries

The success or otherwise of circular migration very much depends on the cooperation of third countries of origin. This is particularly important in view of the return of migrants after their stay in a Member State.

No particular cooperation agreements promoting circular and temporary migration with third countries have been sought in recent years. However, Malta indeed has a Memorandum of understanding with Australia and New Zealand regarding the granting of residence and work permits to nationals under the age of 25 of such countries to enable them to reside/work in Malta for a maximum period of one year after which they would have to return to their country of origin. This agreement extends also to Maltese youth.

As has already been noted the Maltese health authorities have recently issued an international call for nurses interested in working within the national health system. However this does not constitute a bilateral arrangement.

2.4 Other aspects

The Maltese authorities do not have any particular evidence indicating that third-country nationals are interested in returning to their country of origin. With regard to the effect from the implementation of the EU’s long-term residence directive, from information gathered by the National Contact Point as appointed by the relative provisions of the Long Term
Residence directive, evidence has been negligible as to third country nationals granted long term residence in Malta having moved to other Member States. Neither is there evidence that participants in circular migration programmes wish to stay permanently, essentially because no such programmes are in place.

As regards the link between temporary migration and integration, in order to qualify for long-term residence status, third country nationals are required to comply with the relevant provisions concerning cultural, social and language programmes. Such programmes are open to all third country nationals and are aimed at encouraging better integration of such nationals in the Maltese society.

As has already been stated, since most economic migration to Malta is considered as temporary, the skills developed are expected to be used once again in the country of origin, which essentially assists developing countries.

Current policies on immigration are expected to subsist. With regard to the Long-term Residence Directive\(^\text{11}\), the relevant provisions have been implemented and thus as stipulated in the legislation if the conditions regarding the period of residence stipulated in the directive, which have been transposed into national legislation, are not satisfied the applicant will not qualify for the status concerned. Some exceptions, which have been defined in national legislation, apply in this respect. With regard to circular migration the relevant provisions governing time spent outside Malta exceeding those stipulated in the provisions are not included for this context. As regards retention and facilitated re-acquisition there are no such provisions for any type of migrants. On the other hand the Blue Card Directive\(^\text{12}\) is still in the process of being transposed.


3. DATA ON CIRCULAR AND TEMPORARY MIGRATION

The proportion of foreign nationals as a component of the total population in Malta shows a constant presence over the years, with a noted increase from the 1990s onwards.

End of year population estimates since 1985 indicate as follows:

Table 3a – Population in Malta 1985-2009

<table>
<thead>
<tr>
<th>Year</th>
<th>Total population</th>
<th>Maltese population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985*</td>
<td>345,705</td>
<td>340,907</td>
</tr>
<tr>
<td>1986</td>
<td>348,372</td>
<td>343,514</td>
</tr>
<tr>
<td>1987</td>
<td>350,914</td>
<td>345,636</td>
</tr>
<tr>
<td>1988</td>
<td>354,532</td>
<td>349,014</td>
</tr>
<tr>
<td>1989</td>
<td>358,188</td>
<td>352,430</td>
</tr>
<tr>
<td>1990</td>
<td>361,908</td>
<td>355,910</td>
</tr>
<tr>
<td>1991</td>
<td>365,781</td>
<td>359,543</td>
</tr>
<tr>
<td>1992</td>
<td>369,455</td>
<td>362,977</td>
</tr>
<tr>
<td>1993</td>
<td>373,161</td>
<td>366,431</td>
</tr>
<tr>
<td>1994</td>
<td>376,433</td>
<td>369,451</td>
</tr>
<tr>
<td>1995*</td>
<td>378,404</td>
<td>371,173</td>
</tr>
<tr>
<td>1996</td>
<td>381,405</td>
<td>373,958</td>
</tr>
<tr>
<td>1997</td>
<td>384,176</td>
<td>376,513</td>
</tr>
<tr>
<td>1998</td>
<td>386,397</td>
<td>378,518</td>
</tr>
<tr>
<td>1999</td>
<td>388,759</td>
<td>380,201</td>
</tr>
<tr>
<td>2000</td>
<td>391,415</td>
<td>382,525</td>
</tr>
<tr>
<td>2001</td>
<td>394,641</td>
<td>385,077</td>
</tr>
<tr>
<td>2002</td>
<td>397,296</td>
<td>386,938</td>
</tr>
<tr>
<td>2003</td>
<td>399,867</td>
<td>388,867</td>
</tr>
<tr>
<td>2004</td>
<td>402,668</td>
<td>390,669</td>
</tr>
<tr>
<td>2005*</td>
<td>405,006</td>
<td>392,560</td>
</tr>
<tr>
<td>2006</td>
<td>407,810</td>
<td>393,933</td>
</tr>
<tr>
<td>2007</td>
<td>410,290</td>
<td>394,830</td>
</tr>
<tr>
<td>2008</td>
<td>413,609</td>
<td>395,472</td>
</tr>
<tr>
<td>2009</td>
<td>412,970</td>
<td>396,278</td>
</tr>
</tbody>
</table>

*Based on Census taken in that year
Source: Demographic Review 2009, National Statistics Office

Migration flows to and from Malta are recorded by the Maltese authorities. The latest estimates\(^\text{13}\), indicate that during 2009 a total of 8,147 persons were estimated to have immigrated. Of these 15% were returned migrants, and 44% were third country nationals. On the other hand, for the same year, an estimated total of 9,708 individuals emigrated, with 18% being third country nationals. For both immigration and emigration, the majority of the migrants (nearly 60%) were males. During 2009, one-fourth of the total emigrants were over the age of 50.

As has been mentioned so far, while no formal circular migration programme exists, all work-related migration by third country nationals is considered as temporary.

\(^\text{13}\) Demographic Review 2009, National Statistics Office, 2010
A look at available annual figures\textsuperscript{14} show that for the period 2005-2009, more new\textsuperscript{15} employment licences were issued than employment licences which were cancelled, revoked or not renewed during the reference year. Employment licences are issued to both EU nationals and third country nationals in view of a temporary derogation obtained by Malta on accession to the European Union\textsuperscript{16}.

\textbf{Figure and Table 3b – Total flow of employment licences 2005-2009}

<table>
<thead>
<tr>
<th>Year</th>
<th>Inflow</th>
<th>Outflow</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>1219</td>
<td>852</td>
<td>367</td>
</tr>
<tr>
<td>2006</td>
<td>2450</td>
<td>2038</td>
<td>412</td>
</tr>
<tr>
<td>2007</td>
<td>2831</td>
<td>1629</td>
<td>1202</td>
</tr>
<tr>
<td>2008</td>
<td>6366</td>
<td>2277</td>
<td>4089</td>
</tr>
<tr>
<td>2009</td>
<td>3561</td>
<td>2997</td>
<td>564</td>
</tr>
</tbody>
</table>

In the case of third country nationals only however the situation is more fluid over the same 2005-09 period. While in general the number of employment licences was on the increase a substantial spike was experienced in 2008 which however became more stable the following year. The number of employment licences not renewed and such was indeed marginally more than new permits issued to third country nationals.

\textsuperscript{14} Report by the Maltese NCP on ‘Satisfying Labour Demand through migration’ – 2010.

\textsuperscript{15} Employment licences issued during the reference year to persons who did not have a valid employment licence in the previous year.

\textsuperscript{16} “In order to have advance notice of any situation that may require action… during the seven year period following the date of accession, Malta may also retain its work permit system for nationals of other Member States for whom Articles 1 to 6 of Regulation (EEC) No 1612/68 apply, but shall issue such work permits automatically.”
In this respect, while the figures quoted above cannot in any way be considered as conclusive or indeed indicative of circular migration, may suggest that a base amount of third country nationals is constantly working in the country.

It must once again be highlighted that all applications for employment licences are considered as temporary in an ever evolving labour market situation.
4. CONCLUSIONS

As can be seen from the report, Malta has not implemented any particular initiative to encourage circular migration, and holds that all labour migration, particularly that originating from third countries is temporary until such time that the local population's skills can match the respective shortages, also in view of the particular situation to Malta wherein the employment rate in certain categories is substantially low.

In this regard, and also keeping in mind the different characteristics of the various labour markets which comprise the European Union it is considered that Member States should retain control on the sector and a harmonised approach should not be adopted. Importantly, this ensures that the specific characteristics of each Member State are taken into account.

Data collection in this field presents its own complexities. A possible improvement which is evident with respect to data collection is that there should be consideration to start capturing data on employment licences in a way that it is readily available by purpose as opposed to solely on legal status.

There may also be the possibility to increase cooperation with third countries on such issues, which may in turn benefit both the receiving country, as well as the sending country. In this respect, such forms of agreements, while respecting the need for such an initiative to be market-driven, may also provide a regular alternative to other forms of uncontrolled migration, particularly that flowing through illegal channels.
Bibliography and References


- Council Directive 2004/114/EC, on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service


- Employment and Training Corporation, Employment Database, July 2010.


- European Council, European Pact on Immigration and Asylum, 2008

- European Migration Network – Malta National Contact Point, Satisfying Labour Demand through Migration in Malta, 2010


- Galea, Dr. Louis (former Minister), The Challenges of Labour Shortage, Department of Information Press Release 1848, 28th November 2007.

- Immigration Act, Chapter 214


- Ministry of Foreign Affairs, Overseas Development Policy, 2007


- Times of Malta, *New EU rights may promote illegal migration, Malta warns, 11th October 2010.*

- (former) Ministry for Tourism and Culture, *Tourism Policy for the Maltese Islands 2007-2010*

- Treaty and Act of Accession concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, Annex XI, April 2003.