



MALTA ENTERPRISE

# Skills Pass Support

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## INCENTIVE GUIDELINES

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Version: 1.0

<http://support.maltaenterprise.com>

Support and clarifications in relation to these guidelines may be obtained through Business First which may be contacted by calling 144 or by email on [info@businessfirst.com.mt](mailto:info@businessfirst.com.mt)

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# 1. Overview

## Rationale

- 1.1 The Skills Pass is a verification process initiated by the Government of Malta that allows skilled individuals in the Tourism and Hospitality sector to gain recognition for their skills and be able to work in Malta in this industry.
- 1.2 Malta Enterprise, as a pivotal economic development agency in Malta, will be supporting operators in the Tourism and Hospitality sector, in ensuring that their staff have the necessary basic requirements to retain their employment and continue working in the sector.

## Legal Basis

- 1.3 The Skills Development (2024) Regulations (subsidiary legislation 463.54 to the Malta Enterprise Act) form the specific legal basis for these Incentive Guidelines.

## Budget

- 1.4 The Skills Pass Support scheme has a budget of five million euro (€5,000,000).

## Definitions

**Applicant:** An Applicant is an Undertaking that has submitted to the Corporation a complete application for support under this scheme.

**Corporation / Malta Enterprise:** The terms The Corporation and Malta Enterprise shall mean Malta Enterprise Corporation as established by the Malta Enterprise Act (CAP 463 of the Laws of Malta).

**Single Undertaking:** Single Undertaking includes, all enterprises having at least one of the following relationships with each other:

- a. one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
- b. one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- c. one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or pursuant to a provision in its memorandum or articles of association;
- d. one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) through one or more other enterprises shall also be considered to be a single undertaking.

## 2. Am I eligible?

<sup>2.1</sup> You are eligible to apply for the Skills Pass Support Scheme if you are a licensed operator of an establishment in the Tourism and Hospitality sector (having a valid hotel or restaurant licence issued by the Malta Tourism Authority). To be considered for support you must meet **all** the criteria established below:

- a) The applicant must not be engaged in activities specifically excluded under the *de minimis* Regulation (vide Section 7).
- b) At single undertaking level, the applicant must not have reached the *de minimis* threshold, nor will it exceed the threshold established in the *de minimis* Regulation as a result of the aid to be awarded under this scheme.

<sup>2.2</sup> The Corporation shall refuse applications from undertakings that have dues in relation to VAT, Income Tax, and Social Security payments that in total exceed €1,000, unless the applicant has a repayment agreement to settle any dues that is being honoured. The Corporation may, at its discretion, accept applications from undertakings that have dues in relation to VAT, Income Tax, and Social Security, of up to €1,000, after considering the reasons for these dues as provided by the applicant and on the condition that the applicant commits to regularise these dues within an established timeframe.

## 3. What is the maximum aid?

Support shall be awarded as a tax credit which may be utilised from year of assessment 2025. The maximum aid that can be awarded shall not exceed fifty percent (50%) of expenditure, incurred by the applicant to cover costs of online training and assessments of personnel required to be conformant with Skills Pass requirements. Eligible costs shall be incurred by not later than 31st December 2024.

The Skills Pass Support scheme is a *de minimis* measure. The total amount of *de minimis* aid granted to a single undertaking shall not exceed the maximum *de minimis* aid threshold as established in section 7.

## 4. How do I apply?

- 4.1 The application form on a template provided by the Corporation, may be downloaded from the Corporation's Client Portal. The form together with any other additional documentation requested should be submitted through the Corporation's client portal. First time applicants will be required to register on the client portal before they can submit their application.
- 4.2 Applicants may submit a maximum of one (1) application per establishment. Applications should be submitted by not later than 31<sup>st</sup> January 2025 and shall include costs incurred for all personnel that have been enrolled to undergo the Skills Pass procedure.
- 4.3 For processing the application, the Corporation shall also require the following documentation:
- a. Receipt issued through the ITS Skills Pass portal confirming payment.
  - b. Copy of a bank statement or similar document confirming that payment was affected from an account owned by the applicant.

## 5. By when can I submit an application?

Applications may be submitted until 31<sup>st</sup> January 2025.

## 6. What happens after I apply?

- 6.1 Malta Enterprise shall verify the data submitted by applicants with the Institute of Tourism Studies. Upon successful verification, the Corporation shall issue a tax credit certificate in favour of the Applicant.
- 6.2 Malta Enterprise shall process all applications received by the deadline established in section 5 of these Incentive Guidelines as of January 2025 and may in the process request further clarifications from the applicant.

## 7. State Aid Rules and Obligations

These Incentive Guidelines are in line with the Commission Regulation (EU) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (the *de minimis* Regulation).

The total amount of *de minimis* aid granted to a single undertaking shall not exceed the amount of €300,000 over any period of three consecutive years.

This maximum threshold would include all State Aid granted under this aid scheme and any other State Aid measures implemented in line with the *de minimis* Regulation including that received from any entity other than Malta Enterprise. Any *de minimis* aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

The *de minimis* declaration form indicating any other *de minimis* aid received over any period of 3 years to which the *de minimis* Regulation applies, must be filled in and submitted together with the application form.

### 7.1 Applicability of the Aid

Assistance approved under this aid scheme shall NOT result in:

- (a) aid granted to undertakings active in the primary production of fishery and aquaculture products;
- (b) aid granted to undertakings active in the processing and marketing of fishery and aquaculture products, where the amount of the aid is fixed on the basis of price or quantity of products purchased or put on the market;
- (c) aid granted to undertakings active in the primary production of agricultural products;
- (d) aid granted to undertakings active in the processing and marketing of agricultural products, in one of the following cases:
  - I. where the amount of the aid is fixed on the basis of the price or quantity of such products purchased from primary producers or put on the market by the undertakings concerned;
  - II. where the aid is conditional on being partly or entirely passed on to primary producers;
- (e) aid granted to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, the establishment and operation of a distribution network or other current expenditure linked to the export activity;
- (f) aid contingent upon the use of domestic goods and services over imported goods and services.

Where an undertaking is active in the sectors referred to in points (a), (b), (c) or (d) above and is also active in one or more of the other sectors falling within the scope of the *de minimis* Regulation or has other activities falling within the scope of this Regulation, aid may be granted

in respect of the latter sectors or activities. The Corporation will ensure, by relying on appropriate means such as separation of activities or separation of accounts, that the activities in the sectors excluded from the scope of the *de minimis* Regulation do not benefit from the *de minimis* aid granted in accordance with this scheme. Only those sectors eligible for assistance under the *de minimis* Regulation will be assisted. Activities in the sectors excluded from the scope of the *de minimis* Regulation will not benefit from assistance under this aid scheme.

7.2

## Cumulation

In terms of Article 5 of the *de minimis* Regulation, *de minimis* aid granted under this incentive may be cumulated with:

- (a) *de minimis* aid granted in accordance with Commission Regulation (EU) 2023/2832;
- (b) *de minimis* aid granted in accordance with Commission Regulations (EU) No 1408/2013 and (EU) No 717/2014 up to the relevant ceiling laid down in Article 3(2) of the *de minimis* Regulation.

Aid granted in accordance with this scheme shall not be cumulated with State aid in relation to the same eligible costs if such cumulation would exceed the highest relevant aid intensity or aid amount fixed in the specific circumstances of each case by a block exemption regulation or a decision adopted by the Commission.

## 8. Contacts

Further information on the scheme, as well as information and guidance on the filling in of the application form may be obtained by contacting Malta Enterprise or Business First during office hours.

Address:	Malta Enterprise Gwardamangia Hill, Pieta`, MEC 0001 Malta	Business 1st Centru Joseph Grech 2nd Floor, Cobalt House Mdina Road Mriehel, B`Kara, BKR 3000	Malta Enterprise (Gozo Office) Industrial Estate Xewkija XWK 3000 Gozo, Malta.
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The official Incentive Guidelines are published at:  
<https://www.maltaenterprise.com/support>

Email: [info@businessfirst.com.mt](mailto:info@businessfirst.com.mt)