

**APPLICATION FOR THE EXERCISE OF ARTICLE 56 (21) OF THE INCOME TAX ACT  
QUALIFYING EMPLOYMENT IN AVIATION (PERSONAL TAX) RULES 2016 – FOR AN  
EEA/SWISS/3<sup>RD</sup> COUNTRY NATIONAL**

**A. GENERAL PARTICULARS OF EMPLOYEE**

1. Surname: \_\_\_\_\_ 2. First Name (s): \_\_\_\_\_

3. Address outside of Malta: \_\_\_\_\_

\_\_\_\_\_ 4. Post Code: \_\_\_\_\_

5. Address in Malta: \_\_\_\_\_

\_\_\_\_\_ 6. Post Code: \_\_\_\_\_

7. Telephone Number: \_\_\_\_\_ 8. Mobile Number: \_\_\_\_\_

9. Email Address: \_\_\_\_\_

11. Place of Birth: \_\_\_\_\_ 12. Date of Birth: \_\_\_\_\_

13. Nationality: \_\_\_\_\_

14. ID No.: \_\_\_\_\_

I.T. No.: \_\_\_\_\_

Passport No.: \_\_\_\_\_

15. Immovable Property in Malta:

Owned<sup>1</sup>     Leased<sup>2</sup>    Number of years leased \_\_\_\_\_

\_\_\_\_\_  
<sup>1</sup> Attach Contract of Purchase of Immovable

<sup>2</sup> Attach Lease Contract

## B. CURRENT EMPLOYER DETAILS

17. Name of Company/Organisation: \_\_\_\_\_

18. Licence Number issued by the Authority for Transport in Malta or abroad under which the company operates:

\_\_\_\_\_

19. Name & Surname of Employer: \_\_\_\_\_

20. I.D. No.: \_\_\_\_\_ 21. Designation: \_\_\_\_\_

22. Employer's Business Address: \_\_\_\_\_

\_\_\_\_\_ 23. Post Code: \_\_\_\_\_

24. Telephone Number: \_\_\_\_\_ 25. Email Address: \_\_\_\_\_

26. Fax Number: \_\_\_\_\_ 27. Employer's PE No.: \_\_\_\_\_

## C. CURRENT EMPLOYMENT DETAILS

28. Qualifying Post for TM-CAD consideration <sup>3</sup>

\_\_\_\_\_

29. Date of Commencement: \_\_\_\_\_ <sup>4</sup>

30. Duration of Employment contract: \_\_\_\_\_

31. Main Activities and Responsibilities: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ <sup>5</sup>

32. Basic Wage <sup>6</sup>: \_\_\_\_\_ 33. Fringe Benefits: \_\_\_\_\_

\_\_\_\_\_

<sup>3</sup> Kindly refer to Rule 2(1) of the Schedule re eligible posts and employment offices as per L.N. 177 of 2016

<sup>4</sup> Attach FS4

<sup>5</sup> Attach Contract of Employment

<sup>6</sup> FS3 or Payslip

**D. PREVIOUS EMPLOYMENT DETAILS**

34. Name of Previous Company/Organisation:

\_\_\_\_\_

35. Type of Business/Sector: \_\_\_\_\_

36. Name & Surname of Employer: \_\_\_\_\_

37. I.D/Passport No.: \_\_\_\_\_ 50. Designation: \_\_\_\_\_

38. Employer's Business Address: \_\_\_\_\_

\_\_\_\_\_ 39. Post Code: \_\_\_\_\_

40. Telephone Number: \_\_\_\_\_ 41. Email Address: \_\_\_\_\_

42. Employer's PE No.: \_\_\_\_\_

43. Date of Commencement: \_\_\_\_\_ 44. Duration of Employment: \_\_\_\_\_

45. Main Activities and Responsibilities: \_\_\_\_\_

\_\_\_\_\_

## E. DECLARATION

I, the undersigned, being and EU/EEA/Swiss/3<sup>rd</sup> country citizen, hereby apply for the option provided under Article 56 (21) of the Income Tax Act. I hereby declare that:

- a) I am not domiciled in Malta, I have not been domiciled in Malta and I do not intend to reside in Malta permanently;
- b) I am not benefitting, I have not benefitted and I hereby irrevocably waive my right to the benefit under Article 6 of the Income Tax Act;
- c) I am in receipt of stable and regular resources which are sufficient to maintain myself and my family without recourse to the social assistance system in Malta;
- d) I reside in an accommodation regarded as normal for a comparable family in Malta and which meets the general health and safety standards in force in Malta;
- e) I am in possession of a valid travel document;
- f) I am in possession of a health insurance for myself and my family in respect of all risks normally covered for Maltese nationals ;
- g) All income from the qualifying contract of employment is duly declared in my Malta Income Tax Return;
- h) The minimum amount of income received from the qualifying contract will amount to Euro 45,000 or more<sup>7</sup>;
- i) The above information stated in the Application Form and in the Declaration is true and correct.

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>7</sup> See Rule 5 (1), Qualifying Employment in Aviation (Personal Tax) Rules, 2016

**F. ENCLOSURES**

**Document reference Number**

1. Contract of Purchase of Immovable Property
2. Lease Contract of Immovable Property
3. Health Insurance Policy
4. Contract of Employment
5. FS3 or Payslip
6. FS4
7. Curriculum Vitae
8. Copy of Single Permit (issued by Identity Malta) in case of third country nationals
9. Copy of ID card in case of European nationals


**Data Protection Notice**

*All data collected in this form is processed in accordance with the Privacy Laws that include General Data Protection Regulation (Regulation 2016/679/EU) and Chapter 440 of the Laws of Malta (Data Protection Act). The data provided may be exchanged with other Public Authorities and/or Government Departments as required and permitted by Maltese Law. Transport Malta of Triq Pantar, Lija, Malta LJA2021 is the data controller for the purpose of the privacy laws. The Privacy Notice attached with this application sets out the way in which personal information/data is collected and processed by Transport Malta, as well as the steps that are taken to protect such information.*

## QUALIFYING EMPLOYMENT IN AVIATION APPLICATION FORM

### Data Protection Privacy Notice

Transport Malta of Triq Pantar, Lija, Malta LJA2021 is the Data Controller for the purpose of the Data Protection Act CAP. 440 and General Data Protection Regulation (EU) (GDPR) 2016/679. This Privacy Notice sets out the way in which we collect and process your Personal Information, as well as the steps we take to protect such information.

#### 1. The information we collect and how we use it

- 1.1. From this Application Transport Malta collects different types of information which information is that required by Law and is used explicitly for your application for Instructor nautical Licence. It is to be noted that if the required information is not provided the said application could not be processed.
- 1.2. The primary purpose for collecting information is mainly to process the application for instructor nautical licence, however, your Personal information may also be used for related purposes that amongst other include: sending notifications, renewal of licence after expiry period, and for the provision of information with regards to any legislative amendments which may affect the services offered to you.

#### 2. To whom we disclose information

- 2.1. This information will be solely used for the reasons detailed above. However there may be cases where personal information is shared with the following third parties for reasons listed below;
  - Any third party offering assistance in providing the service, including Insurance companies and Contractors responsible for the development of Nautical Licence Application;
  - Any law enforcement body who may have any reasonable requirement to access your personal information;
  - Third party entities responsible for the data processing and printing of relative license.

#### 3. Data Subject Rights

- 3.1. With respect to your privacy rights, Transport Malta is obliged to provide you with reasonable access to the Personal Data that you have provided to us. Your other principal rights under data protection law are:
  - a. the right for information;
  - b. the right to access;
  - c. the right to rectification;
  - d. the right to erasure;
  - e. the right to restrict processing;
  - f. the right to object to processing;
  - g. the right to data portability;
  - h. the right to complain to a supervisory authority; and
  - i. the right to withdraw consent.
- 3.2. If you wish to access or amend any Personal Data we hold about you, or to request that we delete any information about you, you may contact us by sending a request to [dataprotection.tm@transport.gov.mt](mailto:dataprotection.tm@transport.gov.mt). We will acknowledge your request within seventy-two (72) hours and will do our utmost to handle it promptly. We will respond to these requests within a month, with a possibility to extend this period for particularly complex requests in accordance with Applicable Law.
- 3.3. At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by applicable law.
- 3.4. In accordance with Applicable Law, we reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others. Moreover, we reserve the right to charge a fee for complying with such requests if they are deemed manifestly unfounded or excessive.

#### 4. Retention period

- 4.1. *Personal data will be retained for not more than 3 months from date of application should the application not be submitted complete or is rejected.*
- 4.2. Once the Licence is issued, we will retain your information for as long as needed to provide you with our service, or to comply with our legal obligations, resolve disputes and enforce our agreements.:

#### 5. Security

- 5.1. We take appropriate security measures to protect against loss, misuse and unauthorized access, alteration, disclosure, or destruction of your information. Additionally, steps will also be taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident. All information gathered is kept confidential and is used solely for the Instructor Nautical Licence purposes.
- 5.2. If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with applicable law.

#### 6. Governing Law

All data collected in this form is processed in accordance with the Privacy Laws that include General Data Protection Regulation (Regulation 2016/679/EU) and Chapter 440 of the Laws of Malta (Data Protection Act).

#### 7. Data Protection Officer

- 7.1. Transport Malta has a Data Protection Officer ("DPO") who is responsible for matters relating to privacy and data protection. The DPO can be reached at the above address or by email: [dataprotection.tm@transport.gov.mt](mailto:dataprotection.tm@transport.gov.mt)

#### 7. Contacting us

- 8.1. Please address any questions, comments and requests regarding the application process to [civil.aviation@transport.gov.mt](mailto:civil.aviation@transport.gov.mt)