



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

**Country:** Malta  
**Title:** Maternity leave fund claims forms for reimbursement of maternity leave  
**Date:** 20 September 2016  
**Expert:** Romina Bartolo  
**Update of flash report nr:** 34-MT-GE-2015-Maternity leave fund created  
**Context**  
**Issue at stake:** Discrimination in employment  
**Ground of discrimination:** Sex  
**Source:** Policy development  
**Field:** Employment; pregnancy and maternity  
**Applicable law:** Legal Notice 257 of 2015 Trusts and Trustees Act (Cap 331) Trusts and Trustees (Maternity Leave Trust) Regulations, 2015

### Content

**Policy development:** In July 2015, the Government set up the Maternity Leave Trust Fund in which employers were contributing towards maternity leave but had as yet not been able to claim any reimbursements of maternity leave contributions giving rise to complaints by employers. The Maternity Leave Trust Fund Board stated that the process took longer than anticipated due to the fact that the system had to be created in its entirety and many concerns needed to be addressed in order for the system to function fairly and accurately. To this end, the online application form for reimbursement was made available online in July 2016. The refunds should be payable every four months but the first batch would be issued "as soon as possible" according to the said Board. The Board stated that employers who had paid the maternity leave contribution after July 6 2015 qualified for the refund which included the payment of the gross basic wage, pro-rata statutory bonuses and allowances as well as the employer's portion of the employee's social security contributions paid during the 14 weeks of maternity leave.

**Key points of analysis:** Employers have over the years complained that the payment of maternity leave was a huge burden especially for small enterprises and that they should not be bearing this cost on their own. The reimbursement of this cost should reflect positively on the recruitment prospects of young women who are often subjected to discriminatory treatment.

**Internet link source:**

<https://socialdialogue.gov.mt/en/Documents/Press%20Releases/257%20-%202015%20-%20E.pdf>

[https://www.gov.mt/en/Services-And-](https://www.gov.mt/en/Services-And-Information/eforms/Pages/Landing%20Pages/ApplicationforMaternityandAdoptionBenefits.aspx)

[Information/eforms/Pages/Landing%20Pages/ApplicationforMaternityandAdoptionBenefits.aspx](https://www.gov.mt/en/Services-And-Information/eforms/Pages/Landing%20Pages/ApplicationforMaternityandAdoptionBenefits.aspx)

<http://www.timesofmalta.com/articles/view/20160722/local/online-filing-for-maternity-refund-begins.619599>, all accessed 22 August 2016.