N.B. Dawn in-Noti ta' Spjegazzjoni mhumiex maħsuba biex ikunu deskrizzjoni eżawrjenti tal istrument legali u lanqas sostitut tiegħu jew suppliment leġiżlattiv għall-istess. Dawn in-Noti ta' Spjegazzjoni mhumiex intiżi bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-leġiżlazzjoni.

Il-25 ta' Lulju, 2025

No. 1175

MINISTRY FOR FOREIGN AFFAIRS AND TOURISM

Explanatory Notes

1. Introduction

Title of Legal Notice	Trainee Tourist Guides Regulations, 2025
Activity to be regulated	Trainee guides
Responsible entity	Malta Tourism Authority

2. Summary and background

The tourist guiding profession in Malta is currently undergoing a strategic reform aimed at addressing long-standing structural challenges that have hindered the sector's adaptability and growth.

One of the most pressing issues is the ageing demographic of licensed tourist guides: nearly 50% of active guides are aged 55 and over, while only 6% fall within the 25–34 age bracket. This demographic imbalance poses a serious risk to the sustainability and quality of guiding services in the near future.

With a significant portion of the current cohort expected to retire within the next 5 years, there is an urgent need to attract and train new talent. Failure to do so could result in a shortage of qualified guides, particularly as Malta continues to diversify its tourism markets such as Poland and Latin America which bring with them new linguistic and cultural demands.

The proposed regulations aim to modernise the legal framework to make the profession more accessible and appealing to prospective guides. The intention is to encourage enrolment in accredited training programmes and ensure that Malta remains competitive by offering high-quality, linguistically diverse guiding services.

The scope of these regulations is to repeal and replace the Apprentice Tourist Guide Regulations (S.L.409.20)

3. Overview of the Structure of the Instrument

The regulations are made up of twenty (20) regulations and consist of the following:

1. Citation.
2. Interpretation.
3. Licence to act as a Trainee Guide.
4. Licensing procedure.
5. Term of validity of licence.
6. Higher level requisites.
7. Identification document.
8. Responsibilities of a trainee guide.
9. Facilities of a trainee guide.
10. Maximum number of persons that may be guided.
11. Duration of organised excursion.
12. Trainee guide remaining in Gozo or Malta due to force majeur.
13. Commencement and end of an organised excursion.
14. Report by trainee guide.
15. Collusion.

16. Withdrawal of licence.
17. Suspension or revocation of licence.
18. Appeal by applicant.
19. Fines and punishments.
20. Repeal and saving.

4. Commentary

Under regulations 3 and 4, individuals must obtain a licence before acting as a trainee guide. Applicants are required to pay the relevant application fee, submit a recent conduct certificate, and provide a written declaration from a recognised training institution confirming that they have either obtained at least 60 ECTS credits or completed at least 50% of a Level 5 qualification in tourist guiding. The declaration must also confirm that the applicant is still actively pursuing the course.

Regulation 5 establishes the period of validity of the licence, which licence is limited to specific locations as indicated in the training institution's declaration. The licence is valid from 1 April to 31 October of the relevant year and is not automatically renewable. Renewal depends on confirmation that the licence holder remains enrolled in the course. As per regulation 7, a valid identification document is issued and must be worn visibly by the trainee guide while leading organised excursions.

According to regulation 8, trainee guides are expected to lead excursions professionally and in accordance with the itinerary provided by the operator, except during designated free time.

Obligations placed on operators are outlined in regulation 9, which include the provision of free transportation, meals (or an allowance for full-day excursions), and free entry to sites included in the itinerary.

Regulation 10 limits the number of persons a trainee guide may lead to 52, unless prior approval is obtained from the Authority. Each coach, boat or vehicle must have one trainee guide, and no guide may be responsible for more than one vehicle.

In cases of overnight stays caused by force majeure, regulation 12 obliges operators to provide meals and accommodation. If such delays affect the following day's excursions, cancellation fees will not apply to the trainee guide.

The start and end of an organised excursion are defined in regulation 13 as beginning when the trainee guide is required to report for duty and ending when the last participant leaves. Under regulation 14, a written report must be submitted to the operator within one week of the excursion.

Regulation 15 prohibits trainee guides from showing preference for or directing tourists to specific retail outlets.

Licenses may be suspended, withdrawn, or revoked under regulations 16 and 17 if the trainee guide discontinues the course, engages in misconduct or breaches the regulations or applicable laws. However, regulation 18 provides for the right to appeal from any decision by the Authority to refuse, revoke, or not renew a licence.

lastly, regulation 19 states that non-compliance with these regulations amounts to a breach of the Malta Travel and Tourism Services Act (Cap. 409) and may result in the punishments as outlined in articles 43 and 45 of the said Act.

5. Concluding Sections

The proposed regulations are designed to address critical gaps in the current framework while maintaining high standards of quality. By allowing individuals to begin guiding while still in training, the new system offers a practical pathway for skill development and income generation, which in turn is expected to attract more candidates to the profession.

These regulations shall come into force on the date of their publication in the Government Gazette.

For further information you can contact the Malta Tourism Authority on licencing.mta@visitmalta.com or (00356) 22915000

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

25th July, 2025