No. 1844

MINISTRY FOR INCLUSION AND THE VOLUNTARY SECTOR

Explanatory Notes (for the purposes of article 3(2)(c) of Chapter 512 of the Laws of Malta)

1. Introduction

Title of the Act	Registration and Warranting of Sign Language Interpreters Act, 2025, hereinafter referred to as "the principal Act"
Activity to be regulated	Registration of sign language interpreters wishing to practise their profession in Malta, and granting of warrants to Maltese Sign Language (LSM) interpreters
Responsible entity	Sign Language Council of Malta (KLSM)

2. Summary and background

2.1 Aims & Objectives of the legislation

- Registration of sign language interpreters wishing to practise their profession in Malta
- Granting of warrants to Maltese Sign Language (LSM) interpreters
- Establishing standards of competency for registered or warranted sign language interpreters
- Setting up a Register of registered and warranted sign language interpreters practising in Malta

2.2 Public Consultation

No public consultation was effected, given the specific remit of this legislation. However, internal consultations were carried out by the Directorate for Disability Issues (DDI), with the Sign Language Council of Malta (hereinafter "KLSM"), the local Deaf community, the Association of Maltese Sign Language Interpreters (hereinafter "AILSM") and the Sign Language Interpreters Team within Aġenzija Sapport, Malta's State disability service provider.

A Proportionality Test in terms of the Requirements as set out in Directive 2018/958/EC, and the Proportionality Test Before Adoption of New Regulation of Professions Act (Chapter 612 of the Laws of Malta), was also carried out by external contractors awarded following a Call for Quotations issued by the Ministry. This exercise additionally also involved the above-mentioned stakeholders.

3. Overview of the structure of the instrument

The principal Act is made up of fifteen (15) articles, grouped as follows:

1. Articles 1-3: Short Title, Entry into Force, Definitions, Obligation to Register or Obtain Warrant as Sign Language Interpreter practising in Malta

2. Articles 4-6: Appointment, Composition, Operation and Functions of the Interpreter Registration and Warranting Board, and Appeals from Decisions thereof

3. Articles 7-8: Fresh Applications for Registration by Sign Language Interpreters, and Suspension/ Cancellation thereof

4. Articles 9-11: Award, Validity, Renewal and Suspension/ Cancellation of Warrants of Maltese Sign Language (LSM) Interpreters

5. Article 12: Register of Registered and Warranted Sign Language Interpreters, and Registration by Interpreters Registered/ Practising in another EEA State/ Switzerland

6. Article 13: Written Declarations by Interpreters resident in another EEA State/ Switzerland and wishing to provide services on a temporary or occasional basis in Malta

7. Article 14: Powers of the Minister to Make Regulations under the principal Act

8. Article 15: Consequential Amendment to the Administrative Justice Act (Chapter 490 of the Laws of Malta), in respect of further appeals referred to the Administrative Review Tribunals, to the Court of Appeal

4. Commentary on specific articles

Article 1(2) – Entry into Force of the principal Act

The principal Act will enter into force two (2) months following its publication in the Government Gazette.

Article 3 – Obligation to Register or Obtain Warrant as Sign Language Interpreter practising in Malta

No person may work as a sign language interpreter in Malta, without either:

- being registered as such further to articles 7 or 12 of the principal Act with the local authorities – paragraph (a), or else;
- being in possession of a warrant of Maltese Sign Language (LSM) interpreter further to article 9 of the principal Act – paragraph (b), or else;
- submitting a written declaration with a view to exercising the profession on a temporary or occasional basis in terms of article 13 of the principal Act – paragraph (c).

An exemption from these requirements is provided in the proviso to this article, for persons supporting other persons through sign language interpretation, during short stays of up to three (3) months in Malta.

Articles 4-6 – The Interpreter Registration and Warranting Board

An Interpreter Registration and Warranting Board (hereinafter "the Board") shall be appointed by the Minister responsible for Disability, on the advice of KLSM (article 4).

The functions of the Board (article 5) shall be:

(a) to consider applications/ written declarations referred to in the section on article 3 above;
(b) to advise KLSM in respect of regulating the conditions of practical training for interpreters, approval of a list of universities or academic institutions, and the organisation and regulation of appropriate tests.

Such criteria are then set by KLSM after having consulted AILSM.

The Board shall exercise its functions independently and according to its own judgment, and in the exercise of such, it may:

(a) consult such persons as it may consider necessary, and;
(b) appoint committees of experts presided over by a member of the Board.

Decisions of the Board may be appealed to the Administrative Review Tribunal within twenty (20) running days of receiving a Board decision. Decisions may be further appealed to the Court of Appeal within twenty (20) running days of receiving a decision by the Tribunal (article 6).

Article 7 – Fresh Applications for Registration as Sign Language Interpreters lodged in Malta

Applicants would qualify for registration as an interpreter with KLSM, following a decision of the Board, if they:

(a) enjoy a legal right to work in Malta;
(b) have a clean criminal record;
(c) furnish the Board with required proof in respect of prescribed qualifications, training and fluency.

Applicants may request to be registered for one (1) or more language pairs, with International Sign able to be a component of any such pair.

Time-limited derogations from any of the above rules may be made, if deemed necessary to ensure continued provision of interpretation services locally.

Requirements on qualifications and training, general rules on registration, and details of derogations shall be made publicly available in an accessible manner, through appropriate websites (ex. KLSM website and social media), by KLSM.

Article 8 – Suspension or Revocation of Registrations

Suspension or revocation of registrations of sign language interpreters may be undertaken by KLSM, with notice of such measures to be published in the Government Gazette.

Such measures may be taken following a decision by the Board, including after a judgement by a competent court, or at the request of the interpreter themselves.

Articles 9-11 – Warrants of Maltese Sign Language (LSM) Interpreters

Warrants of Maltese Sign Language (LSM) interpreters are granted by the Minister responsible for Disability, on the advice of KLSM, following a decision of the Board, and are valid for a period of five (5) years (article 9), if applicants:

(a) Enjoy a legal right to work in Malta;

(b) Have a clean criminal record;

(c) Furnish the Board with proof of fulfilment of qualification, training and fluency requirements listed in article 7 (registration) of the principal Act, as well as concerning prescribed post-graduate qualifications and practical periods;

(d) Take the prescribed oath before the Minister and KLSM.

Requirements for being awarded and renewing warrants shall be made publicly available in an accessible manner, through appropriate websites (ex. KLSM website and social media), by KLSM.

Warrants are renewable for further periods of (5) years, should additional requirements in respect of minimum annual contact hours and continuous professional development requirements be observed (article 10).

Conditions and Procedures in respect of Suspension/ Cancellation of Warrants is the same as in respect of Registrations under article 7 of the principal Act (article 11).

Article 12(1) – Register of Registered and Warranted Sign Language Interpreters

A Register shall be held by KLSM and will contain details of all registered interpreters and warrant holders in Malta.

KLSM shall make the Register publicly available in an accessible manner, through appropriate websites (ex. KLSM website and social media) and, by not later than three (3) months after the end of every year, publish in the Government Gazette a list of persons whose names, on the 31st of December of the said year, appeared on the Register.

Article 12(2) – Registration of Interpreters Registered in their Home Country (being a EEA state/Switzerland)

Where such interpreters are registered in their home country, where the profession of sign language interpreter is regulated, and intend to establish themselves in Malta, they may be considered by the Board for registration in Malta, as long as they prove to the satisfaction of the Board that they have a clean criminal record.

Requests are assessed in light of qualifications held, training undertaken and fluency enjoyed by the applicant.

Article 12(3) – Registration of Interpreters where Profession not Regulated in Home Country (being a EEA state/ Switzerland)

Such applicants may be considered by the Board for registration in Malta, if they fulfil specific requirements in respect of practical periods in and attestations of competence or evidence of formal qualifications from their home country.

Article 13(1) – Providing Interpretation Services on a Temporary or Occasional Basis in Malta

Interpreters may exercise their profession on a temporary or occasional basis in Malta if they:

- Fulfil the requirements listed above for registrations under articles 12(2) or (3) of the principal Act (article 13(1), and;
- Submit to the Board a Written Declaration and Prescribed Documentation as further elaborated in article 13(2) of the principal Act.

Furthermore, the Written Declaration is to be renewed as necessary on an annual basis (article 13(2).

Where a Declaration is accepted by the Board, an applicant is entered into the Register of Registered and Warranted Sign Language Interpreters, alongside the duration of their temporary registration, and this will never exceed one (1) year at any given point.

Rejections by the Board can be appealed by applicants, further to the terms of article 6 of the principal Act.

Should an applicant proceed to provide services in Malta, notwithstanding such a rejection, this would constitute a criminal offence, and if found guilty, the interpreter would be liable to a fine (*multa*) of between €2,000 and €6,000 (article 13(3)).

5. Concluding Section

The publication of this Act is required to achieve the Aims and Objectives outlined in Section 2.1 above, due to national legislation not yet providing for such matters, and further to the content of article 8(i) of the Maltese Sign Language Recognition Act (Chapter 556 of the Laws of Malta).

This Act shall come into force two (2) months following its publication in the Gazette.

N.B: These Explanatory Notes are not intended to be an exhaustive description of the legal 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.

21st November, 2025