

Guidelines on the Eco-Contribution Due in Respect of the Provision of Licensable Accommodation

Issued by the Malta Tourism Authority in its capacity as the competent authority in terms of the Eco-Contribution Act (Cap. 473) and the Designation of the Competent Authority Order (S.L. 473.01)

1. Introduction

With effect from 1st July 2026, an eco-contribution on stays in licensable accommodation is due at the rate of €1.50 per night per person who is eighteen (18) years of age or older at the start of the visit, subject to a maximum of €22.50 per person per visit.

This is subject to such further conditions and exceptions as set out in the Eco-Contribution Act (“the Act”) including the Schedules thereto.

These guidelines provide some additional information and a number of clarifications of the relevant provisions as are specifically relevant to the application of the eco-contribution to the provision of licensed accommodation.

Delegated Operational Functions

Certain operational and coordination functions relating to the administration of the eco-contribution on accommodation have been delegated to the Malta Hotels and Restaurants Association (“MHRA”) pursuant to the provisions of the Designation of the Competent Authority Order (S.L. 473.01). Accordingly, accommodation providers and booking intermediaries may be directed to liaise with MHRA in certain matters.

Eco-contribution amounts collected by accommodation providers shall be remitted to MHRA, or to such other entity as the Malta Tourism Authority may direct, in accordance with the procedures established under the Third Schedule to the Act.

2. Persons liable to collect the eco-contribution

The Act provides that the person liable to collect and pay the eco-contribution (referred to as “the producer” in the Act) is the person who provides accommodation in any premises which for the purpose of providing such service requires to be licensed in virtue of the Malta Travel and Tourism Services Act

or any other Act which may be substituted thereof.

For the avoidance of doubt, the person liable to collect the eco-contribution is the person in whose name the property in which the licensable accommodation is provided is licensed or licensable (hereinafter “the license holder”). Such person may enter into agreements with any third party for the latter to collect the eco-contribution on his behalf but the ultimate responsibility and liability for the eco-contribution cannot be shifted or delegated and remains at all times imposed on the license holder.

Furthermore, where the person who provides the licensable accommodation is not the license holder but an operator who is registered with the Malta Tourism Authority (hereinafter “the operator”), then, subject to prior formal notification being provided to the Malta Tourism Authority, the license holder may delegate to the operator the collection and payment of the eco-contribution due in respect of the said accommodation, together with the reporting thereof, so however that should the operator fail to fulfil any of its statutory obligations relative to collection, payment and/or reporting relative to the eco-contribution, the Malta Tourism Authority or any entity delegated by it shall at any time be entitled to direct that such statutory obligations shall be imposed on the license holder and that this direction shall have retrospective and/or prospective effect as it may deem fit.

In the event that formal notification by the license holder and the operator is not given to the Malta Tourism Authority or any entity delegated by it, then the responsibility and liability for the eco-contribution remains at all times imposed exclusively on the license holder.

3. Time when the eco-contribution is chargeable

For the avoidance of doubt, eco-contribution is due per night when the licensable accommodation is made available to the particular guest, irrespective of whether actual use thereof is made by the guest. The eco-contribution is calculated at the rate of €1.50 per night per person who is eighteen (18) years of age or older at the start of the visit, subject to a maximum of €22.50 per person per visit.

For the purposes of these guidelines, the term “visit” means an uninterrupted stay in one (1) or more premises in Malta requiring to be licensed. Where a visit includes stays of up to fifteen (15) days in premises which do not require to be licensed (hereinafter referred to as an “interruption”), the stay shall still be considered as constituting one (1) visit for the purpose of calculating the eco-contribution due, provided that no eco-contribution shall be charged in respect of the days of the interruption.

4. Filing of returns

A. As set out in the Third Schedule to the Act, returns are due in accordance with the registration and

reporting procedure established therein.

The return is to be filed online on the facilities to be indicated by the Malta Tourism Authority or any entity delegated by it.

Payment of eco-contributions due has to be effected using such methods as may be approved by the Malta Tourism Authority or any entity delegated by it.

5. Registration

(i) General principle

The Third Schedule to the Act lays down the general rule that providers of licensable accommodation must register for the purposes of collecting and paying the eco-contribution.

Registration needs to be effected through submission to the Malta Tourism Authority or any entity delegated by it.

(ii) Registration of persons possessing a license issued by the Malta Tourism Authority

The Malta Tourism Authority or any entity delegated by it will, in terms of its powers under the Act, proceed to register those persons who are in possession of a license issued by the Malta Tourism Authority. Such persons will be notified of such registration.

6. Receipt for eco-contribution paid by guests

Item 3 of the Third Schedule to the Act provides that a receipt in the form supplied or approved by the competent authority must be issued for the eco-contribution paid by a guest. The form of receipt to be used for this purpose is that set out in Article 51 and the Thirteenth Schedule to the Value Added Tax Act (Chapter 406). This means that the amount of eco-contribution paid must be disclosed in a fiscal receipt that is provided or approved in terms of the VAT Act.

Due to the fact that the amount of eco-contribution is not part of the fee or consideration paid or payable for the accommodation, the eco-contribution amount paid must be disclosed separately from the accommodation (and related) fees in the fiscal receipt.

This principle applies both to accommodation providers who use manual fiscal receipt books as well as those who issue fiscal receipts from approved point of sale systems.

7. Age of guests

Unless documentary evidence to the contrary is provided, it is assumed that all guests are or have been 18 years of age or older at the start of the visit. For the purpose of proving that any guest had not yet reached the age of 18 years at the start of the visit, documentary evidence consisting of any of the following needs to be provided to the satisfaction of the Malta Tourism Authority or any entity delegated by it:

- a. Passport of the guest, whether the guest has his own passport or is specifically referred to in the passport of another guest;
- b. An identity card or other official identification document issued by the Government of any state, country or jurisdiction;
- c. A birth certificate;
- d. Any other document as may be acceptable or approved by the Malta Tourism Authority or any entity delegated by it.

8. Multi-centre holidays

When during a visit (as defined in the Second Schedule to the Act) a guest stays in more than one licensable accommodation and requests that for a second or subsequent accommodation the eco-contribution due is capped on the basis of previous eco-contributions made, evidence satisfactory to the Malta Tourism Authority or any entity delegated by it supporting such reduction must be retained. The maximum eco-contribution payable per person per visit shall not exceed €22.50. Such evidence should include a copy of the receipt provided by the previous accommodation provider/s as set out in point 6 of these guidelines as well as such other information as the Malta Tourism Authority or any entity delegated by it may request from time to time.