

# MALTA FILM PRODUCTIONS

Practical Considerations



CHETCUTI CAUCHI  
ADVOCATES



[cclex.com](http://cclex.com)



## PRACTICAL CONSIDERATIONS

Dubbed as the land of Troy, World War Z, Assassin's Creed and Game of Thrones, amongst others, Malta has fast-earned its reputation as a feasible film destination for a wide range of productions, be it blockbuster movies, mini-series, feature films, animations or commercial movies alike.

Aided by a myriad of financial incentives, an idyllic climate and a versatile landscape, Malta has had a rapid flow of productions during recent years. As an increasing number of producers have come to recognise, Malta presents itself as a profitable location that is adaptable to a wide range of particular practices and distinctive set-ups.

Providing the foundations for a successful operation, Malta offers a stable jurisdiction and a solid legal framework that grants maximum legal protection at development, pre-production, production and post-production stages. Based on Roman law, Malta's legal framework has evolved into a hybrid legal system through interactions with common law nations. As a member of the European Union, Malta's legal framework adopts and implements EU legislation and offers the same protection that the European system offers, in particular, the free movement of goods, services, persons and capital.

## RELOCATION MADE SIMPLE

Being part of the Schengen Area, access to Malta by EU nationals does not require any special formalities. A wide number of countries enjoy VISA-free travel in Malta for stays that do not exceed three months, including the United States, Canada, Australia and Singapore, among many others.

Nonetheless, the multi-national nature of the filming industry often requires that VISAs are obtained in a prompt manner. Specialised in providing cross-border movement assistance for private clients worldwide, Chetcuti Cauchi is the oldest specialised immigration law practice in Malta. In relying on our Immigration Law & Relocation team, film producers are spared the administrative and technical burden of applying for VISA applications for their staff and crew. With our assistance, the attainment of VISAs becomes a simple task, even when this is required on short notice, allowing you to focus on other, more important, matters.

## FILM SET CONSTRUCTION

The building of film sets in Malta requires approval by the planning directorate of the Planning Authority (PA). The nature of the necessary permits depends on a number of factors, in particular, the duration for which the structure remains erected.

For structures standing less than one month, a Development Notification Order has to be submitted to the Planning Authority for approval. For Film Sets erected for a duration exceeding one month, a Building Development Application has to be presented to the Planning Authority, including the designs and other related information.

Through collaboration with our project management and architectural teams, we are able to provide clients with guidance in identifying the types of permits which are necessary for their specific structures. Access to local architects is provided for the purposes of assisting clients with the submission of applications for the issuance of permits by the Planning Authority.





## FACILITY VEHICLES AND TRANSPORT

Malta boasts a wide array of services pertaining to the Tourism Industry; including transport companies highly experienced in accommodating and providing all transportation services required during shooting. Additionally, Maltese caterers may be engaged to carry out servicing of film productions. Film specific facility vehicles include star trailers, wardrobe, makeup trucks and mobile offices.

## CREWING

Malta's legal framework details the various crewing possibilities for film production companies, including the employment of foreigners, expatriates and locals.

In advising on the most expedient and cost-effective combination of crewing teams, our Employment and Labour Practise Group is able to assist you in managing the application for the attainment of the necessary permits. Equally, in reducing the business risk vis-à-vis labour issues and in ensuring compliance with Maltese law and regulations, we are able to assist you in the drafting and negotiating of service and/or employment agreements.

Through our collaborators, we may also provide consultancy and advisory services relating to the recruitment of production staff and film extras, including advice on the recruitment of minors and young persons, which requires approval from the Director for Industrial and Employment Relations.

## IMPORTATION OF GOODS

The use of props and other materials is essential to the film production industry. Malta offers commercial outfits that can provide such materials whenever needed.

That being said, certain specific materials will undoubtedly need to be transported to Malta from other countries. Consequently, Malta's Customs regulations provide the possibility of goods being imported to Malta for temporary use and for a period not exceeding three months, upon lapse of which, such goods must be re-exported, unless an extended period is granted by the Comptroller of Customs. A temporary import permit is essential for goods imported from non-EU countries, and the only requirement imposed on such importer is that the goods imported against the permit are identifiable. Whilst goods imported from EU countries do not require a temporary permit, documentary proof substantiating this is essential.

As to the temporary importation of firearms and live animals for film use, a Police permit and approval from the Veterinary Regulation Directorate are required respectively.

Having assisted several private clients and corporate entities in their importation into Malta of a wide range of goods, Chetcuti Cauchi can effectively apply for the necessary permits for importation of goods, including specialised permits or clearances required due to the nature of goods, including animals, arms, ammunition or wireless equipment, among others. In addition, Chetcuti Cauchi may assist with the attainment of ATA Carnets that ease the temporary importation of goods without payment of the normal duties and taxes.

## FILMING IN PUBLIC PLACES

During filming it is expected that production companies do not cause public disturbance or give rise to safety hazards. Equally important is that no damage is caused to the environment.

Rental of premises such as production office space, warehouse and factory spaces may be hired either from the Malta Industrial Parks or from private companies.

In addition, depending on the location chosen, filming must be done after all permits for the use of government property have been issued. In select areas, including forts, towers, cathedrals, temples, beaches and conserved locations, additional approvals may be required.

Acting as a one-stop shop, our firm can help production companies identify which permits are necessary and provide guidance for a successful attainment of the necessary authorisations.

## SERVICE AGREEMENTS

As mentioned, a number of services will inevitably be required during filming, including services related to hospitality, catering, transport, equipment procurement or leasing, and other general professional services. In ensuring that the clients' interests are protected, our firm can provide assistance in the negotiation and drafting of the terms of service agreements.

## POST PRODUCTION

Post-production rebates have now been made eligible constituting a €150,000 cap per project.

Post-Production facilities are on the rise in Malta, consisting of houses to be used as editing facilities, in aims of assisting production companies finalise their respective productions.

Furthermore, through the use of non-linear editing systems, ADR facilities, colour correcting, VFX tools and the addition of music and sound studios on the island, Malta can offer the whole package.

Having assisted a vast and varied number of corporate and personal clients in negotiations, mediation, out of court settlements and litigation, our Dispute Resolution Team can help you identify the most effective and practical solutions for disagreements and deadlocks.

# MAIN AREAS OF SERVICE



## RESIDENCY AND CITIZENSHIP

- Citizenship by Investment
- Residency by Investment



## FINANCIAL SERVICES & FINTECH

- Electronic Money & Payment Institutions
- Funds
- Securitisation
- Crypto Funds
- Crypto Exchanges
- ICOS



## CORPORATE & COMMERCIAL

- Mergers & Acquisitions
- Company Formation
- Due Diligence
- Liquidation
- Corporate Relocation
- Reorganisations



## PROPERTY

- Property Advisory Services
- Legal Due Diligence
- Conveyancing
- Property Search



## CAPITAL MARKETS

- Main Listings
- Alternative Listings
- Prospects

## FAMILIES AND WEALTH

- Trusts & Foundations
- Estate Planning
- Succession
- Family Office Setup
- Family Business Governance

## TAX

- Pre-Immigration tax
- Personal Tax Planning
- International Tax Planning
- Business Tax Planning

## TECHNOLOGY

- eGaming Licences
- Digital Games
- Intellectual Property
- Telecoms

## MARITIME & AVIATION

- Yacht & Ship Registration
- Aircraft Registration
- Tax Management



**Dr Jean-Philippe Chetcuti**  
Dip. Tax, Dip. ITM, B.A., LL.M. (Warwick),  
LL.D., TEP  
**Global Managing Partner & Founder**  
[jpc@cclex.com](mailto:jpc@cclex.com)



**Dr Maria Chetcuti Cauchi**  
B.A., LL.M.(Warwick), LL.D., TEP  
**Co-founder and Senior Partner, Global Property Investment**  
[mcc@cclex.com](mailto:mcc@cclex.com)



**Dr Priscilla Mifsud Parker**  
B.A., M.A.(Fin.Serv.), LL.D., TEP  
**Senior Partner, Tax & Corporate**  
[pmp@cclex.com](mailto:pmp@cclex.com)



**Mr Kenneth Camilleri**  
B.Acctg. (Hons), MIA, MIM, CPA, IIT (Dip)  
**Senior Partner, Global Immigration & Tax**  
[kac@cclex.com](mailto:kac@cclex.com)



**Dr Silvana Zammit**  
B.A., M.A.(Law), LL.D.  
**Partner, Global Property, Yachts & Aircraft**  
[szammit@cclex.com](mailto:szammit@cclex.com)



**Ms Michelle de Maria**  
B.A., L.P., LL.M, ACIS, Dip Tax  
**Partner, International Tax**  
[mdm@cclex.com](mailto:mdm@cclex.com)