

MALTA

ATT Nru V tal-2026

ATT maħruġ b'ligi mill-Parlament ta' Malta.

ATT li jemenda l-Att dwar il-Professjoni tal-Psikoterapija, Kap. 587.

ACT No. V of 2026

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Psychotherapy Profession Act, Cap. 587.

Nagħti l-kunsens tiegħi.

(L.S.)

MYRIAM SPITERI DEBONO
President

20 ta' Marzu, 2026

ATT Nru V tal-2026

ATT li jemenda l-Att dwar il-Professjoni tal-Psikoterapija, Kap. 587.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, harget b'ligi dan li ġej:-

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2026 li jemenda l-Att dwar il-Professjoni tal-Psikoterapija, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Professjoni tal-Psikoterapija, hawn aktar 'il quddiem imsejjaħ l-"Att prinċipali".

Titolu u bidu
fis-sehħ.
Kap. 587.

(2) Id-dispożizzjonijiet ta' dan l-Att għandhom jitqiesu li dahlu fis-sehħ fl-1 ta' Jannar 2026.

2. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-
artikolu 2 tal-
Att prinċipali.

(a) it-tifsira "Assoċjazzjoni tal-Psikoterapisti" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" assoċjazzjoni ta' psikoterapisti" tfisser assoċjazzjoni ta' għaxar (10) psikoterapisti reġistrati jew aktar li ma għandhomx jipprattikaw il-professjoni tal-psikoterapija fil-kapaċità tagħhom bħala membri tal-assoċjazzjoni;"

(b) minnufih wara t-tifsira "perjodu ta' adattament" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "persuna ġuridika" tfisser kumpanija, ditta jew soċjetà kostitwita taht il-liġi ċivili jew kummerċjali, inkluża soċjetà kooperattiva, u kwalunkwe persuna ġuridika oħra regolata mil-liġi pubblika jew privata, ħlief dawk l-organizzazzjonijiet li huma mhux għal skop ta' profitt, li jkunu fformati skont il-liġi ta' Stat Membru u li għandhom l-uffiċċju rreġistrat, l-amministrazzjoni ċentrali jew il-post ewlieni tan-negozju tagħhom fi hdan l-Unjoni Ewropea;"

(ċ) it-tifsira "jipprattika" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "jipprattika" fir-rigward tal-professjoni tal-psikoterapija, tfisser:

(a) l-eżerċizzju jew il-prattika tal-professjoni tal-psikoterapija b' remunerazzjoni, kemm jekk isir permezz ta' persuna ġuridika jew xort'oħra; u

(b) id-dritt tal-użu, waqt li l-professjoni tkun b'hekk qed tiġi segwita, tat-titolu professjonali "Psikoterapista Reġistrat", segwit mill-modalità studjata minn persuna li jkollha fil-pussess tagħha warrant sabiex tippattika l-professjoni ta' psikoterapista;"

Emenda tal-artikolu 3 tal-Att prinċipali.

3. L-artikolu 3 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(1) L-ebda persuna ma tista' tippreżenta ruħha bħala psikoterapista reġistrata, jew li tippattika l-professjoni ta' psikoterapija għal remunerazzjoni, jew tippreżenta ruħha bħala professjonalment kwalifikata biex tagħmel hekk, jew tassumi t-titolu, jew id-deżinjazzjoni li jindikaw it-titolu ta' psikoterapista reġistrata, kemm-il darba ma tkunx detentur ta' warrant taht dan l-Att:

Iżda l-ebda dispożizzjoni ta' dan l-Att ma għandha tapplika jew b'xi mod taffettwa l-prattika ta' professjonijiet regolati taht xi liġi oħra u li fir-rigward tagħhom jissussistu Kunsilli jew entitajiet oħra regolatorji.";

(b) il-paragrafu (d) tas-subartikolu (3) tiegħu għandu jiġi

sostitwit bil-paragrafu ġdid li ġej:

"(d) tkun kisbet, għas-sodisfazzjon tal-Bord, grad ta' baċcellerat f'xi xjenza naturali, umana, medika jew xjenza soċjali maħruġ minn istituzzjoni ta' edukazzjoni oġhla li l-Ministru jista', fuq parir tal-Bord, jispeċifika f'regolamenti; jew tkun kisbet grad ta' baċcellerat flimkien ma' Programm ta' Propedewtika fil-Psikoterapija ta' mhux anqas minn mitejn u ħamsin (250) siegħa, jew l-ekwivalenti tiegħu ta' għaxar (10) ECTS, ekwivalenti għal kwalifika ta' grad 7 maħruġa minn istituzzjoni akkreditata ta' edukazzjoni oġhla; u";

(è) minnufih wara s-subartikolu (5) tiegħu għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

"(6) Minkejja d-dispożizzjonijiet tas-subartikolu (3), fil-każ ta' kandidat li jissodisfa r-reqwiżiti skont il-paragrafi (a), (b) u (è) tas-subartikolu (3), iżda li t-taħriġ tiegħu ma jissodisfax ir-reqwiżiti tal-paragrafi (d) u (e) tas-subartikolu (3), għal xi waħda mir-raġunijiet li ġejjin:

(a) it-taħriġ ikopri materji sostanzjalment differenti b'tali mod li l-għarfien, il-ħiliet u l-kompetenzi miksuba li huma essenzjali għall-eżerċizzju tal-professjoni, ivarjaw mir-reqwiżiti elenkati fil-paragrafu (d) tas-subartikolu (3);

(b) tali taħriġ kien ta' terminu iqsar minn dak indikat fil-paragrafu (e) tas-subartikolu (3),

il-Bord jista' jammetti lill-kandidat fil-lista rispettiva, skont kif xieraq, sakemm il-kandidat jintrabat li jwettaq kwalunkwe miżuri kompensatorji, li jistgħu jiġu preskritti minn żmien għal żmien:

Iżda kull deċiżjoni għandha tkun ġustifikata b'mod ċar u għandha tiġi kkomunikata lill-kandidat bil-miktub.

(7) Il-miżuri kompensatorji għandhom jinkludu perjodu ta' adattament sa massimu ta' tliet (3) snin, jew alternattivament skont l-għażla tal-kandidat, test tal-aptitudni fis-suġġett jew suġġetti li fihom ikun ġie identifikat nuqqas, meta mqabbla mar-reqwiżiti preskritti."

4. L-artikolu 5 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) il-paragrafu (d) tiegħu għandu jiġi mhassar;

(ii) il-paragrafu (e) tiegħu għandu jiġi sostitwit bil-

Emenda tal-artikolu 5 tal-Att prinċipali.

paragrafu ġdid li ġej:

"(e) iżomm reġistru ta' persuni ġuridiċi li joffru servizzi ta' psikoterapija;"

(b) is-subartikolu (2) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(2) Il-Bord għandu, mhux aktar tard minn tliet (3) xhur wara t-tmiem ta' kull sena kalendarja, jippubblika fil-Gazzetta lista tal-persuni li sal-31 ta' Diċembru tas-sena kalendarja preċedenti, kienu ġew irreġistrati fir-reġistru uffiċjali tal-psikoterapisti."

Emenda tal-artikolu 9 tal-Att prinċipali.

5. Il-paragrafu (b) tas-subartikolu (5) tal-artikolu 9 tal-Att prinċipali għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(b) is-sospensjoni jew ir-revoka tar-reġistrazzjoni ta' persuna ġuridika ta' psikoterapisti;"

Thassir tal-artikolu 13 tal-Att prinċipali.

6. L-artikolu 13 tal-Att prinċipali għandu jiġi imħassar.

Sostituzzjoni tal-artikolu 14 tal-Att prinċipali.

7. L-artikolu 14 tal-Att prinċipali għandu jiġi sostitwit bl-artikolu ġdid li ġej:

"14. Minkejja d-dispożizzjonijiet ta' xi liġi oħra, jew ta' xi ftehim ieħor kuntrarju, id-dispożizzjonijiet li ġejjin għandhom japplikaw biss għal persuna ġuridika li tipprattika l-professjoni tal-psikoterapija, u mhux għal membri ta' assoċjazzjoni ta' psikoterapisti skont l-artikolu 12:

(a) kull att li jista' jsir minn detentur ta' warrant jista' jsir minn wiehed jew aktar mill-persuni li jiffurmaw parti mill-persuna ġuridika li tipprattika l-professjoni tal-psikoterapija f'isem l-istess persuna ġuridika, u kull att li jsir f'isem il-persuna ġuridika għandu jsir minn persuna li tiffirma parti minn tali persuna ġuridika jew aktar; u

(b) meta xi haġa ssir jew tonqos milli ssir minn persuna waqt li tkun tiffirma parti mill-persuna ġuridika li tipprattika l-professjoni tal-psikoterapija, ir-responsabbiltajiet u l-obbligi ta' tali persuna li jirriżultaw ma għandhomx jieqfu, minhabba li l-istess persuna tkun irtirat, mietet jew għal xi raġuni oħra ma tibqax tiffirma parti minn tali persuna ġuridika."

8. Minnufih wara l-artikolu 14 tal-Att prinċipali, kif sostitwit, għandu jiġi miżjud l-artikolu ġdid li ġej:-

Zieda ta' artikolu ġdid fl-Att prinċipali.

"Persuni Legali.

14A. (1) Għall-finijiet ta' dan l-Att, persuna ġuridika stabbilita f'Malta, jew fi Stat Membru ieħor, minn psikoterapista, tista' tipprattika l-psikoterapija f'Malta, iżda l-eżerċizzju tal-professjoni tal-psikoterapija jsir f'isem l-imsemmija persuna ġuridika minn psikoterapista rreġistrat.

(2) Mingħajr hsara għal kull dispożizzjoni oħra ta' dan l-Att jew ta' kwalunkwe liġi oħra li tirregola persuna ġuridika, fejn l-eżerċizzju tal-professjoni tal-psikoterapija jsir f'isem persuna ġuridika skont is-subartikolu (1), il-psikoterapista rreġistrata ma jkunx eżonerat minn l-ebda responsabbiltà jew obbligu li jirriżulta minn tali eżerċizzju. F'kull każ, kemm il-persuna ġuridika kif ukoll il-psikoterapista rreġistrata għandhom ikunu responsabbli *in solidum*.

(3) L-isem tal-psikoterapista rreġistrat għandu jkun identifikat b'mod ċar fi kwalunkwe komunikazzjoni formali jew kuntratti formali lir-riċevitur tas-servizz u fuq kwalunkwe materjal tal-marketing relatat mal-prattika tal-professjoni tal-psikoterapija:

Iżda l-ebda haġa f'dan l-Att ma għandha tinftiehem li timpedixxi lil psikoterapista milli jiffirma persuna ġuridika ma' kwalunkwe persuna oħra, li ma tkunx psikoterapista, sabiex tipprattika l-professjoni, u anke jekk mhux esklussivament limitat għal din il-professjoni biss:

Iżda wkoll fi kwalunkwe każ il-prattika tal-professjoni ta' psikoterapista għandha titwettaq biss minn psikoterapista rreġistrat."

9. L-artikolu 15 tal-Att prinċipali għandu jiġi mħassar.

Thassir tal-artikolu 15 tal-Att prinċipali.

A 306

Emenda tal-
artikolu 16 tal-
Att prinċipali.

10. L-artikolu 16 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (4) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(4) Kull persuna li tagħmel użu mill-kelma "Psikoterapisti" fir-rigward ta' persuna ġuridika li tipprattika l-professjoni tal-psikoterapija, f'każ li tali persuna ġuridika ma tkunx reġistrata skont id-dispożizzjonijiet tal-paragrafu (e) tal-artikolu 5, jew li b'xi mod tkun tagħmel użu minn isem li b'mod qarrieqi jindika l-eżistenza ta' persuna ġuridika li tipprattika l-professjoni tal-psikoterapija reġistrata kif hawn fuq indikat, tali persuna għandha tkun hatja ta' reat taht dan l-Att.";

(b) is-subartikolu (5) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(5) Għall-finijiet tas-subartikoli (3) u (4), l-użu ta' kwalunkwe biljett, karta tal-ittri, tabella, kartellun, pjanċa, reklam jew mezz, strument jew dokument ieħor miktub, stampat jew imnaqqax jew permezz ta' mezzi elettronici, bil-kliem "Psikoterapista" jew "Psikoterapista Reġistrat", fir-rigward ta' isem, jew tal-isem "Psikoterapisti" dwar persuna ġuridika li tipprattika l-professjoni tal-psikoterapija li ma tkunx reġistrata, għandu jitqies prova biżżejjed tat-tagħrif ta' tali użu minn dik il-persuna, kemm-il darba tali persuna ma tippruvax li l-użu ta' tali kliem sar mingħajr il-kunsens tagħha u li, malli saret taf bl-użu, il-persuna kkonċernata ħadet il-passi raġonevoli sabiex tipprevjeni l-kontinwazzjoni ta' tali att.".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 445 tas-16 ta' Marzu, 2026.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

MYRIAM SPITERI DEBONO
President

20th March, 2026

ACT No. V of 2026

AN ACT to amend the Psychotherapy Profession Act, Cap. 587.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title and
commencement.
Cap. 587.

1. (1) The short title of this Act is the Psychotherapy Profession (Amendment) Act, 2026 and this Act shall be read and construed as one with the Psychotherapy Profession Act, hereinafter referred to as the "principal Act".

(2) The provisions of this Act shall be deemed to have come into force on 1st of January 2026.

Amendment of
article 2 of the
principal Act.

2. Article 2 of the principal Act shall be amended as follows:

(a) the definition "association of psychotherapists" shall be substituted by the following new definition:

" "association of psychotherapists" means an association of ten (10) or more registered psychotherapists who shall not practise the profession of psychotherapy in their capacity as members of the association;"

(b) immediately after the definition "higher education

qualification" there shall be added the following new definition:

" "legal person" means a company, firm or partnership constituted under civil or commercial law, including a cooperative society, and any other legal persons governed by public or private law, except for not for profit organisations, formed in accordance with the law of a Member State and having their registered office, central administration or principal place of business within the European Union;"

(c) the definition "practice" shall be substituted by the following new definition:

" "practice" in relation to the psychotherapy profession, means:

(a) exercising or practising the profession of psychotherapy against remuneration, whether through a legal person or otherwise; and

(b) the right to use, in the course of such pursuit, the professional title "Registered Psychotherapist", followed by the modality studied, by a person having in his possession a warrant to practise the psychotherapy profession;"

3. Article 3 of the principal Act shall be amended as follows:

Amendment of article 3 of the principal Act.

(a) sub-article (1) thereof shall be substituted by the following new sub-article:

"(1) No person can hold himself out to be a registered psychotherapist, or practice the profession of psychotherapy against remuneration, or hold himself out as being professionally qualified to do so, or assume the title, or designation of a registered psychotherapist, unless such person is the holder of a warrant issued under this Act:

Provided that no provision in this Act shall be applicable to, or in any manner affect, the practice of professions regulated under any other law and which are subject to regulation by any other regulatory Council or entity.";

(b) paragraph (d) of sub-article (3) thereof shall be substituted by the following new paragraph:

"(d) has obtained, to the satisfaction of the Board, a

bachelor's degree in a natural, human, medical or social science issued by a higher education institution which the Minister may, on the advice of the Board, specify in regulations, or has obtained a bachelor's degree together with a Propaedeutics Psychotherapy Programme of not less than two hundred and fifty (250) hours, or its equivalent of ten (10) ECTS, equivalent to a level 7 award issued by an accredited higher education institution; and";

(c) immediately after sub-article (5) thereof there shall be added the following new sub-articles:

"(6) Notwithstanding the provisions of sub-article (3), in the case of a candidate who satisfies the requirements of paragraphs (a), (b) and (c) of sub-article (3), but whose training does not fulfil the requirements of paragraphs (d) and (e) of sub-article (3), for any of the following reasons:

(a) the training covers substantially different matters, such that the knowledge, skills and competences acquired which are essential for pursuing the profession, differ from the requirements under paragraph (d) of sub-article (3);

(b) such training was of a shorter duration than that indicated in paragraph (e) of sub-article (3),

the Board may admit the candidate to the respective list, as appropriate, provided that the candidate undertakes to fulfil any compensatory measures, that may be prescribed from time to time:

Provided that any decision shall be clearly justified and shall be communicated to the candidate in writing.

(7) Compensatory measures shall include an adaptation period of up to three (3) years, or alternatively depending on the candidate's choice, an aptitude test in the subject or subjects in which a deficiency, compared to the prescribed requirements, has been identified."

Amendment of article 5 of the principal Act.

4. Article 5 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be amended as follows:

(i) paragraph (d) thereof shall be deleted;

(ii) paragraph (e) thereof shall be substituted by the following new paragraph:

"(e) maintain a register of legal persons offering psychotherapy services;"

(b) sub-article (2) thereof shall be substituted by the following new sub-article:

"(2) The Board shall, not later than three (3) months after the end of each calendar year, publish in the Gazette a list of persons who, until 31st December of the previous calendar year, were registered in the official register of psychotherapists."

5. Paragraph (b) of sub-article (5) of article 9 shall be substituted by the following new paragraph: Amendment of article 9 of the principal Act.

"(b) the suspension or revocation of the registration of the legal person of psychotherapists;"

6. Article 13 of the principal Act shall be deleted. Deletion of article 13 of the principal Act.

7. Article 14 of the principal Act shall be substituted by the following new article: Substitution of article 14 of the principal Act.

"14. Notwithstanding the provisions of any other law, or any other agreement to the contrary, the following provisions shall apply solely to a legal person pursuing the profession of psychotherapy, and not to members of an association of psychotherapists in terms of article 12:

(a) any act that may be done by a holder of a warrant may be done by one or more of the persons forming part of the legal person pursuing the profession of psychotherapy, on behalf of such legal person, and any act done on behalf of the legal person shall be done by one or more persons forming part of such legal person; and

(b) where anything is done or omitted by a person whilst forming part of a legal person pursuing the profession of psychotherapy, the resulting responsibilities and liabilities of such person shall not cease on the ground that the said person has retired, died, or for any other reason no longer forms part of such legal person."

8. Immediately after article 14, as substituted, the following new Addition of a new article to the principal Act.

article shall be added:-

"Legal Persons.

14A. (1) For the purposes of this Act, a legal person established in Malta, or in another Member State, by a psychotherapist, may practice psychotherapy in Malta, provided that the pursuit of the profession of psychotherapy is undertaken on behalf of the said legal person by a registered psychotherapist.

(2) Without prejudice to any other provision of this Act or of any other law regulating a legal person, where the pursuit of the profession of psychotherapy is carried out on behalf of a legal person in terms of sub-article (1), the registered psychotherapist shall not be exonerated from any liability or obligation arising in respect of such pursuit. In all circumstances, both the legal person and the registered psychotherapist shall be jointly and severally liable.

(3) The name of the registered psychotherapist shall be clearly identified in any formal communication or contracts to the recipient of the service, and on any marketing material relating to the practice of the psychotherapy profession:

Provided that nothing in this Act shall be construed as preventing a psychotherapist from forming a legal person with any other person, other than a psychotherapist, to practise the profession, even if not exclusively limited to this profession only:

Provided further that the practice of the profession of psychotherapist shall be carried out only by a registered psychotherapist."

Deletion of article 15 of the principal Act.

9. Article 15 of the principal Act shall be deleted.

Amendment of article 16 of the principal Act.

10. Article 16 of the principal Act shall be amended as follows:

(a) sub-article (4) thereof shall be substituted by the

following new sub-article:

"(4) Any person who uses the word "Psychotherapists" in relation to a legal person pursuing the profession of psychotherapy, where such legal person is not registered in accordance with the provisions of paragraph (e) of article 5, or who in any manner makes use of a name deceitfully implying the existence of a legal person pursuing the profession of psychotherapy registered as aforesaid, shall be guilty of an offence under this Act.";

(b) sub-article (5) thereof shall be substituted by the following new sub-article:

"(5) For the purposes of sub-articles (3) and (4), the use of any card, letterhead, sign, board, plate, advertisement or other written, printed or engraved device, instrument or document or through electronic means, with the words "Psychotherapist" or "Registered Psychotherapist", in relation to a name, or of the name "Psychotherapists" in relation to a legal person practicing the profession of psychotherapy which is not registered, shall be deemed as sufficient evidence of the knowledge of such use by that person, unless such person proves that the use of such words was made without his consent and that, upon becoming aware of such use, the person concerned took reasonable steps to prevent the continuation of such act.".

A 314

Passed by the House of Representatives at Sitting No. 445 of the
16th March, 2026.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Clerk of the House of Representatives