



HM Government of Gibraltar

Ministry of Health, Care and Business

Criteria for individuals applying for Residence in Gibraltar

Executive Summary

This proposed criteria for individuals looking to apply for Residence in Gibraltar is intended to ensure that residence in Gibraltar is grounded in genuine economic contribution, compliance with all applicable legislation and the protection and sustainability of public services.

The policy maintains Gibraltar's openness to talent and enterprise while introducing clear, fair, and transparent requirements relating to employment, business activity, accommodation, and ongoing contribution through tax and social insurance. Proportionate safeguards and anti-avoidance measures are included to protect the integrity of the system.

The benefits that Residency brings are focused on healthcare and education for immediate family members only, while access to wider social benefits remains appropriately limited. The framework reflects the Government's commitment to responsible growth, long-term fiscal sustainability, and fairness for the existing community and future generations.

POLICY EXEMPTION

This does not apply to current holders of Gibraltar Identity Cards or current Gibraltar residents who have obtained residence before 6th October 2025.

Persons who were resident before the 6th October 2025 will be subject to the regime applicable on that date and the time period for the application for Gibraltarian Status will be respected.

Persons in Gibraltar before 6th October 2025 who were not holders of a residence card will be subject to this new regime, unless there is a good reason for the exercise of discretion to permit an application under the old regime.

Eligibility – Employees Applying for a Residence Permit

Anyone applying for a Residence Permit in Gibraltar must accompany the application with:

1. an employment contract, where:
 - i. the average gross annual earnings are the equivalent of the average gross annual earnings in Gibraltar as per the Employment Survey Report (which this year are at £37,500, rounded up to the nearest 500)¹. This amount shall be updated annually by way of notice in the first Gazette of each Financial Year;
 - ii. the employment contract is to be with a business that (a) has been trading in or from Gibraltar for at least a year, (b) which is fully registered and licensed under the Fair Trading Act and/or any other regulatory authority authorising the business to operate, and (c) which shall have all payments and filings up to date.
2. Evidence of the rental/purchase of a property in Gibraltar.

The rental must be for use as the applicant's primary residence and must not be for under 12 months or a holiday rental. If the primary residence/property is purchased, it cannot be let during the duration of the residence permit and must be legitimately available for the applicant's exclusive use for that period.

Note that anyone who has been granted a permit of residence and currently lives on a vessel, would be permitted to continue living on a vessel. However, no future applications will be accepted from individuals living on vessels.

3. Proof that the applicant is 55 years old or under.²
4. Official vetting form from the country of origin.

Notes to the Eligibility Criteria

Businesses operating for less than a year or Self-Employed Individuals

If:

1. the business has been trading for less than a year, or
2. the individual is a self-employed individual, who has not previously been registered as a self-employed individual,

an advanced payment in the form of a deposit will be required equivalent to the following:

- (i) total employee and employer social insurance contribution for the first year of employment; and
- (ii) the total tax payable on the equivalent of the average gross annual earnings in Gibraltar as per the Employment Survey Report, taxable at 25%.

This deposit shall be returned upon the cessation of business. The Minister for Business shall have a discretion to waive the full amount due, in certain, defined circumstances.

¹This threshold can be waived, if, in the opinion of the Chief Minister, there is a particular sector which requires workers who are paid under the average gross annual earnings.

²see note on Age Requirements for discretion details.

Business Registration Requirements

For a business to be fully registered under the Business, Trades and Professions (Registration) Act and licensed under the Fair Trading Act, the CEO of the Department of Business may have regard to factors which may include, but are not limited to:

1. The creation of full time or part time employment in Gibraltar;
2. The provision of in-demand skills required in the jurisdiction;
3. The rental of suitable office or commercial space in Gibraltar;
4. A positive tax filing history of the applicant; and
5. The future generation of economic activity in Gibraltar by the applicant.

Minimum Salary Waiver

If the applicant is under 30 years of age, the requirement to have a salary of the average gross annual earnings in Gibraltar (as per the Employment Survey Report) may be waived if the Employer pays the tax and social insurance contributions as if the employee's salary were the gross annual earnings in Gibraltar as per the Employment Survey of that year (and as gazetted) and for every year until they reach the salary threshold.³

Anti-Avoidance Measures

Anti-avoidance measures will be established, so that any variations to a contract which reduce the amount to be paid to the employee, are automatically flagged on the system, to ensure that the conditions under which the permit was issued continue to be met (ie salary should not be varied downwards without reasonable justification).

HMGGoG will also implement a mechanism to ensure businesses have all payments and filings up to date.

For the purposes of this requirement, "all payments" may include, but are not limited to, tax liabilities, social insurance contributions, licensing fees, registration fees, and any other regulatory payments. Further clarification may be provided in implementing guidance.

Age Requirement

The Chief Minister will have a discretion to allow applicants over the age of 55, if their residence is deemed to be in the interests of Gibraltar. A person over the age of 55 who is granted a permit of residence would have no entitlement to Elderly Residential Services (unless and until they have become a Gibraltarian which would, under the new rules, require British Citizenship and 20 years of residence)

The purpose of this restriction is to ensure individuals resident in Gibraltar contribute to the economy for a significant period of time before they are entitled to live in Gibraltar longer term when they are no longer contributing to the economy.

HMGGoG intends to pass the Gibraltarian Status and Immigration (Amendment) Bill 2025 (as will be amended) which would increase the period pursuant to which you have been resident in Gibraltar for

³The sum will be held as a deposit to the credit of the employer.

a continuous period prior to being able to register to have Gibraltarian Status pursuant to section 9(f) of the Gibraltarian Status Act to 20 years for any individual applying to become a Gibraltarian resident after 6 October 2025.

This would therefore mean that, because of the interaction between the rules relating to residence and Gibraltarian Status, any applicant who applies to become a resident of Gibraltar after 6 October 2025 would be entitled to Gibraltarian Status after contributing to the Gibraltarian economy for a period of 20 years.

The period of 20 years would only be for new applicants. Any person who has a valid Civilian Registration Card or Permit of Residence who was in Gibraltar prior to 6 October 2025, who is already in Gibraltar would only be required to have been in Gibraltar for 10 years prior to applying for Gibraltarian Status.

Renewal and Lapse of Residence Permit

The residence permit will be renewed annually, with confirmation required of the individual that all conditions continue to be met. Any failure to disclose accurate and complete information, or failure to notify any material change in circumstances, may result in the renewal being refused or the permit being suspended or revoked.

The residence permit will automatically lapse if payments of tax/social insurance are stopped for the individual, unless the employee can produce evidence that payments have been deducted from their salary, but in turn, not paid by their employer.

All permits will lapse automatically 8 weeks after Notice of Termination of Terms of Engagement is filed with the Department of Employment, unless the Director of Immigration and Home Affairs is satisfied that the individual has a new employment contract.

Benefits arising from the Residence

All Gibraltar residents would be entitled to:

1. All benefits arising from the GPMS for the individual, his/her spouse and his/her children (children under 18, and/or those in tertiary education). Importantly this will NOT apply for parents of the applicant. The definition of entitlement will not include the word "dependant".
2. Schooling in Gibraltar for any children (children under the age of 18, unless in full time education) of Gibraltar Residents.
3. A scholarship for any dependent child (children under the age of 18, unless in full time education) after 10 years of continuous lawful residence and uninterrupted payment of tax and social insurance in Gibraltar.

Benefits which will not arise from Residence

- Elderly Residential Care
- Domiciliary Care
- Public and affordable Housing
- Berths in the Small Boats Marina (or any other Government Berthing Scheme);
- Any other social benefits.

All residents who are British Citizens and after 20 years of residence will then be able to obtain Gibraltarian Status and shall then have access to all services (including ERS and Domiciliary Care).

Students of the Gibraltar University

Any student of the Gibraltar University shall be entitled to the benefits arising from Residence, for the period during which they are a student at the University as long as the contribution pursuant to the Medical (Group Practice Scheme)(Contributions)(Amendment) Regulations 2022 are made. This equates to a contribution of £470 per annum.

Their spouse and children (children under the age of 18) shall be entitled to Residence in Gibraltar during the period in which they are a student at the Gibraltar University provided each makes the same contribution.

Partners of individuals

Any unmarried partner of an individual with Gibraltarian Status shall be permitted to reside in Gibraltar where evidence is provided of a durable relationship of at least two years.

Any individual who is applying for Residence in Gibraltar and wishes their spouse to reside with them shall pay an amount equivalent to the maximum employee's Social Insurance contribution to HMGoG, on behalf of their Spouse. Any individual applying for Residence may be accompanied only by their spouse and/or children.

Individuals who do not have the right to reside in Gibraltar

Any individual who is residing in Gibraltar who does not have a Permit of Residence may be imposed a fine of up to £2,500.

Fees

Fees – the application fee for Residence will be raised to £250. Renewal fees will be set at £100.

Good standing and Public Interest Safeguard

The Government reserves the right to refuse, suspend, or revoke a Residence Permit where the individual is not of good standing (including future vetting, arrests, etc.) or on public policy, public health and public security grounds.