CHAPTER 607

FURTHER AND HIGHER EDUCATION ACT

AN ACT to establish the Malta Authority for Further and Higher Education which Authority shall regulate further and higher educational institutions and education providers.

1st January, 2021*†

ACT II of 2020, as amended by Act XXXIX of 2023.

Short title.

1. The short title of this Act is the Further and Higher Education Act.

Interpretation.

2. In this Act unless the contents otherwise requires:

"accreditation" means the formal approval by the competent authority established under this Act or any regulations made thereunder, that the operation of a further or higher education provider, or that an educational programme pegged against levels within the Malta Qualifications Framework, meets quality standards;

"Authority" means the Malta Further and Higher Education Authority established by this Act;

"award" means an accredited programme of studies awarded as such and pegged to the Malta Qualifications Framework;

"certificate" means the confirmation of a completion of a programme or learning outcome including formal, informal and non-formal;

"financial year" means the period of twelve (12) months ending on the thirty-first of December of any year:

Provided that, for the purposes of this Act, the first financial year in respect of any entity shall consist of the period which starts running on the date of the coming into force of the relative articles of this Act relating to such entity, and ending on the thirty-first (31) December of the following year;

"formal learning" means learning that occurs in an organised and structured context and is explicitly designated as learning in terms of objectives and outcomes, time or learning support. Formal learning is intentional from the learner's point of view and leads to formal certification;

"function" includes any responsibility, power and duty;

*All provisions are in force excluding article 17, see Legal Notice 32 of 2021.
†Article 17 came in force with Legal Notice 63 of 2024.

"further education" means all non-compulsory formal learning which serves to obtain a national qualification classified up to and including level 4 of the Malta Qualifications Framework, or a foreign qualification at a comparable level;

"Government" means the Government of Malta;

"higher education" means all non-compulsory formal learning or research which serves to obtain a national qualification classified at level 5 or higher of the Malta Qualifications Framework, or a foreign qualification at a comparable level;

"informal learning" means learning resulting from daily activities related to work, family or leisure and which is not organised or structured in terms of objectives, time or learning support. Informal learning is in most cases unintentional from the learner's perspective;

"learning" includes education and training;

"licence" means a licence issued to a provider in accordance with the provisions of this Act or any regulations made thereunder, authorising a provider to provide further or higher education in Malta;

"licence holder" means the person in whose name a licence is issued under this Act;

"licensing" means the process in accordance with the provisions of this Act or any regulations made under this Act for the licensing and periodic reporting required from providers to establish themselves or to attain or maintain a specific status, or to confer national qualifications or foreign qualifications at a comparable level;

"lifelong learning" includes all kinds of learning activities that an individual undertakes throughout life, with the aim of acquiring certification and improving attitudes, values, knowledge, skills and competences, and acquiring qualifications that enhance an individual's personal and social dimension as well as the prospects of a better career;

"Malta Qualifications Framework" means the national framework for lifelong learning, being the national instrument for the development and classification of awards and qualifications according to a set of criteria, established through descriptors and applicable to a different set of levels, as provided by this Act or any regulations made under this Act;

"Minister" means the Minister responsible for education, and includes, within the limits of any given authority, any person who is specifically authorised by the Minister for any of the purposes of this Act, and "Ministry" shall be construed accordingly;

"non-formal learning" means learning embedded in a planned activity organised outside the formal educational system, which activity is not explicitly designed as learning but which contains an important learning component;

"prescribed" means prescribed by regulations made under this Act;

"programme" means any course of study accredited by the Authority which serves to obtain an award or a qualification classified within the Malta Qualifications Framework or to a foreign recognised and comparable qualifications framework;

"programme accreditation" means the formal approval of the Authority in accordance with this Act, of the status, legitimacy and appropriateness of a programme;

"provider" means any individual or body corporate licensed by the Authority to provide education services in or from Malta;

"provision" means the act of providing further or higher education in or from Malta, and includes full-time and part-time, formal and informal taught, research or vocationally-oriented programmes, distance learning, e-learning, partnerships with other providers or business entities, sub-contracting of services, franchising and offshore activities of a provider;

"public officer" has the same meaning as is given to it by article 124 of the Constitution;

"qualification" means an accredited programme of studies awarded as such and pegged to the Malta Qualifications Framework;

"quality assurance" refers to one or more processes which:

(a) safeguard the quality of further and higher education within the economic, social and cultural context, on a national, European and international level; and

(b) enhance and ensure the use of approved measures as a means of improving the quality of institutional governance and the students' well-being, teaching, learning, training and research towards a holistic quality educational experience;

"quality assurance audit" means that it shall include an external evaluation process of the internal quality assurance mechanisms adopted by a provider and the provider's adherence to any of his obligations of licensing, accreditation and other requirements set forth by the Authority in order to continuously monitor and improve the operation of a provider or of a programme;

"recognition" means any formal acknowledgment by the Malta Qualifications Recognition Information Centre, established under article 6 of the Mutual Recognition of Qualifications Act, or by any other European Network of Information Centre or National Academic Recognition Information Centre (ENIC-NARIC) of the accreditation status and academic level of an academic qualification.

Cap. 451.

Establishment of the Malta Further and Higher Education Authority. Cap. 327.

3. (1) The National Commission for Further and Higher Education established by means of the Education Act is being re-established and incorporated in this Act as the Malta Further and Higher Education Authority, hereinafter referred to as "the Authority", to seek to promote and develop further and higher education in Malta by means of regulation and by the promotion of best practices, and the Authority shall assume all the assets and liabilities, rights and obligations previously vested in the National Commission for Further and Higher Education.

(2) The Authority shall endeavour to achieve the following objectives and policies:

(a) licence and regulate further and higher education providers in Malta;

(b) promote and uphold quality education; and

(c) advise the Government on any matter which is connected with further and higher education.

(3) The Authority shall generally regulate, guide, evaluate, verify, research and report on the various elements, including the experience and the outcomes or results of the education system with the aim of assuring quality education for all and in order to promote good practices in all activities related to further and higher education. In particular the Authority shall:

(a) accredit education providers, and their programmes;

(b) act as the competent authority for granting of a licence to further and higher educational entities accredited by the Quality Assurance Committee established by virtue of article 17, and, or by any other agency registered with the European Quality Assurance Register for Higher Education and, or by any other agency as may be prescribed, provided that such agency has, in its accreditation, adhered to the Standards and Guidelines for Quality Assurance in the European Higher Education Area;

(c) renew, refuse, suspend or revoke licences, and establish the conditions under which a licence may be granted, renewed, refused, suspended or revoked and the fees which

may be payable in each case;

(d) validate any learning provided in an informal or non-formal manner and classify the evaluation at a level in accordance with the Malta Qualifications Framework;

(e) prescribe the fees to be paid in respect of the issue, validation, renewal, extension or variation of any certificate, licence, statement, external quality audit or other document or the undergoing of any examination or test required by this Act or any regulations, directive or order made thereunder and in respect of any other matters in respect of which it appears to the Authority to be expedient for the purpose of the Act, regulations, directive or order to charge fees;

(f) regulate the manner and conditions for the issue, validation, renewal, extension or variation of any certificate, licence or other document required by this Act or any regulations, directive or order made thereunder, and as to the form, custody, production, cancellation, suspension, endorsement and surrender of any such document;

(g) appoint its officers or employees to supervise the implementation of and, where necessary, to enforce this Act or any regulations made thereunder or deemed to be made thereunder or other laws relating to education;

(h) review qualifications for the purposes of recognition and pegging to the Malta Qualifications Framework;

(i) request information for the purpose of research and statistics;

(j) compile and keep up-to-date records of such data as it may deem appropriate in connection with its functions;

(k) by means of regulations, establish and impose tariffs, fees and administrative penalties;

(l) prohibit, control and regulate the presence of any persons in determined establishments on grounds of safety and security;

(m) carry out or give effect to any international treaty or other international agreements relating to education to which the Government is or intends to become a party; and

(n) carry on such business and other activities, do all such things and enter into all such transactions as appear to the Authority to be necessary, convenient or advantageous for it to

carry on or perform or enter into, for or in connection with the discharge of its functions, or as appear to the Authority to be incidental or conducive thereto.

Powers of the Authority.

4. The Authority shall, for the purpose of the proper implementation and enforcement of its obligations under this Act, have the power to enter and search any educational premises, to have access to any relevant document in any form, to require any person to supply any relevant information, to carry an on-site inspection, to issue an order to any person to cease from doing anything which constitutes an infringement of this Act or of any regulation or order made thereunder and to demand from any person a commitment to desist from doing any such thing and to publish any decision of the Authority related to the said provisions of this Act, regulations or orders.

Access to information and request for data.

Cap. 586.

5. (1) Without prejudice to the generality of the power conferred in article 4, this article and the data protection provisions established by virtue of Regulation (EU) 2016/679 (the General Data Protection Regulation) and the Data Protection Act, the Authority shall have access to all pertinent information available to educational institutions and it shall have the right to request all data it may require to perform its functions both from public and private providers and this data shall be transmitted to it within a reasonable time from when it was requested.

(2) The Authority shall have access to statistics and to opportune economic and social data, as required, so that the Authority may be able to perform its functions in accordance with this Act.

Legal personality of the Authority.

6. (1) The Authority shall be a body corporate having a distinct legal personality and shall be capable of acquiring, holding and disposing of any kind of property for the purposes of its functions, of suing and being sued, and of doing all such things and entering into all such transactions as are incidental or conducive to the exercise or performance of its functions under this Act or any other Act.

(2) The legal and judicial representation of the Authority shall vest in the Chairperson, provided that the Authority may appoint any one (1) or more of its members or any one (1) or more of its officers or employees, to appear in its name and on its behalf in any judicial proceedings and on any act, contract, agreement or other document whatsoever.

(3) Public officers deployed with the Authority shall be deemed to be detailed with the Authority in accordance with the provisions of article 33 of the Public Administration Act.

Cap. 595.

Conduct of affairs and business of the Authority.

7. (1) Subject to the other provisions of this Act, the affairs and business of the Authority shall be the responsibility of the Board of the Authority, hereinafter referred to as "the Board", but,

save as aforesaid, the executive conduct of the Board's affairs and business, the Authority's administration and organisation and the administrative control of its officers and employees, shall be the responsibility of the Chief Executive Officer of the Authority, who shall also have such other powers as may from time to time be delegated to him by the Board.

(2) The Authority may exercise any of its functions or responsibilities either directly or through any of its officers or employees authorised by the Board for the purpose, or through a contractor or other person with whom agreement for the performance of any one (1) or more of such functions or responsibilities has been entered into.

Composition of the Board. *Amended by: XXXIX.2023.2.*

8. (1) The Board shall be composed of not less than six (6) members and not more than nine (9) members who shall be appointed by the Prime Minister.

(2) The Board shall be composed of the following members:

(a) up to six (6) persons who possess leadership qualities, and have an understanding of further and higher education within the context of the general socio-economic development, nominated by the Minister;

(b) one (1) person representing persons with disability nominated by the Commission for the Rights of Persons with Disability;

(c) the Chairperson of the Quality Assurance Committee referred to referred to in article 17; and

(d) a student following a full programme of studies at MQF Level 7 or higher.

(3) The Prime Minister shall nominate a Chairperson and a Deputy Chairperson from amongst the members of the Board. In the case where the Chairperson is abroad or for any other reason, for a temporary period, is unable to perform his functions, the Deputy Chairperson shall act as Chairperson and shall perform the powers and functions of the Chairperson. This also applies in the case of a resignation or removal of the Chairperson, until a new Chairperson is appointed.

(4) The Board shall appoint a Secretary to keep minutes and a record of the meetings and of its decisions. The secretary shall not be a member of the Board.

Disqualification.

9. A person shall not be qualified to be appointed or hold office as member of the Board if such person:

(a) is a member of the House of Representatives; or

(b) is a serving as a judge or magistrate; or

(c) is legally incapacitated; or

(d) has been declared to be in a state of bankruptcy or has entered into a composition or agreement with its creditors; or

(e) has been convicted of an offence against this Act or affecting public trust or theft or fraud, or having knowingly received property which had been acquired by theft or fraud; or

(f) has any financial or other interest in any enterprise or activity which may affect the performance of his functions as a member of the Board.

Conflict of interest.

10. Any member of the Board who has any direct or indirect interest in any matter or situation being considered by the Board, not being an interest which disqualifies such member from remaining a member, shall disclose the nature of his interest at the first meeting of the Board after the relevant facts have come to his knowledge. Such disclosure shall then be recorded in the minutes of the meeting, and the member having an interest as aforesaid shall withdraw from any meetings at which such matter or situation is discussed. Any such disclosure shall be communicated to the Prime Minister without delay. Where, in the opinion of the Prime Minister, the interest of the member is such as to disqualify him from remaining a member, the Prime Minister may terminate his appointment as a member of the Board.

Term of office.

11. (1) Every member of the Board shall hold office for a term of three (3) years and may be re-appointed at the end of his term of office.

(2) Subject to the provisions of this article, the office of member of the Board shall be deemed to be vacant:

(a) on termination of the term of his appointment; or

(b) should there arise circumstances which, were this person not be a member of the Board, such person would be disqualified from being appointed as such.

(3) A member of the Board may at any time be removed or suspended from office by the Prime Minister after a recommendation by the Authority on the grounds of inability to perform the functions of his office as required, either because of mental or physical illness, or for any other reason due to which the member would no longer be fit to occupy such office.

(4) A member of the Board may resign from his office through a letter addressed to the Prime Minister. If any member

tenders his resignation or is removed from his office by the Prime Minister or should the office of any member of the Board become in any manner vacant, the Prime Minister may, after nomination by the relevant sector, appoint a qualified person to take up this post and any person who is so appointed shall keep on occupying that post up to the termination of the term of office of the person being so substituted and such person shall be eligible to be re-appointed.

(5) Any absence or vacancy among the members of the Board, or any participation in its meetings by any person who is not entitled to such participation, shall not invalidate the proceedings of the Board, insofar as there is a quorum of not less than one-half of the number of members of the Board plus one.

Provisions with respect to proceedings of the Board of the Authority.

12. (1) The meetings of the Board shall be called by the Chairperson as often as may be necessary but at least once every month either on his own initiative or at the request of any two (2) of the other members.

(2) The quorum for meetings of the Board shall be half the number of its members plus one, one of whom shall be the Chairperson or the Deputy Chairperson.

(3) Decisions of the Board shall be taken by a majority of the votes of the members present. In the case of parity of votes cast, the Chairperson shall also have a casting vote.

(4) Subject to the provisions of this Act and of any regulations made thereunder, the Board shall, in general, regulate its own proceedings.

(5) The Board shall establish procedures for the proceedings of meetings of the Committee established under article 17.

(6) Subject to the provisions of this Act and of any regulations made thereunder, the Board may appoint committees or working groups as it deems appropriate in order to better discharge its functions.

(7) The Authority shall take all necessary precautions and treat information on commercially sensitive matters in a highly confidential manner in its relations with both public and private providers.

Appointment and duties of the Chief Executive Officer and other officers.

13. (1) The Authority shall, through a public call, appoint a Chief Executive Officer under such terms and conditions as the Authority may establish. The Chief Executive Officer shall act in accordance with such policies as established by the Authority and such instructions as may be given to him by the Authority. The Chief Executive Officer shall be responsible for the day-to-day running of the Authority and shall report to the Board on such matters whenever

requested.

(2) The Authority may also appoint any such officers and employees as necessary in order to perform its functions and duties under this Act.

(3) The engagement and the termination of the engagement of the officers and employees of the Authority shall be the responsibility of the Authority.

(4) The Chief Executive Officer shall report to the Chairperson and to the Board and attend the Board's meetings as a non-voting member.

Officers.

14. The Authority shall have such regulatory officers and other officers as are necessary for the execution of its functions for the general implementation of this Act or of any regulations made thereunder.

Appointment of officers and employees.

15. Without prejudice to the other provisions of this Act, the appointment of officers and other employees of the Authority shall be made by the Authority in accordance with relevant legislation and directives. The terms and conditions of employment shall be established by the Authority.

Detailing of pubic officers for duty with the Authority.

16. The Prime Minister may, at the request of the Authority, from time to time direct that any public officer shall be detailed for duty with the Authority in such capacity and with effect from such date as may be specified in the Prime Minister's direction.

Quality Assurance Committee.
Amended by: XXXIX.2023.3.

17. (1) Without prejudice to anything that may be provided for in this Act, there shall be a Quality Assurance Committee, hereinafter referred to as "the Committee", which shall be independent and autonomous in its decisions and shall be responsible for quality assurance audits for further and higher educational institutions.

(2) Decisions taken by the Committee are to be communicated to the Board which shall take the decision relating to licensing on the basis of the audits carried out by the Committee.

(3) The Committee shall be appointed by the Board after a public call, where the selection committee shall be made up from the Chairperson of the Board, the Chief Executive Officer, or a representative appointed by him, and the person responsible for the Quality and Standards within the Authority. The Committee shall be made up of the following members:

(a) one (1) person in possession of a qualification at MQF Level 8 in the Arts sector who shall be appointed for a

maximum period of three (3) years;

(b) one (1) person in possession of a qualification at MQF Level 8 in the Science sector who shall be appointed for a maximum period of three (3) years;

(c) one (1) person in possession of a qualification at MQF Level 8 in the Vocational Education sector who shall be appointed for a maximum period of three (3) years;

(d) two (2) persons having expertise in Quality Assurance in Education who shall be appointed for a maximum period of four (4) years;

(e) a lawyer who has the necessary experience and qualities according to law to be appointed as a magistrate who shall be appointed for a maximum period of three (3) years;

(f) one (1) person from the Medical sector or ancillary professions who shall be appointed for a maximum period of three (3) years;

(g) two (2) students who are following a full programme of studies leading to a qualification at MQF Level 7 or higher and who shall occupy the role for a maximum period of two (2) years.

(4) The members referred to above shall elect from amongst themselves a Chairperson and a Deputy Chairperson.

(5) The Committee established under this article shall compile and send to the Authority an annual report, not later than four (4) weeks after the end of each financial year, on its activities during that year, including the policies, functions and future plans of the Committee. Such reports shall be integrated with the annual report to be compiled and sent by the Authority to the Minister.

(6) The provisions of article 9 shall, *mutatis mutandis*, apply to the members of the Committee established under this article.

(7) The meetings of the Committee shall be called by the Chairperson of the Committee as often as may be necessary but at least once every month either on his own initiative or at the request of any two (2) of the other members.

(8) The quorum for meetings of the Committee shall be half the number of its members plus one (1), one (1) of whom shall be the Chairperson or the Deputy Chairperson.

(9) Decisions of the Committee shall be taken by a majority

of the votes of the members present. In the case of parity of votes cast, the Chairperson shall also have a casting vote.

(10) Any member of the Committee who has any direct or indirect interest in any matter or situation being considered by the Committee, not being an interest which disqualifies such member from remaining a member, shall disclose the nature of his interest at the first meeting of the Committee after the relevant facts have come to his knowledge. Such disclosure shall then be recorded in the minutes of the meeting, and the member having an interest as aforesaid shall withdraw from any meetings at which such matter or situation is discussed. Any such disclosure shall be communicated to the Board without delay. Where, in the opinion of the Board, the interest of the member is such as to disqualify him from remaining a Committee member, the Board may terminate his appointment as a member of the Committee.

Advisory Committee.

18. There shall be an Advisory Committee to provide a forum for consultation with stakeholders, which shall meet at least twice a year and which shall be chaired by the Chairperson and, or the Chief Executive Officer of the Authority. The Advisory Committee shall be composed of representatives of private and public further education institutions, of representatives of private and public higher education institutions, of representatives of students, of representatives of civil society, of representatives of the business community, and of representatives of trade unions which represent the majority of employees in the further and higher education sector.

Offences.

19. (1) The Authority shall, in the case of persons found guilty of any offence in relation to any licence, statement or any other document issued by the Authority, in addition to the punishment for such offences established in the Criminal Code, have the power to revoke any such licence, or statement or any other document and shall make public such revocation.

Cap. 9.

(2) Any person who infringes any provisions of this Act or of any regulations made thereunder, and, or who fails to comply with any directive or decision given by the Authority, shall be guilty of an offence against this Act and shall be liable, on conviction, to a fine (multa) which shall not exceed fifty thousand euro (€50,000) for each offence and, or one hundred euro (€100) for each day of non-compliance from the date of a formal notice from the Authority.

Financial provisions.

20. (1) The Authority may levy all fees, rates and other payments prescribed in its protocols or deemed to be prescribed by or under this Act and, or any regulations made thereunder, or any other law related to the powers and functions of the Authority.

(2) The Authority shall be paid by Government out of the Consolidated Fund such sums as Parliament may from time to time authorise to be appropriated to meet the costs of specified works to be

continued and for the day to day running of the Authority.

Estimates of the Authority.

21. (1) The Authority shall cause to be prepared in every financial year, and shall not later than six (6) weeks after the end of each such year adopt, estimates of the income and expenditure of the Authority for the next following financial year.

(2) In the preparation of such estimates, the Authority shall take account of any funds and other moneys that may be due to be paid to it out of the Consolidated Fund during the relevant financial year, whether by virtue of this Act, or of an Appropriation Act, or of any other law; and the Authority shall so prepare the said estimates as to ensure that the total revenues of the Authority are at least sufficient to meet all sums properly chargeable to its revenue account, including, but without prejudice to the generality of that expression, depreciation.

(3) The estimates shall be made out in such form and shall contain such information and such comparisons with previous years as the Minister responsible for finance may direct.

(4) A copy of the estimates shall, upon their adoption by the Authority, be sent forthwith by the Authority to the Minister and to the Minister responsible for finance.

(5) The Minister shall, at the earliest opportunity and not later than six (6) weeks after he has received a copy of the estimates from the Authority (or if at any time during that period the House is not in session within six (6) weeks from the beginning of the next following session), cause such estimates to be laid before the House together with a motion that the House approves the said estimates.

Accounts and audit.

22. (1) The Authority shall cause to be kept proper books of account and other records in respect of the Authority's operations and shall cause to be prepared a statement of accounts in respect of each financial year according to set accounting standards.

(2) The accounts of the Authority shall be audited by an auditor or auditors to be appointed by it and approved by the Minister, after consultation with the Minister responsible for finance:

Provided that the Minister responsible for finance may, after consultation with the Minister, require the books and accounts of the Authority to be audited or examined by the Auditor General.

Transmission of financial statements to Minister.

23. (1) Not later than three (3) months following the end of each financial year, the Authority shall cause a copy of its financial statements duly audited to be transmitted to the Minister and to the Minister responsible for finance together with a copy of any report made by the auditor or auditors on these statements or on the accounts of the Authority.

(2) The Minister shall, as soon as practicable, cause a copy of such statements and reports to be laid on the Table of the House.

Deposit of revenues and payments by the Authority.

24. (1) All monies received by the Authority shall be paid into a bank or banks appointed as bankers of the Authority by a resolution of the Authority. Such monies shall, as far as practicable, be paid into any such banks from day to day, except such sum as the Authority may authorise to be retained to meet petty disbursements and immediate cash payments.

(2) All payments out of the funds of the Authority, other than petty disbursements not exceeding a sum to be fixed by the Authority, shall be made by such officer or officers of the Authority as it shall appoint or designate for that purpose.

(3) Cheques against and withdrawals from any bank account of the Authority shall be signed by such officer of the Authority as may be appointed or designated by the Authority for that purpose and shall be countersigned by the Chairperson, or such other member or officer of the Authority as may be authorised by the Authority for that purpose.

(4) The Authority shall also make provision with respect to:

(a) the manner in which, and the officer or officers by whom, payments are to be authorised or approved;

(b) the title of any account held with the bank or banks into which the monies of the Authority are to be paid, and the transfer of funds from one account to the other;

(c) the method to be adopted in making payments out of funds of the Authority; and

(d) generally with respect to any matter which is relevant to the proper keeping and control of the accounts and books, and the control of the finance, of the Authority.

Power to make regulations.

25. The Minister may, subject to the provisions of this Act, make regulations to give effect to any of the provisions of this Act, or to regulate or otherwise provide for anything in respect of the functions and the activities which affect education according to this Act, and may in particular, but without prejudice to the generality of the aforesaid, make regulations for any of the following purposes:

(a) to establish any fee and payment which may be due by or under this Act, or for the services given in compliance with the provisions of this Act;

(b) to provide for any form or procedure which may be required or expedient and about which there would be no specific procedure in this Act;

(c) to establish rules by means of which the Government may give effect to international conventions relating to education and which have already been ratified by the Government of Malta or in order to achieve compliance with every international obligation pertaining to the Government of Malta or with European Union Directives on any matter or field concerning education and training;

(d) to regulate the meetings of the Authority, including procedures relating to a quorum, taking decisions by means of voting, keeping of minutes and any other matter ancillary thereto;

(e) to provide for any incidental or supplementary matter, including the power of entry and inspection of any premises or place where instruction and teaching take place or may take place in accordance with this Act, as the Minister may deem expedient for the enforcement of any provision of this Act and regulations made thereunder or to give greater effect thereto;

(f) to establish anything which is due to be or may be established under this Act and to provide for any other matter as may be deemed to be appropriate;

(g) to establish the fines for any contravention or breach of any provision of regulations made under this Act, or for non- compliance with any provision or any requirement imposed under such provision;

(h) to make provision for any matter related to the mutual recognition of professions;

(i) to provide for processes of licensing, accreditation, validation of non-formal and informal learning, quality assurance and recognition;

(j) to provide for processes for the validation of informal and non-formal learning with the aim of such validation to be classified at a level of the Malta Qualifications Framework;

(k) to regulate access to and gathering of information, statistics and data by the Authority;

(l) to extend the functions of the Authority; and

(m) to provide for the establishment and description, from time to time, of the Malta Qualifications Framework.

Complaints.

26. Any complaint by the students or employees of public providers of further or higher education on matters related to such providers, as well as complaints by persons who have been refused entry into any programme offered by such providers, shall be addressed to, and be addressed by, the Ombudsman in accordance with the provisions of the Ombudsman Act.

Cap. 385.

Repeal of certain articles of the Education Act. Cap. 327.

27.[*] Part VI, comprising articles 63 to 71A, both articles included, of the Education Act shall be repealed.

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[*] *Vide* Legal Notice 31 of 2021.