VERŻJONI ELETTRONIKA

L.N. 140 of 2015

EDUCATION ACT
(CAP. 327)

Institute for Education (Establishment) Order, 2015

IN exercise of the powers conferred by article 131 of the Education Act, the Prime Minister has made the following Order:-

1. The title of this Order is the Institute for Education (Establishment) Order, 2015. Citation.

2. In this Order, unless the context otherwise requires - Interpretation.

"Act" means the Education Act; Cap. 327.

"educator" means all those involved in the administration and provision of teaching and learning in the education sector within a lifelong learning perspective;

"Institute" means the Institute established by means of this Order;

"Minister" means the Minister responsible for education.

3. There shall be an Institute, to be known as the Institute for Education, which shall be autonomous and which shall carry out functions related to continuous professional development and training of educators and shall serve as a main driver in these fields. Establishment of the Institute.

4. The affairs and activities of the Institute shall be under the direction of the Board and shall be dealt with by the members of the Board and for this purpose shall be represented by the Chairperson who shall be able to speak and act on its behalf. Affairs and activities of the Institute.

5. (1) The functions and duties of the Institute shall be to: Functions and duties of the Institute.

(a) provide professional formation, skills, attitudes and practices that will be utilized in the daily professional lives of educators and their contexts taking into account the diverse contexts that exist;

(b) implement continuous professional development activities consistent with or in support of the Government policies and educational frameworks;

(c) advise the Minister in relation to continuous professional development issues, needs and practices;

(d) clarify, understand and widen the various aspects of educational leadership;

(e) develop a leadership vision for schools;

(f) act as a hub for educators to meet and share common experiences, challenges and possibilities, including carrying out action research and collect data related to continuous professional development;

(g) nurture a meaningful, truly engaging awareness of education in a wider sense and its dialectal relationship with life;

(h) encourage a reflective educational leadership that is aware of its qualities, possibilities, challenges and limits, personally, socially, and professionally, hence becoming a leadership that nurtures trust and hope;

(i) act as a meaningful forum for educational policy discussions;

(j) carry out any other function which is related to or ancillary to the above.

(2) The Institute shall be a body corporate having a distinct legal personality and shall be capable, subject to the provisions of the Act, of entering into contracts, 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 Order.

(3) The legal and judicial personality of the Institute shall be vested in the Chairperson.

Composition of the Board of the Institute.

6. (1) The Institute shall be governed by a Board composed of not less than thirteen and not more than fifteen members to be nominated by the Minister and appointed by the Prime Minister for a period of three years and the members shall be eligible to be re-appointed after their term of office expires.

(2) The Prime Minister, upon recommendation of the Minister, shall appoint from among the members a Chairperson and a Deputy Chairperson.

(3) The members of the Board shall include the following members:

(a) a registered teacher who has practised the profession of teacher for not less than eight years, appointed by the Minister, from among the officials of the Directorate for Quality and Standards in Education;

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(b) a member nominated by the Council for the Teaching Profession established by virtue of article 26 of the Act;

(c) a member nominated by that association of teachers having the majority of registered teachers as its members;

(d) a person nominated by the non-state Educational sector;

(e) a member nominated by the University of Malta from among the permanent academic staff of the Faculty of Education;

(f) a member nominated by the Malta College for Arts, Science and Technology;

(g) a member nominated by the Institute of Tourism Studies;

(h) a person representing civil society;

(i) a person representing industry;

(j) a maximum of six persons who, in the opinion of the Minister, possess leadership qualities, and have an understanding of education within the context of an open, democratic, fair, prosperous and inclusive society.

(4) A member of the Board may at any time be removed from office by the Prime Minister 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 or due to bad conduct.

(5) 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, upon recommendation of the Minister, may 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 reappointed.

(6) 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 act, does not invalidate the procedures of the Board, insofar as

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there is a quorum of not less than one-half of the number of members of the Board plus one.

(7) Subject to the provisions of this Order and of any regulations made under the Act, the Board shall generally regulate its own procedures.

(8) The Minister may make rules regarding the procedures to be adopted by the Board in the course of its operations.

Engagement and termination of engagement of employees of the Institute.

7. (1) The engagement and termination of the engagement of the employees of the Institute shall be a function of the Board which acts through the Chairperson after due consultation with the Chief Executive Officer.

(2) All employees previously performing duties with, and any other public officers currently deployed with, the Educational Directorates shall be regarded as employees of the Institute under the same terms and conditions prevailing at the date of coming into force of this Order.

(3) Subject to the provisions of the Act and to the directives of the Board, the executive and administrative affairs and the organisation of the Institute and the administrative control of its officers and its employees, shall fall within the responsibility of the Chief Executive Officer.

(4) The Chief Executive Officer shall also be responsible for the implementation of the function of the Institute and, without prejudice to the generality of the aforesaid, shall develop such strategies, policy and regulations required for the implementation of the purposes of the Institute, provide information and give advice to it on any matter and perform such other duties as may be assigned to him from time to time by the Institute.

(5) The Chief Executive Officer shall be appointed by the Institute, with the approval of the Minister, under such terms and conditions as the Institute may establish in agreement with the Minister.

(6) The Chief Executive Officer shall report to the Chairperson and to the Institute and shall attend the Institute's meetings whenever he is invited to do so.

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