

SUBSIDIARY LEGISLATION 451.01

**MALTA QUALIFICATIONS RECOGNITION
INFORMATION CENTRE AND THE MUTUAL
RECOGNITION OF QUALIFICATIONS APPEALS
BOARD REGULATIONS**

1st May, 2004

LEGAL NOTICE 196 of 2004.

1. (1) The title of these regulations is the Malta Qualifications Recognition Information Centre and the Mutual Recognition of Qualifications Appeals Board Regulations. Citation.

(2) The scope of these regulations is to establish the organisational and operational structure of the Malta Qualifications Recognition Information Centre and of the Mutual Recognition of Qualifications Appeals Board.

2. In these regulations, unless the context otherwise requires - Interpretation.
"the Act" means the Mutual Recognition of Qualifications Act; Cap. 451.

"Appeals Board" means the Mutual Recognition of Qualification Appeals Board established by article 7 of the Act;

"the Centre" means the Malta Qualifications Recognition Information Centre known as the Malta QRIC established by article 6(1) of the Act;

"Coordinator" means the Mutual Recognition Coordinator established by article 5 of the Act;

"the Council" means the Mutual Recognition of Qualifications Competent Authorities Council established by regulation 6;

"Designated Authorities Conference" means the Mutual Recognition of Qualifications Designated Authorities Conference established by regulation 7;

"desk officers" means the Malta QRIC desk officers responsible for liaising with identified countries and designated authorities established by these regulations.

Part I

**Organisational and operational structure of the Malta
Qualifications Recognition Information Centre**

3. The Centre shall be managed by the Director designated to be responsible for the Malta QRIC who shall be assisted in this task by the designated assistant director. Malta QRIC Chairman.

4. (1) There shall be established desk officers within the Malta QRIC. Desk officers.

(2) The functions of the desk officers shall be:

(a) to collect and disseminate information related to

academic and vocational qualifications;

(b) to liaise with the designated authorities;

(c) to support the assistant director in promoting and enhancing the service offered by the Centre.

Academic and
vocational
credentials
Evaluation Board.

5. (1) There shall be established within the Malta QRIC an Academic Credentials Evaluation Board and a Vocational Credentials Evaluation Board to perform duties in the comparative analysis and recognition of academic and, or vocational qualifications.

Functions.

(2) The functions of the Academic Credentials Evaluation Board and the Vocational Credentials Evaluation Board shall be:

(a) to assist the Director and the Assistant Director designated to be responsible for the Malta QRIC in the running of the Centre;

(b) to process requests reaching the Centre on matters related to the provision of information on qualifications and recognition;

(c) to provide an informed opinion in relation to the comparative analysis of academic and vocational qualifications;

(d) to provide information about educational institutions and the academic and, or vocational programmes offered by these institutions;

(e) to provide impartial information acquired through the international network to the Mutual Recognition of Qualifications Appeals Board as required.

Composition.

(3) The Academic Credentials Evaluation Board and the Vocational Credentials Evaluation Board shall be composed of:

(a) a chairperson, who shall be a full time official of the Education Division and serving as desk officer within the Malta QRIC, acquainted with matters related to academic and vocational qualifications and institutions awarding such qualifications; and

(i) in the case of the chairperson of the Academic Credentials Evaluation Board, he shall be an *ex officio* member of the Vocational Credentials Evaluation Board;

(ii) in the case of the chairperson of the Vocational Credentials Evaluation Board, he shall be an *ex officio* member of the Academic Credentials Evaluation Board;

(b) two members who shall be full time officials of the Education Division and serving as desk officers within the Malta QRIC acquainted with matters related to academic and vocational qualifications.

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| <p>6. (1) There shall be established a Council to be called the Mutual Recognition of Qualifications Council having such functions as set out in these regulations.</p> | <p>Mutual Recognition of Qualifications Competent Authorities Council.</p> |
| <p>(2) The objectives of the Council shall be:</p> <ul style="list-style-type: none"> (a) to co-ordinate the activities related to the recognition and evaluation of qualification of the various certificates awarding bodies; (b) to ensure the timely dissemination of information related to the issue of qualifications and the recognition of qualifications, received from the EU, UNESCO, Council of Europe or similar organisations; (c) to promote and facilitate, co-ordination in course structure, quality assurance and transparency of qualifications. | <p>Objectives of the Council.</p> |
| <p>(3) Without prejudice to the generality of the objectives set out in sub-regulation (2), the Council shall:</p> <ul style="list-style-type: none"> (a) perform such other functions as are or may be assigned to it by the Act or by regulations made thereunder; (b) do all things necessary and expedient in accordance with these regulations, to further the objectives of the Council; (c) assist the chairperson in establishing the criteria and policies on which to base the recognition, comparability and evaluation of academic and vocational qualifications; (d) support the promotion and the development of such instruments of transparency in qualifications and frameworks for course organisation, as may be developed and agreed upon by the European Union or identified as good practice in countries outside the European Union; (e) make recommendations to the Coordinator on any matter related to the implementation of the provisions of these regulations. | <p>Functions of the Council.</p> |
| <p>(4) The Council shall be composed as follows:</p> <ul style="list-style-type: none"> (a) a chairman who shall be the Director within the Malta QRIC; (b) a member appointed by the Senate of the University of Malta; (c) a member appointed by the Council of the Institutes of the Malta College of Art, Science and Technology; (d) a member appointed by the Malta Professional Vocational Qualifications Council; (e) a public officer within the Education Division responsible for issuing permits to non-state | <p>Composition of the Council.</p> |

	educational institutions to operate;
	(f) a representative of and appointed by the Institute of Tourism Studies;
	(g) the assistant director working within the Malta QRIC;
	(h) the chairpersons of the Academic Credentials, and Vocational Credentials Evaluation Boards respectively.
Responsibilities.	(5) Without prejudice to the generality of sub-regulations (2), (3) and (4), each Council member shall be: (a) the official contact person responsible for the passing on of all selected documents and information to the competent person or persons within the entity or body appointing them; (b) responsible for the implementation of related Ministerial policies, EU directives and any decisions and policies of the Council; (c) responsible for reporting progression for any related information, statistics or any other matter required by the Ministry, the National Coordinator and, or the Council.
Mutual Recognition of Qualifications Designated Authorities Conference.	7. (1) The Mutual Recognition Coordinator shall establish a Conference to be called the Mutual Recognition of Qualifications Designated Authorities Conference. The Conference shall meet once a year and shall have such functions as set out in these regulations.
Aims of Designated Authorities Conference.	(2) The aims of the Designated Authorities Conference shall be: (a) to facilitate and promote uniform application of the Act and regulations made hereunder; (b) to co-ordinate the activities of the designated authorities; (c) to ensure the timely dissemination of information on matters governed by the Act and regulations made hereunder.
Composition.	(3) The Designated Authorities Conference shall be composed as follows: (a) the chairperson who shall be the Mutual Recognition Coordinator; (b) the chairperson of the Malta QRIC; (c) the head of each one of the various designated authorities or his representative; (d) the desk officers of the Malta Qualification Recognition Information Centre; (e) a representative of the unions and a representative of the employers appointed through the Malta Council for

Economic and Social Development.

(4) Without prejudice to the generality of sub-regulation (2), individual Council members shall be: Responsibilities.

- (a) the official contact persons of the authority they represent;
- (b) persons responsible for the dissemination of all information;
- (c) persons responsible for the provision of any related information, statistics and any other matter required by the Ministry, the National Coordinator and, or the Designated Authorities Conference.

Part II

Mutual Recognition of Qualifications Appeals Board

8. (1) In accordance with and without prejudice to article 7 of the Act, the Minister responsible for education shall set up three divisions of the Mutual Recognition of Qualifications Appeals Board to deal with appeals regarding: Divisions of the Mutual Recognition of Qualifications Appeals Board.

- (a) recognition of higher education diplomas awarded on completion of Professional Education and Training of at least three years duration and governed by the Recognition of Professional Qualifications Regulations; S.L. 451.03
- (b) recognition of other post secondary level of education and training courses and long or short secondary level of education courses, possibly complemented by professional training or experience and governed by the Recognition of Professional Qualifications Regulations; S.L. 451.03
- (c) recognition of professional activities and governed by the Recognition of Professional Qualifications Regulations. S.L. 451.03

(2) Each division of the Board shall be composed of the members of the Board and another two persons, who are independent of the competent authorities awarding qualifications and the designated licence, permit or warrant issuing authority, appointed by the Prime Minister on the recommendation of the Minister responsible for education from among persons of known integrity who appear to him to be qualified by reasons of having had experience of and capacity in matters deemed appropriate for such purpose. Composition.

(3) The Board shall not act unless a quorum of three of its members including the chairman or his deputy is present. Quorum.

(4) The chairman of the Board or, in his absence a member of the board selected to deputise for the chairman shall have the powers to summon witnesses and to administer an oath to any witness and to require him to give evidence or to produce documents before it. Conduct of affairs of the Board.

(5) The Board shall reject any appeal which is not made in writing within the time specified in any provision.

(6) All persons summoned to attend and give evidence at any sitting of the Board shall be bound to obey the summons served on them; and any person refusing or omitting without sufficient cause to attend at the day, time and place mentioned in the summons served on him or to answer, to the best of his knowledge and belief, all questions put to him by the Board, or to produce documents required by the Board to be produced before it, shall be guilty of an offence against this Act:

Provided that no person giving evidence before the Board shall be compelled to incriminate himself and every such person shall, in respect of any evidence given by him before the Board, be entitled to all the privileges to which a person giving evidence before a court of law is entitled in respect of evidence given by him before such court.

(7) The Board may seek the help of the Malta QRIC and the network to which the Malta QRIC forms part for any information regarding qualifications issued in Malta or abroad.

(8) The decisions of the Board shall be final except with respect to points of law decided by the Board, from which an appeal shall be within ten days to the Court of Appeal (Inferior Jurisdiction); the judge shall have the right to decide *in camera* that such appeal is frivolous or vexatious following the closing of the stage of written submissions; such appeal shall also be regulated by Rules of Court made under article 29 of the Code of Organization and Civil Procedure.

(9) The Board shall, in January of each year submit a report of activities to the Minister and to the General Systems Directives Coordinator.