L.N. 215 of 2000

EMPLOYMENT AND TRAINING SERVICES ACT (CAP. 343)

Malta Professional and Vocational Qualifications Regulations, 2000

IN exercise of the powers conferred by article 41 of the Employment and Training Services Act, the Minister of Education, in consultation with the Employment and Training Corporation and the Minister for Social Policy, has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Malta Professional and Vocational Qualifications Regulations, 2000.

(2) These regulations shall come into force on such date as the Minister responsible for education may by notice in the gazette appoint, and different dates may be so appointed for different provisions or different purposes of these regulations.

Interpretation.

2. In these regulations, unless the context otherwise requires –

"Act" means the Employment and Training Services Act;

"Assessment Boards" means such Professional and Vocational Standards Assessment Boards as are mentioned in regulation 9 of these regulations;

"Corporation" means the Employment and Training Corporation established by article 5 of the Act;

"Council" means the Malta Professional and Vocational Qualifications Awards Council, established by regulation 3 of these regulations;

"Development Boards" means such Professional and Vocational Standards Development Boards as are mentioned in regulation 8 of these regulations;

"training agency" means any person, institution or body corporate that provides services of a training or educational nature that lead to the attainment of professional or vocational qualifications as provided by these regulations.

Malta Professional and Vocational Qualifications Awards Council.

3. (1) There shall be established a Council to be called the Malta Professional and Vocational Qualifications Awards Council having such functions as set out in these regulations.

(2) The Council shall consist of eleven members appointed by the Minister responsible for education in consultation with the Minister responsible for employment and shall be composed as follows:

(a) a chairperson with the relevant experience;

(b) a person to represent the Corporation who shall act as deputy chairperson;

(c) an officer from the Education Division;

(d) a person to represent the Malta College of Arts, Science and Technology;

(e) a person to represent the University of Malta;

(f) two persons who in the opinion of the Minister responsible for education adequately represent vocational education and training institutions or professional bodies;

(g) two persons representing employers;

(h) two persons representing trades union.

(3) The members shall be appointed for a period not exceeding three years and each member may be eligible for re-appointment.

(4) The Council shall meet as often as may be necessary or expedient. The quorum of the Council shall be four members including the chairperson.

(5) In the absence of consensus, decisions of the Council shall be taken by a majority of votes of the members present and voting; and in the case of an equality of votes the chairperson, or in his absence the deputy chairperson, shall exercise a casting vote.

(6) Any vacancy among the members of the Council shall not invalidate the proceedings of the same Council.

4. The objectives of the Council shall be: Objectives of the Council.

(a) to establish and maintain a framework for the development, recognition and award of professional and vocational qualifications based on standards of knowledge, skill or competence to be acquired by learners;

(b) to promote and facilitate life-long learning access, transfer and progression;

(c) to foster the recognition abroad of professional and vocational certificates awarded in Malta under these regulations.

5. (1) The functions of the Council shall be to do all things necessary or expedient in accordance with these regulations to further the objectives of the Council. Functions of the Council.

(2) Without prejudice to the generality of subregulation (1) of this regulation, the Council shall:

(a) establish the policies and criteria on which the framework of qualifications shall be based;

(b) approve and publish national standards of knowledge and skills competence;

(c) determine and publish the procedure to be implemented by training agencies offering programmes of education and training for access, transfer and progression;

(d) ensure that such standards and procedures as are referred to in these regulations are being implemented;

(e) accredit vocational education and training programmes delivered by training agencies;

(f) endorse certificates awarded by training agencies;

(g) keep and issue official records of certificates awarded;

(h) promote the National Professional and Vocational Qualifications System;

(i) regulate the procedure of the Boards established by it;

(j) perform such other functions as the Minister responsible for education in consultation with the Minister responsible for employment may advise from time to time.

(3) In the exercise of its functions the Council shall ensure full and proper consultation with the authorities responsible for professional and vocational education and training.

(4) The publication of standards and procedures referred to in this regulation shall be in such form and manner as the Council deems fit.

(5) In the exercise of its functions as well as in the implementation of the relevant standards and procedures, the Council shall ensure adequate transparency, consistency and fairness.

Secretariat of the Council.

6. (1) There shall be established within the Corporation a Secretariat to service the Council.

(2) The functions of the Secretariat shall be -

(a) to co-ordinate the work of the Development Boards;

(b) to co-ordinate the work of the Assessment Boards;

(c) to maintain a database of national standards of professional and vocational competencies at specific levels;

(d) to maintain a national database of persons who have been awarded National Professional and Vocational Qualifications;

(e) to provide general administrative and secretariat services to the Council.

Executive Secretary.

7. (1) The Head of the Secretariat shall be the Executive Secretary who shall be an officer nominated for such purpose by the Chairperson of the Corporation and appointed by the Council.

(2) The Executive Secretary shall ex officio be the Secretary of the Council.

(3) The Executive Secretary shall have the duty and the right to attend and be heard at all meetings of the Council but shall not have a right to vote.

8. (1) There shall be established by the Council a number of Professional and Vocational Standards Development Boards as may be required. Professional and Vocational Standards Development Boards.

(2) Members of the Development Boards shall be appointed for a period of two years and each member may be eligible for re-appointment.

(3) The functions of the Development Boards shall be: Functions.

(a) to develop professional and vocational standards of competence structured on a series of progressive knowledge, skills and attitude competencies;

(b) to review such standards of competence regularly so as to reflect scientific and technological developments and labour market relevance;

(c) to organise regular consultative sessions with interested social partners with the aim of ensuring relevance;

(d) to submit such standards of competence for approval by the Council;

(e) to liase with the Assessment Boards.

(4) The Development Boards shall each be responsible for particular areas of competence and shall be composed of: Composition.

(a) a chairperson having knowledge of the competence requirements of jobs;

(b) two persons with relevant qualifications and experience from leading teaching and, or training institutions;

(c) two persons representing industrial or commercial establishments, professional bodies or other entities who are competent in the area of competence to be developed.

9. (1) There shall be established by the Council a number of Professional and Vocational Standards Assessment Boards as may be required. Professional and Vocational Standards Assessment Boards.

(2) The functions of the Assessment Boards shall be: Functions.

(a) to design assessment procedures appropriate to the particular areas of competence;

(b) to conduct assessments to ensure the attainment of standards of professional and vocational competence;

(c) to ensure rigorous and consistent assessment;

(d) to submit a detailed report after every assessment session to the Council.

Composition.

(3) The Assessment Boards shall be composed of:

(a) a chairperson having knowledge of the competence required of the job;

(b) one person with relevant qualifications and experience from leading teaching and, or training institutions;

(c) one person representing industrial or commercial establishments, professional bodies or other entities and who are knowledgeable in the competence being assessed.

(4) Members of the Assessment Boards shall be appointed for a period of two years and each member may be eligible for re-appointment.

Awarding bodies.

10. (1) The National Professional and Vocational Qualifications Certificates shall be endorsed by the Council and issued by the training agencies to those persons enrolled with them. In all other cases the certificates shall be issued by the Corporation and endorsed by the Council.

(2) In all cases mentioned in subregulation (1) hereof certificates shall be issued following successful assessment by either the appropriate Assessment Board or by the training agency delivering training programmes accredited by the Council.

Competence levels.

11. The Malta Professional and Vocational Qualifications shall be classified in five levels of competence as indicated in the Schedule to these regulations, describing the skills and knowledge needed to be able to perform work at a specific level effectively. The Council shall be guided by these levels in classifying national standards of knowledge and skills competence for each occupational area.

12. These regulations shall not apply to those occupations the exercise of which requires the granting of a warrant or of a certificate, or a registration in accordance with any other law. Non-applicability of these regulations.

13. The National Occupational Qualifications Regulations, 1997 are hereby repealed. Repeals L.N. 117 of 1997.

SCHEDULE

(Regulation 11)

Competence Levels

Level 1

The holder of a qualification at this level will be able to perform relatively simple work requiring skills that are fairly quickly acquired in an out-of-school training programme.

Level 2

The holder of a qualification at this level will be able to engage in a specific activity with the capacity to use the instruments and techniques relating thereto without guidance.

Level 3

The holder of a qualification at this level will be able to participate in technical work which can be performed independently and, or which entails executive and co-ordination duties.

Level 4

The holder of a qualification at this level will be able to work generally in an autonomous or in an independent way to assume, design and, or manage and, or shoulder administrative responsibilities. The holder is not generally required to master the scientific bases of the various areas concerned.

Level 5

The holder of a qualification at this level will be able to perform an autonomously pursued vocational activity as an employer or as a self-employed person, entailing a mastery of the scientific bases of the occupation.