VERŻJONI ELETTRONIKA

L.N. 505 of 2011

EDUCATION ACT
(CAP. 327)

European Union Programmes Agency (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 135 of the Education Act, the Minister of Education, Employment and the Family, has made the following regulations:

1. The title of these regulations is the European Union Programmes Agency (Amendment) Regulations, 2011, and they shall be read and construed as one with the European Union Programmes Agency Regulations, 2007, hereinafter referred to as the "principal regulations". Title. L.N. 128 of 2007.

2. In regulation 2 of the principal regulations, immediately after the definition "National Agency" there shall be added the following new definition: Amends regulation 2 of the principal regulations.

"National Authority" means the office within the Office of the Prime Minister designated as such in accordance with EU regulations to monitor the National Agency at national level in the implementation of programmes in the framework of the European Commission Directorate General for Education and Culture Programmes for lifelong learning and youth in action".

3. In regulation 7 of the principal regulations, for the words "its activities are consonant with the educational policies and strategies of the Ministry responsible for education" there shall be substituted the words "its activities are consonant with the educational policies and strategies of the Ministry responsible for education and, where applicable, with the Operational Handbooks issued by the European Commission and supervised by the National Authority". Amends regulation 7 of the principal regulations.

4. For sub-regulation (4) of regulation 8 of the principal regulations, there shall be substituted the following: Amends regulation 8 of the principal regulations.

"(4) The National Agency may be entrusted by the Minister, in consultation with the National Authority, with other European Commission initiatives and measures;".

Amends regulation 9 of the principal regulations.

5. In paragraph (l) of sub-regulation (1) of Regulation 9 of the principal regulations, for the words "European Commission." there shall be substituted the words "European Commission and the National Authority;" and immediately thereafter there shall be added the following new paragraphs:

"(m) ensure the setting up of an internal audit function to strengthen the management of the Programmes and ensure the smooth running of the Agency, in line with EU and national rules; and

(n) ensure full co-operation with the National Authority and, where applicable, its engaged external auditors and implement relevant recommendations as instructed by the National Authority.".

Amends regulation 11 of the principal regulations.

6. In regulation 11 of the principal regulations, for the words "the Minister as the National Authority" there shall be substituted the words, "the Minister and the National Authority".

Amends regulation 12 of the principal regulations.

7. Regulation 12 of the principal regulations shall be amended as follows:

(a) for sub-regulation (1) thereof there shall be substituted the following:

"(1) The National Agency is generally accountable to the Minister, the National Authority and to the European Commission.";

(b) in sub-regulation (2) thereof, for the words "The Minister shall also have the right to issue written directives on any matter, and to assign specific tasks, to the National Agency" there shall be substituted the words "The Minister, and where applicable, the National Authority, shall also have the right to issue written directives on any matter, and to assign specific tasks to the National Agency"; and

(c) for sub-regulation (4) thereof, there shall be substituted the following:

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"(4) The National Coordinator shall provide the European Commission, the Minister and the National Authority and, where applicable, its engaged external auditors with all the information and documentation that may be requested in connection with the affairs of the National Agency.".

Amends regulation 13 of the principal regulations.

8. Regulation 13 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the words "Whenever requested, the National Agency shall submit to the European Commission the necessary work plans.", there shall be substituted the words "Whenever requested, the National Agency shall submit to the European Commission and the National Authority the necessary work plans.";

(b) for sub-regulation (2) thereof, there shall be substituted the following:

"(2) The National Coordinator shall ensure that the Agency has a strong internal audit function. The National Agency shall ensure the proper keeping of management accounts and other records concerning its operation and transactions, and shall ensure that a relative statement of accounts is prepared when requested and submitted to the Minister, the Minister responsible for finance, the National Authority and, where applicable, its engaged external auditors and the European Commission, without delay.";

(c) in sub-regulation (3) thereof, for the words, "The audited accounts shall be presented to the European Commission, the Minister, the Minister responsible for finance and the Auditor General." there shall be substituted the words "The audited accounts shall be presented to the European Commission, the Minister, the Minister responsible for finance, the National Authority and, where applicable, its engaged external auditors and the Auditor General.";

(d) in sub-regulation (4) thereof, for the words "to the Minister and to the European Commission" there shall be substituted the words "to the Minister, the National Authority and to the European Commission"; and

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(e) in sub-regulation (5) thereof, for the words "on the request of the Minister or the Minister responsible for finance, submit management reports and accounts as requested" there shall be substituted the words "on the request of the Minister or the Minister responsible for finance or the National Authority, submit management reports and accounts as requested".

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