VERŻJONI ELETTRONIKA

L.N. 308 of 2016

EDUCATION ACT
(CAP. 327)

Students Maintenance Grants Regulations, 2016

IN exercise of the powers conferred by article 126(3) of the Education Act, the Minister for Education and Employment, with the concurrence of the Minister for Finance, has made the following regulations:-

Citation.

1. The title of these regulations is the Students Maintenance Grants Regulations, 2016.

Interpretation.

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

"the Board" means the Students' Maintenance Grants Board set up in terms of Part III;

"educational institutions" means the institutions referred to in Parts I and II of the Schedule;

"educational level" means the Malta Qualification Framework level as determined by the National Commission for Further and Higher Education or any other authorised body;

"further and higher education" means courses followed in post secondary, vocational and tertiary institutions including apprenticeship courses;

"maintenance grants" means the financial benefits rewarded to full-time post secondary, vocational and tertiary students including students following an apprenticeship course, as outlined in the Schedule;

"the Minister" means the Minister responsible for Education.

Applicability.

3. (1) Save as provided hereunder, these regulations shall apply to full-time post secondary, vocational and tertiary courses including apprenticeship courses.

(2) Full-time students who follow a course of further and, or higher education in accordance with these regulations after finishing their obligatory secondary education and who progress in their level of studies in any educational institution shall be entitled to receive the students' maintenance grants as provided hereunder, provided that

VERŻJONI ELETTRONIKA

they apply annually for the students' maintenance grants and are considered to be eligible in accordance with these regulations.

Part I - Eligibility for the Students' Maintenance Grants by students following a higher educational course

Eligibility for the students' maintenance grants by students following a higher educational course.

4. The students' maintenance grants shall be awarded to full-time students who are registered and accepted to follow a full-time course as regular students for a day course in higher education institutions as approved by the Minister, after application on a yearly basis and acceptance, and comprising students admitted through the maturity clause in accordance with educational institutions' regulations, and who:

(a) are Maltese citizens, or have at least one parent being a Maltese citizen; or are nationals of a European Union and, or European Economic Area State or a family member of such European Union and, or European Economic Area national (as defined in the Free Movement of European Union Nationals and their Family Members Order and in the Immigration Regulations, respectively for a European Union and European Economic Area nationals) (provided that such person has obtained permanent residence in Malta in accordance with the Free Movement of European Union Nationals and their Family Members Order and with the Immigration Regulations respectively for European Union and European Economic Area nationals); or be a national of a European Union and, or European Economic Area State who is in Malta exercising his Treaty rights as a worker, self-employed person or person retaining such status in accordance with the Free Movement of European Union Nationals and their Family Members Order; or be a third country national that has been granted refugee and, or long term residence status under the Status of Long-term Residents (Third Country Nationals) Regulations; and

S.L. 460.17
S.L. 217.04
S.L. 217.05

(b) have resided in Malta for a period of not less than five consecutive years immediately prior to the commencement of the relative course of studies:

Provided that for the sole purpose of calculating the five consecutive years requirement under these regulations, any period of time during which the student would have been residing outside Malta due to medical treatment or any other purpose that the Board may consider acceptable shall not be considered as residing outside Malta; and

(c) have completed their term of compulsory education;

VERŻJONI ELETTRONIKA

and

(d) are attending the higher education course regularly and making satisfactory progress; and

(e) are not in full-time employment or in part-time employment working more than twenty hours weekly; and

(f) are progressing in their level of studies.

Progression of level of studies shall be determined according to the Malta Qualification Framework levels as established by the National Commission for Further and Higher Education or any other competent body.

Rates of students' maintenance grants for higher educational courses.

5. (1) Students who qualify and continue to be eligible for the students' maintenance grants under these regulations shall be rewarded the maintenance grant as prescribed in Part I of the Schedule. The yearly grant and the one time grant for degree courses shall be remunerated at the beginning of the scholastic year. There shall also be ten four weekly consecutive pays for each academic year which includes the Christmas and Easter recesses but excludes the Summer recess.

(2) Where the structure of a particular course so warrants, such as in the case of students following an apprenticeship course, the Board may approve the payment of the four weekly students' maintenance grant during the Summer recess.

Supplementary grant.

6. (1) Students who qualify for the students' maintenance grants under regulation 4 and who, due to proven hardship and, or humanitarian situations, are deemed by the Board to qualify for the supplementary maintenance grant, shall receive an additional grant to the four weekly stipend in accordance with the rates indicated in Part I of the Schedule.

(2) The Board shall determine the eligibility of the application for the supplementary maintenance grants by means testing, on an academic yearly basis. Due consideration shall also be given to the number of persons in the same household who are still pursuing their education.

(3) The Board shall have the right to waive the means testing in the case of students with physical and, or intellectual disability after ascertaining the level of disability through documentation issued by authorised bodies.

(4) The Board shall also administer the contingency fund,

VERŻJONI ELETTRONIKA

made available by the Minister for Finance, for the consideration of applications for assistance by students facing extraordinary circumstances.

Prescribed courses.

7. The Minister may, in concurrence with the Minister for Finance, determine those courses at Higher Education as prescribed courses and for which a special rate of students' maintenance grant is to be paid as indicated in the Schedule.

High priority courses.

8. The Minister may, in concurrence with the Minister for Finance, determine which courses at higher education level are to be regarded as high priority courses and for which a special rate of students' maintenance grant is to be paid as indicated in the Schedule.

Single parents in receipt of social assistance. Cap. 318.

9. A student who qualifies for the students' maintenance grants under regulation 4 and is a single parent in receipt of social assistance in accordance with the Social Security Act shall be also eligible for a grant in accordance with the rates established in Part IV of the Schedule.

Part II - General Provisions for Eligibility for the Students' Maintenance Grants and the forfeiture including reimbursement thereof

Employment.

10. Students who are in full-time employment or part-time employment of more than twenty hours a week or on paid leave by their respective employer, or who accept an offer to enter into a contract with an employer whereby they bind themselves to work for that employer following the completion of their course, and who would therefore benefit from a pay or an agreed remuneration whilst following the course of studies, will not be considered eligible for the students' maintenance grants.

Repeaters and, or students pursuing an additional year.

11. (1) Students who are required to repeat one year of the course of studies they are following or who are accepted by the relative educational institution to pursue an additional year in which they are required to attend for the course of studies regularly, are to receive during the year they repeat or the additional year, the four weekly stipend or part thereof in accordance with categories established by the Board according to the hours of attendance:

Provided that students who repeat a year of their chosen course of studies or pursue an additional year may still apply for the supplementary grant:

Provided further that students who repeat a year of their chosen course of studies or pursue an additional year shall not be eligible for the annual grant.

VERŻJONI ELETTRONIKA

(2) Students following a revision course at any post-secondary educational institution shall be considered as repeaters for the purpose of these regulations.

Forfeiture of the students' maintenance grants and refunds.

12. (1) Students whose progression in their course of studies, as assessed through periodical assessment procedures established by the relative educational institution, is deemed to be unsatisfactory, or who are not attending their course regularly, shall forfeit the right to receive the students' maintenance grants or part thereof until such time the relative educational institution certifies that the students have starting attending regularly and resumed satisfactory progress.

(2) Students who resign, fail or do not abide by the course regulations shall be obliged to refund the initial yearly grant received for that course of studies and the one time grant received for degree courses if it be the case, or part thereof, in accordance with determined criteria established by the Board. Students who abandon the course without officially resigning shall be bound to reimburse to the Government of Malta all of the initial yearly grant, the one time grant received for that course of studies in case of degree courses and all the four weekly payments, unless it is proved to the satisfaction of the Board that the student had discontinued to attend the course of studies at a determined date.

(3) Students who receive any amount which was not due to them as students' maintenance grants shall be bound to repay the Government of Malta that amount as may be determined by the respective authorities:

Provided that the Board shall have the right to withhold any future maintenance grants for students who have pending established overpayments and who have not sought an agreement regarding reimbursement of overpayments with the Department of Education.

(4) Any action to be taken under this regulation shall be barred by a prescriptive period of five years.

Students pursuing a second or subsequent course.

13. Students pursuing a second or subsequent course at a lower recognised level or after having completed or partially followed another course of studies at the same level shall not be entitled to receive the students' maintenance grants for that period of time that is equivalent to the period spent in the previous course of studies, if for that previous course of studies they were in receipt of the students' maintenance grants. These students shall during their second or subsequent course only be entitled to the students' maintenance

VERŻJONI ELETTRONIKA

grants for the remaining period of time after termination of the period of the previous course or for the difference in the amount of students' maintenance grants if, for the second or subsequent course, the amount of students' maintenance grants due is higher:

Provided that the following instances shall not be deemed to fall within the ambit of this regulation, namely:

(a) a one time shift for every student from one educational course to another at the same level if the educational courses are categorised up to level four;

(b) progression for a course of a recognized higher level than that previously completed or partially followed;

(c) a course progressing from a degree to a postgraduate course required as a pre-requisite for the purpose of obtaining a warrant to practise a profession;

(d) students who pursue the Doctor of Medicine course after having completed or partially followed a degree course in a health care area of studies as determined by the Board;

(e) a second course of studies including, as part of it, a preparatory unrated course if the second course is of a higher recognized level than that previously followed or completed:

Provided that students pursuing a second course, determined as a vocational course, at the Malta College of Arts, Science and Technology and which course is classified up to Level 4, after having completed or partially completed another course at that same level or higher at any other education institution, and thus going down the level, will be considered eligible for the initial grant only:

Provided further that the Minister may, after recommendation by the Board, order the remuneration of the students' maintenance grants to a student who is, according to these regulations, not eligible to receive the students' maintenance grants due to special exceptional circumstances.

Part III - Establishment of the Students' Maintenance Grants Board.

Establishment of Students' Maintenance Grants Board.

14. There shall be a Students' Maintenance Grants Board which shall manage the allocation of the students' maintenance grants and to advise the Minister on policy issues related to these grants.

Composition of the Board.

15. (1) The Board shall be appointed by the Minister for a duration of one year, which may be further extended, and shall be

VERŻJONI ELETTRONIKA

composed of:

(a) a Chairperson;

(b) a member nominated by the Minister;

(c) a member nominated by the Minister for Finance;

(d) a member nominated by the Employment and Training Corporation;

(e) a member nominated by the Rector of the University of Malta;

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

(g) a member nominated by the Kunsill Studenti Universitarji; and

(h) a member nominated by the Kunsill Studenti MCAST.

(2) The Minister shall also appoint a person to act as Secretary to the Board and shall ensure the necessary levels of administrative personnel that will enable the Board to fulfil its duties effectively and efficiently.

Functions of the Board.

16. The functions of the Board shall be to:

(a) manage and monitor the effective allocation and payment of students' maintenance grants;

(b) formulate and regularly review procedures regarding the assessment, allocation, payment and entitlements for the receipt of maintenance grants;

(c) establish the criteria and assess, decide and review applications for the supplementary maintenance grants;

(d) establish the criteria and assess, decide and review applications under any other scheme as may be assigned by the Minister from time to time;

(e) consider reports received from the competent educational authorities regarding the students' academic progress and apply sanctions when the minimum requirements are not achieved;

VERŻJONI ELETTRONIKA

(f) oversee the management and payments of the students' maintenance grants and take all necessary actions to recover any overpaid grants;

(g) plan and implement in a cost effective manner any students' work experience scheme that the Minister may, from time to time, decide to provide;

(h) recommend changes to the national policy on further and higher education financial support.

Revocation.

17. The Students Maintenance Grants Regulations, 2005, published as Legal Notice 372 of 2005 and the Educational Grants for Single Parent Regulations, 2014, published as Legal Notice 448 of 2014, are hereby revoked without prejudice to anything done or omitted to be done thereunder.

SCHEDULE

Part I - Students in Post-Secondary and Vocational Education Training Courses

1. A fixed rate of €86.85 per four weeks payable between the 1st October and the 30th June of the scholastic/academic year is deemed as the normal stipend:

Provided that stipend rates are revised every calendar year according to the COLA increase.

2. In the case of students attending courses at the Malta College of Arts, Science and Technology, a fixed rate of €86.85 per four weeks is payable between the 1st October and the 30th June.

3. €232.94 are made available every year to partly cover expenses related to educational material and equipment.

4. An additional supplementary maintenance grant of €74.50 every four weeks shall be paid in terms of regulation 6:

Provided that students who progress to a top-up degree course at the Malta College of Arts, Science and Technology will have €465.87 made available every year in which they follow a top-up degree course, instead of €232.94, to partly cover expenses related to educational material and equipment and a one time grant of €465.87.

For the purpose of this Part of the Schedule, the approved Post-

VERŻJONI ELETTRONIKA

Secondary, Vocational Education & Training Institutions are the following:

De La Salle College (Sixth form)

Giovanni Curmi Higher Secondary School

Junior College, University of Malta

St Aloysius College (Sixth Form)

Malta College of Arts, Science & Technology

Mikiel Ang Refalo Upper Lyceum Gozo

Verdala International School

St. Martin's College, Swatar

St. Edward's College, Cottonera

Seminarju Maġġuri, Gozo

Malta Youth Ballet Foundation ("Diploma in Professional Dance")

ETC Job Bridge

GEM 16+ Educational Programme

Aġenzija Żgħażagħ:

Provided that students attending the ETC Job Bridge shall be automatically eligible for the normal stipend and the supplementary grant but shall not be eligible for the one time grant for the time established by the ETC as approved by the Board.

Part II - Students in University of Malta Courses

A. General Degree Courses

1. Except for students following prescribed courses listed hereunder, a fixed rate of €86.85 as normal stipend every four weeks payable between the 1st October and the 30th of June.

2. A sum of €465.87 per academic year to partly cover expenses related to educational material and equipment.

3. A one-time grant of €465.87.

VERŻJONI ELETTRONIKA

B. Certificate and Diploma Courses

Students who, under the terms of these regulations, are following a full-time day certificate or diploma course at the University of Malta, qualify for the following maintenance grant for the duration of the course of their studies:

1. A fixed rate of €86.85 every four weeks between the 1st October and the 30th of June as normal stipend.

2. A sum of €465.87 per academic year to partly cover expenses related to educational material and equipment.

C. Supplementary Maintenance Grant

University students who become entitled to a supplementary maintenance grant in terms of regulation 6 shall be paid the following, instead of the amounts provided for in Sections A and B of this Part:

(a) students attending general degree, diploma and certificate courses:

(i) €291.62 every four weeks;

(ii) €582.34 per annum;

(iii) a one-time grant of €582.34;

(b) students attending prescribed courses:

(i) €291.62 every four weeks;

(ii) €698.81 per annum;

(iii) a one-time grant of €698.81.

Part III - Prescribed Degree Courses

Students who, under the terms established in these regulations, are following a full-time day undergraduate degree course at the University of Malta or at MCAST as prescribed shall qualify for the following maintenance grant for the duration of the course of their studies:

1. A fixed rate of €151.99 every four weeks payable from the commencement till the end of the academic year is deemed as the normal stipend.

VERŻJONI ELETTRONIKA

2. A sum of €698.81 per academic year to partly cover expenses related to educational material and equipment.

3. A one-time grant of €698.81.

The prescribed courses are those published by the Board on a yearly basis.

Part IV - Single Parents in receipt of Social Assistance

Course leading to qualification leading to accreditation level	Maximum Amount of Grant Payable in Euro
3	200
4	350
5	500
6	700
7	900
8	1,000

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