

L.N. 325 of 2016**EDUCATION ACT
(CAP. 327)****Institute for the Public Services (Establishment) Order, 2016**

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

Citation. **1.** The title of this Order is the Institute for the Public Services (Establishment) Order, 2016.

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

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

"Academic Administration" shall be construed to include, *inter alia* -

(a) developing and overseeing the delivery of programmes as approved by the relevant institution;

(b) examination of the effectiveness of support services;

(c) making recommendations on the use of existing resources and the need for new resources;

(d) implementing improvements to the programmes arising from any quality assurance process;

(e) keeping the content of programmes continuously under review in light of developments in the different fields of study and the requirements of the Institute;

(f) appointing Boards of Examiners (including external examiners where appropriate) in accordance with established procedures at each institution;

(g) the production of periodic programme reports as required by the relevant institution;

"the Board" means the Board of the Institute for the Public Services;

"the Head" means the Senior Officer who shall implement the

directives of the Board of the Institute;

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

"Principal Permanent Secretary" shall have the same meaning as that in the Public Administration Act.

Cap. 497.

3. There shall be an Institute, to be known as the Institute for the Public Services, which shall be autonomous and which shall generate the study, both theory and practice, of public administration and management as well as undertake research thereto.

Establishment of the Institute.

4. Without prejudice to the provisions of article 7(3), 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, subject to article 5(3), 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 the duties of the Institute shall be to:

Functions and the duties of the Institute.

(a) facilitate cooperation between the Public Administration, the University of Malta and the Malta College for Arts, Science and Technology in order to provide direction and strategic vision towards the delivery of academic and vocational training that addresses specific needs as identified by the Public Service;

(b) liaise with the Public Service Division responsible for human resources strategy and to provide support and guidance on academic knowledge, training and development as required for public officers;

(c) spearhead the design and content of academic, vocational and development training courses;

(d) enter into collaborative agreements with other reputable educational institutions;

(e) organise public lectures and conferences;

(f) ensure that the evaluation and assessment of training provided by external training service providers meets the criteria and standards required;

(g) act as the research arm of the Office of the Prime Minister, as well as to guide and direct research on Public Administration issues, with particular reference to those areas

that are relevant to training and development needs, strategic human resources, leadership and good governance, and this for the purpose of the continuous improvement of the Public Service at large;

(h) publish reports, books, paper and journals as it may deem fit;

(i) administer a resource centre which includes a public policy library;

(j) facilitate for public administration employees access to Library resources at the University of Malta and the Malta College for Arts Science and Technology;

(k) contribute to good governance through the fostering of beneficial relationships between academia and government, for the benefit of maintaining standards within the Public Administration.

(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 representation of the Institute shall be vested in the Chairperson and Co-Chairperson of the Board jointly.

Board.

6. (1) The Institute shall be governed by a Board composed of nine (9) members to be appointed in accordance with sub-article (2) for a period of three years and the members shall be eligible to be re-appointed after their term of office expires.

(2) The members of the Board shall consist of the following:

(a) the Principal Permanent Secretary who shall be *ex officio* Chairperson of the Board or his delegate;

(b) a member nominated by the Rector of the University of Malta who shall be *ex officio* co-Chairperson of the Board;

(c) a member nominated by the Board of Governors of the Malta College for Arts, Science and Technology who shall be the Vice-Chairperson of the Board;

(d) two members nominated by the Principal Permanent Secretary;

(e) a member nominated by the University of Malta from amongst experts in Public Administration and Policy;

(f) a member nominated by the Rector from amongst the members of the Faculty of Economics, Management and Accountancy of the University of Malta;

(g) two members nominated by the Chairperson in consultation with co-Chairperson and vice Chairperson from amongst experts in management and people relations from the private sector.

(3) The Principal Permanent Secretary shall appoint a secretary to the Board. The secretary so appointed shall not have the right to vote.

(4) The Board may invite experts in specific technical disciplines to help address particular issues. These invited persons shall not form part of the Board and shall not have the right to vote.

(5) A member of the Board may at any time be removed from office by seven (7) members out of all the nine (9) Board members voting in favour of such removal 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.

(6) A member of the Board may resign from his office through a letter addressed to the Prime Minister and notified to the Chairperson of the Board. If any member tenders his resignation or is removed from his office in accordance with the preceding provision or should the office of any member of the Board become in any manner vacant, the entity/person responsible for appointing the member to be substituted in conformity with sub-article (2) 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.

(7) The quorum for meetings of the Board shall be six (6) members out of the nine (9) members of the Board.

(8) 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 there is a quorum.

Cap. 327. (9) Subject to the provisions of this Order and of any regulations made under the Education Act, the Board shall generally regulate its own procedures.

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 after due consultation with the Head.

(2) All employees previously performing duties with, and any other public officers currently deployed within, the Civil Service 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) The responsibility for the provision of Academic Administration by the University of Malta and, or the Malta College for Arts, Science and Technology shall reside with the respective institution, which provision shall be in response to a direction by the Institute.

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

(5) The Head shall also be responsible for the implementation of the functions of the Institute and to perform such other duties as may be assigned to him from time to time by the Board of the Institute.

(6) The Head shall be appointed by the Prime Minister in consultation with the Chairperson of the Board of the Institute.

(7) The Head shall be answerable to the Chairperson and shall attend the meetings of the Board of the Institute whenever he is invited to do so.

