Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 21,089, 21 ta' Lulju, 2023
Taqsima A

MALTA

ATT Nru XXXII tal-2023

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT biex jipprovdi, minflok it-Taqsima VIII tal-Att dwar l-Edukazzjoni (Kap. 327), għat-twaqqif, funzjonijiet u għanijiet tal-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija, li jistabbilixxi l-korpi regolatorji u l-uffiċjali prinċipali tiegħu, il-funzjonijiet, l-għamla u s-setgħat ta' tali korpi regolatorji, biex jipprovdi għad-dispożizzjonijiet finanzjarji relatati mal-Kulleġġ, kif ukoll sabiex jipprovdi għal ħwejjeġ oħra li huma konnessi miegħu jew anċillari għalih.

ACT No. XXXII of 2023

AN ACT enacted by the Parliament of Malta.

AN ACT to provide, *in lieu* of Part VIII of the Education Act (Cap. 327), for the establishment, functions and purpose of the Malta College of Arts, Science and Technology, establishing governing bodies and principal officers thereof, the functions, composition and powers of such governing bodies, providing for financial provisions relating to the College, as well as providing for other matters connected therewith or ancillary thereto.

VERŻJONI ELETTRONIKA

Nagħti l-kunsens tiegħi.

(L.S.) **GEORGE VELLA**
President

21 ta' Lulju, 2023

ATT Nru XXXII tal-2023

ATT biex jipprovdi, minflok it-Taqsima VIII tal-Att dwar l-Edukazzjoni (Kap. 327), għat-twaqqif, funzjonijiet u għanijiet tal-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija, li jistabbilixxi l-korpi regolatorji u l-uffiċjali prinċipali tiegħu, il-funzjonijiet, l-għamla u s-setgħat ta' tali korpi regolatorji, biex jipprovdi għad-dispożizzjonijiet finanzjarji relatati mal-Kulleġġ, kif ukoll sabiex jipprovdi għal ħwejjeġ oħra li huma konnessi miegħu jew anċillari għalih.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħareġ b'liġi dan li ġej:-

ARRANĠAMENT TAL-ATT

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Taqsima I	Preliminari	1 - 2
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TAQSIMA I
Preliminari

Titolu fil-qosor u bidu fis-seħħ.

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2023 dwar il-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija.

(2) Dan l-Att għandu jidħol fis-seħħ f'dik id-data li l-Ministru responsabbli għall-edukazzjoni jista' jistabbilixxi b'avviż fil-Gazzetta, u jistgħu jiġu hekk stabbiliti dati differenti għal dispożizzjonijiet differenti jew għal għanijiet differenti ta' dan l-Att.

Tifsir.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra:

"affarijiet amministrattivi" tfisser ħwejjeġ li għandhom x'jaqsmu mat-tmexxija ta' kuljum tal-Kulleġġ;

"apprendistat" tfisser perjodi li jalternaw ta' taħriġ sistematiku u ta' tul ta' żmien fuq il-post tax-xogħol u f'istituzzjoni edukattiva, jew fis-settur tal-volontarjat jew ċentru ta' taħriġ. L-apprendist hu marbut permezz ta' kuntratt ma' min iħaddem u jirċievi rimunerazzjoni (paga jew allowance). Min iħaddem jassumi r-responsabbiltà li jipprovdi lil min jitħarreġ b'taħriġ li jwassal għal xogħol okkupazzjonali speċifiku;

"Bord tal-Gvernaturi" tfisser il-Bord tal-Gvernaturi stabbilit bl-artikolu 9;

"Deputat Prinċipal" tfisser il-persuna jew persuni magħżula mill-Prinċipal biex tappoġġja l-kariga tiegħu f'oqsma jew setturi speċifiċi tal-Kulleġġ;

"entità tal-Gvern" għandu jkollha l-istess tifsira kif mogħtija lilha fl-Att dwar l-Amministrazzjoni Pubblika; Kap. 595.

"funzjoni" tfisser kull responsabbiltà, setgħa, obbligu u dmir;

"ġenitur" tfisser il-missier jew l-omm u tinkludi kull persuna li jkollha l-ħarsien u l-kustodja, sew legali sew attwali, ta' tifel jew tifla;

"Għotja" tfisser programm ta' studju qasir li l-volum tiegħu ma jilħaqx it-total mistenni ta' credits minimi fil-livell rispettiv ta' Qafas Malti tal-Kwalifiki;

"impjieg" tfisser impjieg f'xi xogħol jew ħidma eżerċitati bħala sengħa jew għall-qligħ, sew jekk il-qligħ ikun għall-persuna impjegata sew jekk għal xi persuna oħra, u sew jekk ix-xogħol jew il-ħidma jsiru għal paga jew għal kumpens ieħor sew jekk le, u "timpjega" għandha tinftiehem f'dan is-sens;

"industrija" tfisser kull attività ta' negozju ġenerali u intrapriża kummerċjali li għandhom jinkludu iżda mhumiex limitati għal xjenzi, bijoteknoloġija, farmaċewtika, reklamar, arti u midja kreattiva, kostruzzjoni, biedja u agrikoltura, moda, finanzi, teknoloġija tal-informatika, infrastruttura, manifattura, bejgħ bl-imnut, robotika, intelliġenza artifiċjali, teknoloġija ajruspazjali, teknoloġija spazjali, telekomunikazzjonijiet, kif ukoll riċerka u żvilupp;

"korp ġuridiku" tfisser korp li jkollu personalità ġuridika distinta;

"korp ta' persuni" tfisser kull soċjetà, għaqda, xirka, jew kull assoċjazzjoni oħra ta' persuni sew jekk ikollhom personalità ġuridika sew jekk le;

"Kulleġġ" tfisser il-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija kif imfisser permezz tal-artikolu 3;

"kurrikuli li jħarsu lejn l-industrija u bbażati fuq il-komunità" tfisser kurrikuli bbażati fuq varjetà wiesgħa ta' metodi u programmi ta' istruzzjoni li jintużaw sabiex jorbtu dak li qed jiġi mgħallem mal-ħtiġiet tal-Industrija u l-komunità tal-madwar, li jinkludi iżda mhuwiex limitat għal, tagħlim ibbażat fuq ix-xogħol;

"Kwalifiki" tfisser programm sostanzjali ta' studju li hu bbażat fuq learning outcomes fil-livell rispettiv tal-Qafas Malti tal-Kwalifiki u jinkludi biżżejjed credits biex jilħaq l-ammont ta' credits mistennija fil-livell rispettiv tal-Qafas Malti tal-Kwalifiki;

"MFHEA" tfisser l-Awtorità ta' Malta għal Edukazzjoni Avvanzata u Ogħla stabbilita bl-Att dwar l-Edukazzjoni Avvanzata u Ogħla; Kap. 607.

"Ministru" tfisser il-Ministru responsabbli għall-edukazzjoni;

"MQF" tfisser il-Qafas Malti tal-Kwalifiki u għandu jkollha l-istess tifsira kif mogħtija lilha bl-artikolu 63 tal-Att dwar l-Edukazzjoni; Kap. 327.

"persuna" tinkludi korp ta' persuni u kull korp ġuridiku stabbilit bil-liġi;

"PHE" tfisser edukazzjoni ogħla offruta f'Livelli ta' MQF minn 5 'il fuq li toffri edukazzjoni orjentata lejn professjoni permezz ta' kollaborazzjoni mill-qrib mal-industrija, riċerka applikata u orjentata lejn l-impatt, u għarfien ibbażat fuq prattika rilevanti li jżomm fis-seħħ l-awsterità akkademika;

"President" tfisser il-persuna maħtura skont l-artikolu 18 biex tippresjedi u tmexxi l-Bord tal-Gvernaturi;

"preskritt" tfisser stipulat b'xi liġi, regolament, statut, regola jew bye-law;

"Prinċipal" tfisser il-persuna maħtura mill-Bord tal-Gvernaturi biex twettaq id-dmirijiet indikati fl-artikolu 21 u kull persuna li temporanjament tokkupa dik il-kariga;

"provditur tal-VET" tfisser individwu jew korp ġuridiku li jkun l-amministratur ta' *placements* ta' xogħol, apprendistati u *internships*, li jipprovdi programmi edukattivi vokazzjonali f'edukazzjoni avvanzata u ogħla u li jkun liċenzjat mill-Awtorità ta' Malta għal Edukazzjoni Avvanzata u Ogħla jew ikun approvat minn strutturi internazzjonali bi kwalifiki rikonoxxuti mill-industrija;

"riċerka applikata u dwar l-impatt" tfisser il-proċess li jistabbilixxi tagħrif ġdid jew li jesplora l-fattibilità ta' teknoloġija, servizzi jew soluzzjonijiet ġodda jew imtejba, ibbażata fuq metodoloġija wżata biex issolvi problema speċifika u prattika li jitwettqu bil-għan speċifiku li jibbenefikaw l-industrija b'mod orjentat lejn l-impatt kemm direttament kif ukoll indirettament;

"rimunerazzjoni" tinkludi kumpens fi kwalunkwe forma kemm fi flus kif ukoll in natura;

"tagħlim ibbazat fuq ix-xogħol" tfisser il-ksib ta' għarfien u ħiliet permezz tat-twettiq - u riflessjoni dwar – kompiti f'kuntest vokazzjonali, jew fuq il-post tax-xogħol (bħalma hu taħriġ alternanti) jew f'istituzzjoni ta' VET;

"taqsimiet akkademiċi" tfisser moduli ta' edukazzjoni u taħriġ abbażi ta' verifika tal-kwalità u skeda ta' żmien fi ħdan programmi, li jistgħu jinkludu, iżda mhumiex limitati għal, tagħlim ibbażat fuq ix-xogħol u l-apprendistat;

"VET" tfisser edukazzjoni u taħriġ offruti fuq Livelli 1 - 4 tal-MQF li għandhom l-għan li jgħaddu lil persuni għarfien, *know-how*, ħiliet u, jew kompetenzi meħtieġa f'okkupazzjonijiet partikolari jew, b'mod iktar ġenerali, fis-suq tax-xogħol;

"Viċi President" tfisser persuna maħtura mill-Ministru skont l-artikolu 19, biex taġixxi f'isem il-President u jippresjedi waqt il-laqgħat tal-Bord tal-Gvernaturi fl-assenza tagħha jew kif ordnat minn żmien għal żmien;

"VPET" tfisser edukazzjoni u taħriġ li għandhom l-għan li jgħaddu lil persuni għarfien, *know-how*, ħiliet u, jew kompetenzi meħtieġa f'okkupazzjonijiet partikolari jew, b'mod iktar ġenerali, fis-suq tax-

xogħol. Għall-finijiet ta' dan l-Att, VPET hi terminu inklużiv li jinkludi kemm Edukazzjoni Vokazzjonali u Taħriġ (VET) kif ukoll Edukazzjoni Ogħla Professjonali (PHE).

TAQSIMA II
Twaqqif, Funzjonijiet u Għan tal-Kulleġġ

Il-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija.

3. Il-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija, imwaqqaf b'att pubbliku mill-Gvern ta' Malta fil-11 Awwissu tas-sena 2000, għandu jimmira għal, jiffunzjona u jara li jiżviluppa kurrikuli, u jfassal, jipprovdi u jqassam programmi ta' studju tal-VPET, Tagħlim Ibbażat fuq ix-Xogħol u Apprendistat, u biex ikattar l-edukazzjoni tal-istudenti fis-setturi vokazzjonali u professjonali, u jipprovdi servizzi li jippromwovu u jtejjeb il-benesseri tal-istudenti u l-impjegati tal-Kulleġġ.

Personalità ġuridika u rappreżentanza legali tal-Kulleġġ.

4. (1) Il-Kulleġġ Malti tal-Arti, Xjenza u Teknoloġija, entità tal-Gvern, għandu jkun korp ġuridiku li jkollu personalità ġuridika distinta u li jkun jista', bla ħsara għad-dispożizzjonijiet ta' dan l-Att, jagħmel kuntratti, jakkwista, iżomm u jiddisponi minn kull xorta ta' proprjetà għall-finijiet tal-funzjonijiet tiegħu, li jimpjega persunal, li jħarrek jew li jiġi mħarrek, li jistabbilixxi intrapriżi kummerċjali, inklużi kumpaniji b'responsabbiltà limitata, u li jagħmel dawk l-operazzjonijiet u jidħol f'dawk it-transazzjonijiet kollha li huma inċidentali jew li jwasslu għall-eżerċizzju jew it-twettiq tal-funzjonijiet tiegħu taħt dan l-Att.

(2) Il-Kulleġġ huwa entità pubblika u l-impjegati tiegħu, filwaqt li huma parti mis-settur pubbliku, mhumiex uffiċjali pubbliċi jew impjegati tal-Gvern. L-istrutturi ta' pagi, gradi, pożizzjonijiet, ħatriet u proċeduri ta' dixxiplina tal-impjegati tal-Kulleġġ huma distinti minn dawk tas-servizz pubbliku ħlief fejn huwa espressament indikat mod ieħor, u dan skont l-Att dwar l-Amministrazzjoni Pubblika. Kap. 595.

(3) Ir-rappreżentanza legali u ġuridika tal-Kulleġġ għandha tkun vestita fil-Prinċipal tal-Kulleġġ:

Iżda l-Bord tal-Gvernaturi jista' jaħtar lil xi wieħed jew aktar mill-membri tiegħu jew mill-uffiċjali jew impjegati tal-Kulleġġ, biex jidher f'isem u għall-Kulleġġ f'kull proċediment ġudizzjarju u fuq kull att, kuntratt, strument jew dokument ieħor ta' liema xorta jkun:

Iżda wkoll sabiex il-Kulleġġ jidħol f'kuntratti li jirrigwardaw l-akkwist jew id-disponiment ta' proprjetà immobbli taħt kwalunkwe titolu, għandha tkun meħtieġa riżoluzzjoni tal-Bord mill-Bord tal-Gvernaturi.

Lingwi uffiċjali.

5. Il-Malti u l-Ingliż huma l-lingwi uffiċjali tal-Kulleġġ. L-amministrazzjoni tal-Kulleġġ tista' tuża kull waħda miż-żewġ lingwi, jew it-tnejn, għal għanijiet uffiċjali.

Għan tal-Kulleġġ.

6. (1) L-objettiv ewlieni tal-Kulleġġ għandu jkun dak ta' Istituzzjoni Edukattiva li tippermetti lill-istudenti jilħqu l-potenzjal tagħhom. Il-Kulleġġ għandu jara li jiżgura li l-edukazzjoni tkun aċċessibbli u disponibbli għall-istudenti kollha, mingħajr diskriminazzjoni, u li jiżviluppa kurrikuli tal-VPET u jistabbilixxi edukazzjoni vokazzjonali, faċilitajiet u programmi ta' edukazzjoni u taħriġ, u esperjenza ta' xogħol u prattika li l-Kulleġġ jista' jqis li huma meħtieġa biex jipprovdi lil kulħadd l-opportunità li jikkwalifika fis-setturi vokazzjonali meta titqies is-sitwazzjoni soċjo-ekonomika ta' Malta.

(2) Il-Kulleġġ għandu, b'mod ġenerali, jiżgura li jkun hemm rabta bejn il-Kulleġġ, il-komunità u l-industrija, b'mod li tirrifletti l-ħtiġiet tal-industrija fil-kontenut u fit-tmexxija tal-programmi edukattivi tiegħu fil-Kulleġġ jew barra minnu:

Iżda l-Kulleġġ għandu jipprovdi programmi ta' studju fil-VPET li jwasslu għal kwalifiki fil-livelli kollha tal-MQF rilevanti għall-industrija.

(3) Il-Kulleġġ għandu jorganizza programmi ta' studju, inklużi iżda mhux limitati għall-livelli kollha tal-Qafas Malti tal-Kwalifiki.

(4) Il-Kulleġġ, bħala provditur tal-VET, għandu josserva d-dispożizzjonijiet kollha tal-Att dwar Tagħlim ibbażat fuq ix-Xogħol u l-Apprendistat, u kull leġiżlazzjoni oħra sussegwenti u, jew rilevanti.

Kap. 576.

(5) Il-Kulleġġ għandu jimmira biex u jipprova jilħaq u jżomm il-kwalità tal-programmi vokazzjonali u professjonali u l-apprendistati tiegħu fil-livelli kollha tal-MQF billi jistabbilixxi s-sistema interna tiegħu stess ta' assigurazzjoni u sistema ta' validazzjoni bbażata fuq assigurazzjoni esterna tal-kwalità kif meħtieġ mill-awtorità nazzjonali kompetenti rilevanti u kif stabbilit bil-leġiżlazzjoni rilevanti.

(6) Il-Kulleġġ għandu jiżgura, f'dawk l-oqsma li jista' jkun possibbli u skont il-possibbiltajiet tal-Kulleġġ, aċċess għal kull persuna irrispettivament mill-kwalifiki akkademiċi, u għandu jkollu programmi speċjali biex jassisti kull persuna biex tikseb l-edukazzjoni meħtieġa, sabiex dik il-persuna tista' tkompli u ttemm b'suċċess tali livell skont *standards* stabbiliti, u b'dan il-għan il-Kulleġġ għandu jakkredita tagħlim ta' qabel.

(7) Il-Kulleġġ għandu jipprovdi programmi ta' edukazzjoni vokazzjonali u professjonali u taħriġ sabiex jgħin persuni jiksbu għotjiet u kwalifiki skont il-ħtiġiet tagħhom permezz ta' metodi differenti ta' tagħlim, inklużi kull forma ta' tagħlim ibbażat fuq ix-xogħol u apprendistat kif preskritt fl-Att dwar Tagħlim ibbażat fuq ix-Xogħol u l-Apprendistat. Kap. 576.

(8) Il-Kulleġġ għandu:

(a) idaħħal kull forma ta' tagħlim ibbażat fuq ix-xogħol, partikolarment apprendistati, fl-edukazzjoni vokazzjonali u professjonali u programmi ta' taħriġ fil-Livell 4 tal-MQF u fi kwalifiki ta' edukazzjoni ogħla;

(b) jassenja għotjiet u kwalifiki fil-livelli kollha tal-Qafas Malti tal-Kwalifiki;

(ċ) jippromwovi l-viżjoni ta' Malta bħala ċentru ta' attività kulturali, industrijali, kummerċjali u ta' servizzi għal reġjuni oħra fid-dinja u b'mod partikolari għar-reġjun Ewro-Mediterranju;

(d) jiżgura li r-riċerka applikata u bbażata fuq l-impatt, kif ukoll kurrikuli bbażati fuq il-komunità jkunu fil-qofol tal-esperjenzi studenteski kollha, inklużi fit-tfassil ta' kurrikulu u fl-iżvilupp ta' programmi ta' studju;

(e) jeduka lill-istudenti tiegħu fil-ħila li japprezzaw u jilqgħu l-isfidi u l-opportunitajiet li l-proċess mgħaġġel tal-ekonomija internazzjonali qed iġib miegħu frott tal-avvanzi fl-oqsma tal-komunikazzjoni, kultura, it-teknoloġija tal-informazzjoni u x-xjenza;

(f) jippromwovi, bħala parti mill-edukazzjoni ħolistika tiegħu, modi differenti ta' tagħlim ibbażat fuq ix-xogħol;

(g) jippromwovi kultura ta' imprenditorija permezz ta' programmi differenti tiegħu ta' studju u billi joffri esperjenzi prattiċi ta' xogħol;

(h) inissel kultura ta' moħħ miftuħ għal ideat ġodda, deċenza fl-imġiba, governanza tajba, kreattività u innovazzjoni fl-insegwiment għall-eċċellenza, u flessibilità u spazju biex isiru affarijiet b'mod differenti, sostnuti mill-valuri ta' impenn, dedikazzjoni u integrità fil-Kulleġġ u fil-post tax-xogħol futur tal-istudenti u l-professjoni li wieħed iwettaq, waqt li tingħata kunsiderazzjoni għall-benesseri tal-istudenti;

(i) irawwem fost l-istudenti impenn favur il-ħarsien tas-saħħa u s-sigurtà fuq il-post tax-xogħol;

(j) jirrispondi b'mod u fil-ħin rilevanti għall-bżonnijiet tas-suq tax-xogħol billi f'kull livell tal-esperjenza edukattiva u ta' taħriġ jinseġ *networking* u sħubija effettiva mas-setturi edukattivi, ekonomiċi, industrijali, kulturali u tas-servizzi;

(k) irawwem il-ħsibijiet, ħiliet u valuri li jwasslu għal potenzjal ta' impjieg malajr u tagħlim tul il-ħajja u taħriġ mill-ġdid għall-istudenti tiegħu;

(l) jiżgura t-twettiq tal-prinċipji ta' edukazzjoni inklużiva billi jipprovdi aċċess ekwu għal kulħadd b'rispett sħiħ għad-diversità;

(m) jagħti l-importanza meħtieġa għar-riċerka ta' innovazzjoni sostenibbli u żvilupp fl-oqsma tal-arti applikata, ix-xjenzi soċjali, l-inġinerija, ix-xjenza u t-teknoloġija;

(n) jiżviluppa programmi ta' studju bbażati fuq il-kunċett ta' tagħlim tul il-ħajja;

(o) jiżgura li l-kwalità u l-i*standards* tal-korsijiet u ċertifikati mogħtija huma rikonoxxuti fuq livelli nazzjonali kif ukoll internazzjonali;

(p) jiggwida ruħu mill-politika u l-istrateġija nazzjonali li l-Gvern jadotta minn żmien għal żmien;

(q) jieħu sehem sħiħ fi programmi ta' skambji bilaterali u reġjonali u b'mod partikolari fil-programmi edukattivi u ta' taħriġ, bħalma huma dawk tal-Unjoni Ewropea li Malta minn żmien għal żmien tipparteċipa fihom;

(r) jiżviluppa strateġiji flessibbli ta' tagħlim permezz tal-applikazzjoni ta' kwalifiki pertinenti u l-użu ta' teknoloġiji u metodoloġiji innovattivi.

(9) Il-Kulleġġ għandu jikkollabora u jikkomunika ma' Istituzzjonijiet Edukattivi Nazzjonali u Internazzjonali oħra, istituzzjonijiet u organizzazzjonijiet pubbliċi u privati, l-aġenzija nazzjonali tal-impjegi, is-soċjetà ċivili, organizzazzjonijiet ta' imsieħba soċjali, kmamar tal-kummerċ, assoċjazzjonijiet tan-negozju, kummerċ, *trade unions* rikonoxxuti li jirrappreżentaw il-ħaddiema tal-Kulleġġ u l-Industrija, u awtoritajiet kompetenti nazzjonali oħra li jipparteċipaw fl-iżvilupp soċjali u ekonomiku ta' Malta.

(10) Il-Kulleġġ għandu jistabbilixxi akkademji u istituti assoċjati kif il-Bord tal-Gvernaturi jista' jqis xierqa.

Setgħat u funzjonijiet tal-Kulleġġ.

7. Il-Kulleġġ għandu:

(a) permezz ta' tagħlim u taħriġ fis-suġġetti tal-arti, tax-xjenza, tat-teknoloġija, tal-ħiliet tekniċi u tas-snajja', jiggwida lill-istudenti reġistrati f'xi wieħed mill-korsijiet tiegħu fl-iżvilupp tal-kompetenzi u profiċjenza meħtieġa għall-eżerċizzju ta' mestieri, professjonijiet u vokazzjonijiet fis-setturi ekonomiċi, industrijali u tas-servizz;

(b) waħdu, jew flimkien ma' istituzzjonijiet oħra, sew pubbliċi kif ukoll privati, lokali jew barranin, jorganizza dawk il-korsijiet ta' tagħlim u taħriġ li jista' jqis meħtieġa jew spedjenti;

(ċ) waħdu, jew flimkien ma' istituzjonijiet jew organizzazzjonijiet oħra, jorganizza dawk l-attivitajiet kulturali, sportivi u pastorali għall-aħjar formazzjoni u arrikkiment tal-personalità tal-individwu;

(d) iwaqqaf dawk l-entitajiet, istituti, dipartimenti, ċentri, ċentri ta' riċerka u programmi li jista' jqis meħtieġa u għandu jissorvelja l-amministrazzjoni tagħhom;

(e) jistabbilixxi l-kondizzjonijiet għad-dħul fil-programmi rispettivi ta' studju u taħriġ, u ta' esperjenza prattika u ta' xogħol, u jippreskrivi r-regolamenti meħtieġa għall-eżamijiet u l-modalitajiet ta' tagħlim u taħriġ f'tali korsijiet;

(f) jipprovdi għal proċeduri xierqa biex jiġu ċertifikati l-persuni li laħqu l-profiċjenza neċessarja fid-diversi oqsma ta' studju u taħriġ;

(g) jassenja dawk l-għotjiet u kwalifiki li jista' jqis xierqa lil dawk il-kandidati li jissodisfaw il-kondizzjonijiet preskritti wara li jkunu segwew il-korsijiet ta' studju meħtieġa jew ikunu wettqu karrieri distinti fl-arti, ix-xjenza u t-teknoloġija;

(h) jistabbilixxi l-karigi ta' letturi, tat-tagħlim u t-taħriġ u karigi amministrattivi kif jista' jkun meħtieġ minn żmien għal żmien u jaħtar persuni għal dawk il-karigi;

(i) iwaqqaf u jżomm kif imiss libreriji, laboratorji, *workshops,* servizzi u faċilitajiet oħra meħtieġa għat-tagħlim, taħriġ, sperimentazzjoni, riċerka u tixrid tal-għerf;

(j) iwaqqaf skemi interni ta' verifika li jiżguraw il-kwalità tal-edukazzjoni u t-taħriġ li qed tingħata u l-użu effettiv tar-riżorsi;

(k) jagħmel regolamenti dwar il-ħidma u l-imġiba tal-istudenti, letturi u persuni oħra li jkunu inkarigati jagħtu xi servizz fil-Kulleġġ, sew jekk ingaġġati b'kuntratt ta' servizz indefinit jew definit, sew jekk b'kuntratt għal servizz, sew jekk sekondati jew mislufa lill-Kulleġġ minn entijiet tal-Gvern, pubbliċi jew privati;

(l) jagħmel regolamenti biex jissalvagwardja s-saħħa u l-benesseri tal-partijiet kollha msemmija fil-paragrafu (k);

(m) jistabbilixxi politiki u proċeduri biex jiżgura ż-żamma ta' studenti u l-promozzjoni tas-suċċess akkademiku u edukattiv tagħhom;

(n) jamministra l-proprjetà, ir-riżorsi u l-fondi mgħoddija lilu minn żmien għal żmien mill-Gvern biex jitwettqu l-programmi tal-Kulleġġ, inklużi dawk il-fondi l-oħra li jista' jirċievi jew jiġġenera minn għejjun oħra;

(o) jagħmel dak kollu li jkun meħtieġ sabiex iwettaq l-għanijiet tiegħu skont dan l-Att u konformement ma' direttivi mogħtija mill-Ministru għat-twettiq tal-politika ġenerali tal-Gvern.

Statuti, regolamenti u bye-laws.

8. (1) Il-Kulleġġ għandu jkollu s-setgħa li jagħmel statuti, regolamenti, u bye-laws sabiex jipprovdi għall-amministrazzjoni tiegħu u għall-amministrazzjoni tal-attivitajiet tiegħu u tal-entitajiet maħluqa minnu.

(2) L-istatuti għandhom isiru mill-Bord tal-Gvernaturi u għandhom jorbtu lill-Kulleġġ kollu kif ukoll lill-entitajiet maħluqa minnu.

(3) Ir-regolamenti għandhom isiru mill-Kunsill Vokazzjonali u Professjonali u għandhom jipprovdu għal ħwejjeġ ta' natura akkademika u għandhom jorbtu lill-Kulleġġ kollu.

(4) Il-bye-laws għandhom isiru mill-Bord tal-Istudji u għandhom jipprovdu għal ħwejjeġ ta' natura akkademika u għandhom jorbtu lill-Istitut rappreżentat mill-Bord tal-Istudji li għamel dawk il-bye-laws.

(5) Il-Kunsill Vokazzjonali u Professjonali jista', fuq parir tal-Bord tal-Gvernaturi, jagħmel statut li jipprovdi għal xi ħaġa ta' natura akkademika, u, jew jista' jemenda jew iħassar, *in toto* jew *in parte,* tali

statut, iżda jekk dak il-parir ma jingħatax fiż-żmien stabbilit mill-Kunsill, li f'ebda każ ma għandu jkun inqas minn wieħed u għoxrin (21) ġurnata mid-data li ssir dik it-talba, il-Kunsill ikun jista' jagħmel dak l-istatut jew jemendah jew iħassru mingħajr dak il-parir.

(6) L-istatuti, ir-regolamenti u l-bye-laws li jsiru mill-korpi ta' tmexxija kompetenti tal-Kulleġġ skont id-dispożizzjonijiet ta' din it-Taqsima għandhom jiġu promulgati u ppubblikati biex ikollhom is-saħħa ta' liġi:

Iżda l-leġiżlazzjoni sussidjarja hawn imsemmija għandha, hekk kif tiġi promulgata u ppubblikata, titqiegħed fuq il-Mejda tal-Kamra skont id-dispożizzjonijiet tal-artikolu 11 tal-Att dwar l-Interpretazzjoni. Kap. 249.

(7) Kull setgħa mogħtija b'dan l-Att sabiex ikunu magħmula statuti, regolamenti jew bye-laws mill-korp regolatorju kompetenti tal-Kulleġġ għandha tinftiehem li tinkludi setgħa, eżerċitabbli bl-istess mod u soġġetta għall-istess kunsens u kundizzjonijiet, jekk ikun hemm, għar-rexissjoni, revoka, emenda, jew bdil tal-istatuti, regolamenti jew bye-laws, u dik is-setgħa għandha tkun eżerċitabbli mingħajr preġudizzju għall-għemil ta' statuti, regolamenti jew bye-laws ġodda.

TAQSIMA III
Il-Korpi ta' Tmexxija u Uffiċjali Prinċipali tal-Kulleġġ

9. (1) Il-korpi ta' tmexxija tal-Kulleġġ għandhom ikunu dawn li ġejjin: Korpi ta' tmexxija u uffiċjali tal-Kulleġġ.

(a) il-Bord tal-Gvernaturi;

(b) il-Kunsill Vokazzjonali u Professjonali;

(ċ) il-Kunsill Amministrattiv;

(d) il-Bordijiet tal-Istudji.

(2) L-uffiċjali ewlenin mhux eżekuttivi tal-Kulleġġ huma:

(a) il-President tal-Bord tal-Gvernaturi;

(b) il-Viċi President u l-membri tal-Bord tal-Gvernaturi.

(3) L-uffiċjali ewlenin eżekuttivi tal-Kulleġġ huma:

(a) il-Prinċipal tal-Kulleġġ;

(b) id-Deputati Prinċipali tal-Kulleġġ;

(ċ) ir-Reġistratur;

(d) id-Diretturi tal-Istituti.

(4) Għandu jkun hemm uffiċjali oħra, b'żieda ma' dawk elenkati taħt is-subartikolu (3), skont kif jista' jiġi stabbilit minn żmien għal żmien mill-Bord tal-Gvernaturi. Dawn l-uffiċjali għandhom ikunu responsabbli lejn il-Prinċipal tal-Kulleġġ fil-qadi tad-dmirijiet rispettivi tagħhom.

Għamla tal-Bord tal-Gvernaturi.

10. (1) Il-Bord tal-Gvernaturi għandu jkun magħmul minn mhux anqas minn ħdax (11) iżda mhux aktar minn tlettax (13)-il membru li, sakemm ma jkunx mod ieħor provdut speċifikament f'dan l-Att, għandhom jinħatru għal perjodu ta' tliet (3) snin u l-membri għandhom ikunu eliġibbli biex jerġgħu jiġu maħtura għal perjodu ieħor ta' tliet (3) snin, darba waħda biss wara li jiskadi ż-żmien tal-ħatra tagħhom sa perjodu totali ta' sitt (6) snin.

(2) Il-Bord tal-Gvernaturi għandu jikkonsisti minn dawn li ġejjin:

(a) il-President maħtur skont l-artikolu 19;

(b) il-Viċi President maħtur skont l-artikolu 20;

(ċ) iċ-Chairperson tal-Intrapriża ta' Malta;

(d) iċ-Chairperson tal-Kunsill Nazzjonali tal-Ħiliet;

(e) is-Segretarju Permanenti tal-Ministeru għall-Edukazzjoni;

(f) rappreżentant tal-istudenti elett mill-istudenti tal-Kulleġġ li għandu jibqa' fil-kariga għal perjodu li ma jaqbiżx sena (1);

(g) żewġ (2) rappreżentanti eletti minn u minn fost l-impjegati tal-Kulleġġ, li għandhom jikkonsistu minn rappreżentant wieħed (1) elett mill-impjegati akkademiċi u rappreżentant wieħed (1) elett mill-impjegati mhux akkademiċi;

(h) tliet (3) membri nominati mill-Ministru wara konsultazzjoni mal-President li fosthom għandu jkun hemm rappreżentanti ta' min iħaddem, impjegati, u s-soċjetà ċivili, u li, fl-opinjoni tal-Ministru, ikollhom: il-kwalifiki akkademiċi meħtieġa, esperjenza professjonali, għarfien dwar l-Industrija kemm Maltija kif ukoll globali u dwar l-evoluzzjoni globali tax-xogħol u t-teknoloġija, kwalitajiet ta' tmexxija biex jiżviluppaw u jsaħħu l-governanza tajba tal-Kulleġġ, u li għandhom fehim ta'

tagħlim vokazzjonali u s-suq tax-xogħol nazzjonali u internazzjonali fi ħdan il-kuntest tal-ħolqien ta' soċjetà b'moħħ miftuħ għal ideat ġodda, demokratika, ġusta, prospera, diversa, u inklużiva:

Iżda mill-inqas wieħed (1) mill-membri tal-Bord tal-Gvernaturi għandha tkun persuna b'diżabilità kif imfisser fl-Att dwar Opportunitajiet Indaqs għal Persuni b'Diżabilità. Kap. 413.

(3) Il-Prinċipal tal-Kulleġġ għandu d-dritt li jattendi għal-laqgħat tal-Bord mingħajr id-dritt għall-vot, iżda għandu jirtira minn kull laqgħa fejn jiġu diskussi kwistjonijiet konnessi mar-rendiment tax-xogħol tiegħu jew mal-kuntratt tax-xogħol tiegħu.

(4) Il-membri tal-Bord tal-Gvernaturi għandhom ikunu persuni b'kompetenza jew esperjenza fil-qasam tal-edukazzjoni, tat-taħriġ vokazzjonali, tas-settur kulturali, tal-ekonomija, tas-setturi tal-industrija u s-servizzi u tas-setturi soċjali, u li, fil-fehma tal-Ministru, ikollhom kwalitajiet ta' tmexxija, u jkunu jagħrfu l-importanza tal-edukazzjoni vokazzjonali u tat-taħriġ fil-kuntest tal-iżvilupp soċjo-ekonomiku b'mod ġenerali.

(5) Membru tal-Bord tal-Gvernaturi jista' fi kwalunkwe ħin jitneħħa mill-kariga tiegħu mill-Ministru, wara konsultazzjoni mal-President, għal raġuni li ma jkunx kapaċi li jwettaq il-funzjonijiet tal-kariga tiegħu kif meħtieġ, sew minħabba mard mentali jew fiżiku, jew fuq ir-rakkomandazzjoni tal-Bord li tali membru hu meqjus bħala ta' xkiel u, jew sors ta' kunflitt li jikkawża ostakoli għall-funzjonament tajjeb tal-Bord tal-Gvernaturi jew għal raġunijiet oħra li minħabba fihom il-membru ma jibqax idoneu li jokkupa dik il-kariga, li jinkludu ksur ta' kunfidenzjalità.

(6) Membru tal-Bord tal-Gvernaturi jista' jirriżenja mill-kariga tiegħu permezz ta' ittra indirizzata lill-Ministru. Jekk xi membru jirriżenja jew jitneħħa mill-kariga tiegħu mill-Ministru, f'konsultazzjoni mal-President, jew jekk il-kariga ta' xi membru tal-Bord issir b'xi mod vakanti, il-Ministru jista', wara konsultazzjoni mal-President, jaħtar persuna kwalifikata għal din il-kariga u kull persuna hekk maħtura għandha tibqa' tokkupa dik il-kariga sakemm jiskadi t-terminu tal-kariga tal-persuna li tkun qiegħda tissostitwixxi u tali persuna għandha tkun eliġibbli biex terġa' tiġi maħtura bla ħsara għal-limitazzjonijiet tas-subartikolu (1).

(7) Membru tal-Bord tal-Gvernaturi li jkollu xi interess dirett jew indirett f'xi kuntratt magħmul jew propost li jsir mill-Bord tal-Gvernaturi, jew xi interess finanzjarju jew xort'oħra f'xi intrapriża jew attività li tista' taffettwa l-qadi tal-funzjonijiet tiegħu bħala membru

f'dan il-Bord, għandu jiddikjara l-interess tiegħu bil-miktub fl-ewwel seduta tal-Bord. Dikjarazzjoni tal-interessi ta' membri tal-Bord tal-Gvernaturi għandha titniżżel fil-minuti tas-seduta tal-Bord, u dak il-membru tal-Bord għandu jirtira mil-laqgħa waqt li dak il-kuntratt jew kwistjoni li fiha huwa jkollu dan l-interess ikun qiegħed jiġi diskuss. Tali dikjarazzjonijiet ta' interess għandhom jiġu mgħoddija lill-Ministru mingħajr dewmien. Meta l-interess tal-membru jkun tali li jista' jwassal li jitneħħa mill-kariga tiegħu, il-membru għandu minnufih jirrapporta l-fatt lill-Ministru u joffri r-riżenja tiegħu, mingħajr preġudizzju għas-setgħa tal-Ministru li jneħħi lil dan il-membru mill-Bord.

(8) Kull assenza jew vakanza fost il-membri tal-Bord tal-Gvernaturi, jew kull parteċipazzjoni fil-laqgħat tiegħu minn xi persuna li ma jkollhiex jedd tagħmel dan, ma jinvalidawx il-proċeduri tal-Bord, sakemm ikun hemm kworum ta' mhux anqas minn nofs l-għadd tal-membri tal-Bord u wieħed.

(9) Bla ħsara għad-dispożizzjonijiet ta' dan l-Att u tar-regolamenti magħmulin taħtu, il-Bord tal-Gvernaturi jista' jaħtar kumitati mhux eżekuttivi b'termini ta' referenza stabbiliti.

(10) Il-Bord tal-Gvernaturi għandu jieħu l-prekawzjonijiet kollha biex jittratta kull informazzjoni inkluża, iżda mhux limitat għal, informazzjoni mgħoddijja lilu waqt jew f'antiċipazzjoni ta' laqgħat tal-Bord tal-Gvernaturi, bl-aktar mod kunfidenzjali fir-relazzjonijiet tiegħu ma' istituzzjonijiet kemm pubbliċi kemm privati.

(11) Il-Bord tal-Gvernaturi jista' jingaġġa s-servizzi ta' Konsulenti Anzjani, biex jipprovdu pariri oġġettivi u indipendenti sabiex jassistu lill-Bord tal-Gvernaturi fil-ħidma tiegħu. L-imsemmija Konsulenti Anzjani għandhom jirrappurtaw lill-Bord tal-Gvernaturi:

Iżda n-numru ta' Konsulenti Anzjani ma għandux jaqbeż tlieta (3) għal kull sena kalendarja waħda.

(12) Il-Ministru jista', wara li jikkonsulta mal-President, jagħmel regolamenti dwar il-proċeduri li għandhom jiġu adottati mill-Bord tal-Gvernaturi fil-ħidma tiegħu.

Funzjonijiet tal-Bord tal-Gveernaturi.

11. (1) Il-Bord tal-Gvernaturi għandu jkun l-ogħla korp regolatorju tal-Kulleġġ u għandu jkollu d-dmir li jwettaq l-għanijiet u jeżerċita s-setgħat tal-Kulleġġ kif indikat fid-dispożizzjonijiet ta' dan l-Att, u b'mod partikolari għandu jkollu l-funzjonijiet li ġejjin:

(a) li jakkwista u jikkontrolla r-riżorsi, il-faċilitajiet u l-proprjetà, kemm mobbli kif ukoll immobbli, tal-Kulleġġ:

Iżda, sa fejn jirrigwarda proprjetà immobbli, il-Kulleġġ u, jew kull wieħed mill-Uffiċjali Prinċipali tiegħu huma preklużi, kemm *ipso facto* kif ukoll *ipso jure*, milli jiddisponu minn, jittrasferixxu, ibigħu, jipotekaw jew mod ieħor joħolqu piż u, jew jgħabbu tali proprjetà u, jew milli jassenjaw xi drittijiet, obbligi u, jew titolu fuqha lil terzi sabiex jgħinu l-interessi privati, kummerċjali, finanzjarji u, jew ta' profitt ta' tali terzi għad-detriment ta' xi għan edukattiv fuq imsemmi u servizzi ta' appoġġ assoċjati konformement mal-għanijiet u funzjonijiet tal-Kulleġġ kif imfissra fl-artikolu 7:

Iżda wkoll il-Bord tal-Gvernaturi jista' jiddeċiedi li jippermetti eżenzjoni minn din ir-restrizzjoni jekk tittieħed deċiżjoni mill-Bord tal-Gvernaturi b'vot unanimu meta l-membri kollha tiegħu jkunu preżenti. Il-kriterji oġġettivi u r-raġunijiet li fuqhom il-Bord ikun ibbaża d-deċiżjoni tiegħu għandha titniżżel fil-minuti espliċitament u espressament, u fin-nuqqas id-deċiżjoni tkun nulla;

(b) li jiffaċilita relazzjonijiet mal-Industrija u sabiex jiżgura r-rabta kontinwa bejn il-Kulleġġ u l-Industrija biex l-esiġenzi tal-Industrija jiġu riflessi fil-metodi, programmi edukattivi tal-Kulleġġ u kurrikuli;

(ċ) li japprova t-twaqqif ta' akkademji u istituti assoċjati, għat-twettiq kif imiss tal-kompiti ta' tagħlim u taħriġ u tal-kollaborazzjoni interdixxiplinari;

(d) li japprova l-Pjan Strateġiku ta' tliet snin tal-Kulleġġ;

(e) bħala appoġġ għall-pjan strateġiku ta' tliet snin, li japprova u jiżgura l-eżekuzzjoni ta' pjan finanzjarju ta' tliet snin biex japprova l-Estimi annwali tal-Kulleġġ konformement mal-pjan strateġiku ta' tliet snin, liema pjan finanzjarju għandu jkun fih pjan dwar ir-riżorsi umani;

(f) li jissorvelja l-infiq u l-amministrazzjoni tal-Kulleġġ f'kull livell u japprova l-proposti annwali tal-Estimi sabiex dawn jiġu ppreżentati lill-Ministru sa ċertu żmien;

(g) li jaħtar Prinċipal wara sejħa pubblika u, fuq il-parir tiegħu, jaħtar ukoll il-karigi eżekuttivi jew maniġerjali għolja fi ħdan il-Kulleġġ;

(h) li jistabbilixxi u jneħħi, fuq il-parir tal-Prinċipal, kull kariga ta' xorta akkademika u amministrattiva fi ħdan il-Kulleġġ;

(i) li jagħmel statuti, regoli u proċeduri oħra, ta' xorta mhux akkademika, skont id-dispożizzjonijiet ta' dan l-Att;

(j) flimkien mal-Kunsill Vokazzjonali u Professjonali, li jiżgura li jinżammu u jittejbu l-livelli edukattivi xierqa, u li jistabbilixxi u jissorvelja skemi ta' verifika interna li jiżguraw il-kwalità tal-edukazzjoni;

(k) li jiffaċilita ftehimiet kif ikun jidher neċessarju ma' setturi ta' attività ekonomika fil-pajjiż u ma' istituzzjonijiet f'Malta u barra minn Malta għall-aħjar kisba tal-objettivi tal-Kulleġġ;

(l) li jistabbilixxi u jissorvelja l-operat tal-Uffiċċju tal-Verifika Interna li l-funzjoni prinċipali tiegħu għandha tkun l-assigurazzjoni tal-operazzjoni xierqa u governanza tajba fl-operat ta' kuljum tal-Kulleġġ.

(2) Il-Bord tal-Gvernaturi għandu jara li l-gradi, diplomi, distinzjonijiet, u ċertifikati ta' kwalifika tal-Kulleġġ ikunu rikonoxxuti kemm fuq livell nazzjonali kif ukoll fuq livell internazzjonali, u li, kull fejn dan japplika, ikunu relatati mal-i*standards* stabbiliti mill-MFHEA.

(3) Il-Bord tal-Gvernaturi għandu jiltaqa' sabiex jiffoka fuq orjentazzjoni strateġika u deċiżjonijiet strateġiċi. Il-Bord għandu jiltaqa' skont il-ħtieġa, iżda mhux inqas minn darba kull xahrejn (2) bi kworum ta' mhux inqas minn nofs l-għadd tal-membri tal-Bord u wieħed.

Għamla tal-Kunsill Vokazzjonali u Professjonali.

12. (1) Għandu jkun hemm Kunsill Vokazzjonali u Professjonali li għandu joħloq, jamministra u jissorvelja l-attivitajiet kollha ta' tagħlim u taħriġ tal-Kulleġġ inklużi korsijiet *part-time* kummerċjali u mhux kummerċjali.

(2) Il-Kunsill Vokazzjonali u Professjonali għandu jkollu awtorità sħiħa fuq il-kwalità u l-i*standards* ta' Għotjiet u Kwalifiki mogħtija mill-Kulleġġ.

(3) Il-Kulleġġ Vokazzjonali u Professjonali għandu jkun magħmul mill-membri li ġejjin:

(a) il-Prinċipal, li jippresjedi *ex officio*;

(b) id-Deputati Prinċipali, *ex officio*;

(ċ) ir-Reġistratur, *ex officio*;

(d) żewġ (2) membri li jirrappreżentaw l-industrija

maħtura mill-President;

(e) żewġ (2) membri maħtura mill-Ministru;

(f) id-Diretturi tal-Istituti kollha *ex officio*;

(g) id-Direttur, Programmi Edukattivi u ta' Taħriġ *ex officio*;

(h) id-Direttur, Quality Assurance *ex officio*;

(i) id-Direttur, Servizzi tal-Istudenti *ex officio*;

(j) żewġ (2) membri eletti minn u minn fost l-impjegati akkademiċi *full-time*;

(k) żewġ (2) membri eletti minn u minn fost l-istudenti li għandhom jibqgħu fil-kariga għal perjodu li ma jaqbiżx sena (1):

Iżda persuni responsabbli għal funzjonijiet akkademiċi differenti jistgħu jiġu mistiedna għal-laqgħa, kif ikun meħtieġ.

Funzjonijiet tal-Kunsill Vokazzjonali u Professjonali.

13. (1) Il-Kunsill Vokazzjonali u Professjonsali għandu jkun responsabbli għad-direzzjoni ġenerali tal-edukazzjoni u tat-taħriġ akkademiku, vokazzjonali u professjonali tal-Kulleġġ, u għandu jkollu l-funzjonijiet li ġejjin:

(a) li jiżgura li l-politiki, strateġiji u deċiżjonijiet adottati mill-Bord tal-Gvernaturi skont l-artikolu 10 jiġu implimentati;

(b) konformement mal-pjan strateġiku ta' tliet snin, li jħejji pjan akkademiku ta' tliet snin ibbażat fuq il-pjanijiet imfassla u sottomessi minn kull korp akkademiku u li jiżgura li jiġi eżegwit;

(ċ) li jirregola, permezz ta' politiki u proċeduri, il-programmi ta' studji, taħriġ, riċerka, dokumentazzjoni u l-eżamijiet fil-Kulleġġ u jistabbilixxi dawk l-Għotjiet u Kwalifiki għal dawk il-kandidati li jkunu jissodisfaw il-kondizzjonijiet preskritti wara li jsegwu l-korsijiet ta' studji u taħriġ meħtieġa;

(d) li jiddeċiedi dwar il-persuni li għandhom jingħataw il-gradi, diplomi, ċertifikati, u distinzjonijiet akkademiċi, vokazzjonali u professjonali oħra;

(e) li, bla ħsara għad-dispożizzjonijiet ta' dan l-Att, jistabbilixxi l-kondizzjonijiet għad-dħul fil-Kulleġġ, inklużi dawk għal korsijiet *part-time*;

(f) li jaħtar eżaminaturi Maltin jew barranin skont statuti u proċeduri stabbiliti minn qabel, u jiżgura li jiġu mħallsa għas-servizzi tagħhom;

(g) li jirrikonoxxi, wara rakkomandazzjoni tal-awtoritajiet kompetenti skont il-liġi, lil dawk il-gradi, diplomi, ċertifikati u distinzjonijiet ta' universitajiet jew istituzzjonijiet edukattivi oħra;

(h) li japprova l-kurrikuli u s-sillabi sottomessi mill-korpi akkademiċi u, fejn jidhirlu li jkun meħtieġ, li jibgħathom lura bil-parir tiegħu dwar xi emendi proposti;

(i) li jirrakkomanda lill-Bord tal-Gvernaturi t-twaqqif ta' oqsma akkademiċi ġodda vokazzjonali u professjonali li jwasslu għal kwalifiki fil-livelli kollha tal-MQF li jistgħu jinkludu l-introduzzjoni ta' suġġetti ġodda;

(j) li jippreżenta lill-Bord tal-Gvernaturi, mat-tnedija ta' kull *prospectus*, proposta annwali tal-oqsma akkademiċi kollha mbassra li ser jitneħħew, jinżammu u jiddaħħlu fil-*prospectus* tas-sena ta' wara;

(k) li jiżgura relazzjonijiet pożittivi u attivi bejn il-Kulleġġ u l-imsieħba professjonali u edukattivi tiegħu f'Malta u barra minn Malta;

(l) li jagħti parir lill-Bord tal-Gvernaturi dwar kwistjonijiet akkademiċi u professjonali.

(2) Il-Kunsill għandu jiltaqa' tal-inqas kull sitt (6) ġimgħat u l-kworum tal-laqgħat ma għandux ikun anqas minn nofs l-għadd tal-membri u wieħed.

Għamla tal-Kunsill Amministrattiv.

14. (1) Għandu jkun hemm Kunsill Amministrattiv tal-Kulleġġ, li jkun responsabbli lejn il-Bord tal-Gvernaturi, li jkun magħmul *inter alia* mill-persuni li ġejjin:

(a) il-Prinċipal, bħala Chairperson;

(b) id-Deputati Prinċipali;

(ċ) ir-Reġistratur;

(d) il-Kontrollur Finanzjarju:

Iżda Diretturi u Deputati Diretturi responsabbli għal funzjonijiet amministrattivi differenti jistgħu jiġu mistiedna jattendu

għal-laqgħa, kif ikun meħtieġ. Id-Diretturi jistgħu jaħtru wkoll Deputati Diretturi bħala sostituti tagħhom matul dawn il-proċeduri.

(2) Id-Deputat Prinċipal responsabbli għall-Amministrazzjoni tal-Kulleġġ għandu jaġixxi bħala Segretarju tal-Kunsill Amministrattiv.

Funzjonijiet tal-Kunsill Amministrattiv.

15. Il-Kunsill għandu jiltaqa' mill-anqas darba kull sitt (6) ġimgħat sabiex:

(a) jiżgura li l-politiki, l-istrateġija, u d-deċiżjonijiet li jirrigwardaw affarijiet amministrattivi kif adottati mill-Bord tal-Gvernaturi jiġu implimentati;

(b) jipproponi politiki, strateġiji u deċiżjonijiet li jirrigwardaw affarijiet amministrattivi biex jiġu adottati mill-Bord tal-Gvernaturi sabiex jissorveljaw it-tħejjija tal-Pjan Finanzjarju ta' tliet snin għall-approvazzjoni tal-Bord tal-Gvernaturi;

(ċ) jissorvelja t-tħejjija tal-Pjan tar-Riżorsi Umani annwali;

(d) japprova u jissorvelja l-Pjan ta' Komunikazzjoni annwali;

(e) jissorvelja l-Pjan Finanzjarju u l-Pjan tar-Riżorsi Umani, kif approvati mill-Bord tal-Gvernaturi;

(f) jiżgura li r-reklutaġġ fi ħdan il-Kulleġġ jitwettaq b'mod ġust u trasparenti u skont il-liġijiet u r-regolamenti kif jistgħu jiġu fis-seħħ minn żmien għal żmien;

(g) jissorvelja l-moviment kollu tal-impjegati fi ħdan il-Kulleġġ;

(h) japprova l-politiki kollha li għandhom x'jaqsmu mal-Amministrazzjoni tal-Kulleġġ;

(i) jamministra l-użu tal-faċilitajiet kollha tal-Kulleġġ kemm jekk għal għanijiet kummerċjali kif ukoll mhux kummerċjali;

(j) jistabbilixxi politiki u proċeduri dwar ilmenti, iwettaq monitoraġġ fuq l-osservanza tagħhom, u jissorvelja l-ħidma tal-Uffiċċju dwar l-Ilmenti.

Għamla tal-Bord tal-Istudji.

16. (1) Għandu jkun hemm Bord tal-Istudji għal kull Istitut akkademiku jew Sezzjoni akkademika li jkun magħmul mill-membri li ġejjin:

(a) id-Direttur ta' tali Istitut għandu jkun is-sedja *ex officio*;

(b) ir-Reġistratur, jew rappreżentant tal-uffiċċju tar-Reġistratur, *ex officio*;

(ċ) id-Deputat Direttur tal-Istitut/Qasam/sezzjoni rilevanti *ex officio*;

(d) il-Koordinaturi Vokazzjonali tal-Istitut tal-oqsma/ sezzjonijiet akkademiċi rilevanti;

(e) żewġ (2) membri eletti minn u minn fost il-letturi full-time tal-qasam akkademiku;

(f) rappreżentant wieħed (1) tal-istudenti elett minn u minn fost l-istudenti tal-qasam akkademiku li għandu jibqa' fil-kariga għal perjodu li ma jaqbiżx sena (1);

(g) membru wieħed (1) li jirrappreżenta l-industrija maħtur mill-President;

(h) żewġ (2) membri li jirrappreżentaw lill-Ministru:

Iżda għandu jkun hemm tal-inqas Bord tal-Istudji wieħed (1) għal kull Istitut:

Iżda wkoll id-Deputat Prinċipal li r-responsabbiltà tiegħu tinkludi Istitut jew Sezzjoni partikolari, u d-Deputat Prinċipal li r-responsabbiltà tiegħu tinkludi l-Uffiċċju tar-Reġistratur għandu jkollhom id-dritt li jiġu informati dwar u li jattendu l-laqgħat tal-Bordijiet tal-Istudji rispettivi:

Iżda wkoll il-persunal responsabbli għal funzjonijiet akkademiċi differenti fi ħdan l-Istitut jew il-Qasam jistgħu jiġu mistiedna għal-laqgħa, kif jista' jkun meħtieġ.

(2) Bla ħsara għall-artikolu 18:

(a) l-elezzjonijiet skont il-paragrafu (e) tas-subartikolu (1) għandhom isiru darba kull tliet (3) snin b'dan illi jista' jiġi elett l-istess rappreżentant fl-elezzjoni ta' wara;

(b) l-elezzjonijiet skont il-paragrafu (f) tas-subartikolu

(1) għandhom isiru darba kull sena akkademika b'dan illi jista' jiġi elett l-istess rappreżentant fis-sena ta' wara.

(3) Id-Deputat Prinċipal maħtur għandu jkollu d-dritt isejjaħ laqgħa tal-Bord tal-Istudji ta' kull qasam akkademiku kull meta jista' jqis neċessarju u f'dawn il-każijiet għandu jippresiedi fil-laqgħa.

Funzjonijiet tal-Bord tal-Istudji.

17. (1) Il-Bord tal-Istudji għandu jkollu l-funzjonijiet li ġejjin:

(a) li jiżviluppa u jmexxi pjan akkademiku għall-qasam akkademiku;

(b) li japprova u jissorvelja l-affarijiet kollha li jirrigwardaw il-programm tal-kurrikulu full-time u part-time fl-Istitut;

(ċ) li jabbozza u jipproponi bye-laws li jirrigwardaw l-oqsma akkademiċi rispettivi skont id-dispożizzjonijiet ta' dan l-Att;

(d) li jagħti pariri u jappoġġja l-Prinċipal fl-għoti tal-operat amministrattiv, akkademiku, ta' taħriġ u ta' żvilupp fi ħdan il-Kulleġġ;

(e) li jinnomina eżaminaturi biex jiġu kkunsidrati għall-approvazzjoni tal-Kunsill Vokazzjonali u Professjonali;

(f) li jipproponi riċerka u proġetti ta' żvilupp professjonali kontinwu lill-Kunsill Vokazzjonali u Professjonali.

(2) Politiki u proċeduri li jsiru mill-Bord tal-Istudji għandhom jintbagħtu lill-Kunsill Vokazzjonali u Professjonali għall-approvazzjoni tiegħu u ma għandhomx jiġu preżentati lill-Bord tal-Gvernaturi biex jiġu kkunsidrati kemm-il darba l-Kunsill Vokazzjonali u Professjonali ma jagħtix biss approvazzjoni kondizzjonali.

(3) Il-Bordijiet tal-Istudji għandhom jiltaqgħu tal-anqas darba kull sitt (6) ġimgħat u l-kworum tal-laqgħat ikun ta' ħamsin fil-mija tal-membri u wieħed.

Dispożizzjonijiet komuni għall-korpi regolatorji tal-Kulleġġ.

18. (1) Kull persuna maħtura jew eletta li jkollha kariga f'korp regolatorju tal-Kulleġġ għandha, kemm-il darba ma jkunx provdut speċifikatament mod ieħor f'dan l-Att, jibqgħu f'dik il-kariga għal perjodu ta' tliet (3) snin:

Iżda kull persuna li jkollha kariga f'korp regolatorju tal-Kulleġġ għandha tkompli żżomm dik il-kariga, minkejja li tali persuna tkun temmet il-perjodu relattiv, sa meta ssir elezzjoni jew tiġi maħtura

persuna oħra f'dik il-kariga minflokha:

Iżda wkoll kull persuna nominata jew eletta li jkollha kariga f'korp regolatorju tal-Kulleġġ ma tistax, kemm jekk fl-istess ħin jew sussegwentement, ikollha kariga f'xi korp regolatorju ieħor tal-Kulleġġ.

(2) Kull korp regolatorju tal-Kulleġġ jista' jopera minkejja kull vakanza fl-għadd tal-membri tiegħu u l-kworum għandu jiġi komputat bħallikieku ma kienet teżisti l-ebda vakanza.

(3) Kull ħaġa proposta għal deċiżjoni f'xi laqgħa ta' xi korp regolatorju tal-Kulleġġ għandha tiġi deċiża b'maġġoranza tal-voti tal-membri preżenti u li jivvutaw, u, jekk dwar xi tali kwistjoni l-voti huma ndaqs, il-membru li jkun qiegħed jippresiedi għandu jkollu u jeżerċita vot deċiżiv.

Ħatra, setgħat u dmirijiet tal-President.

19. (1) Il-President għandu jinħatar għal perjodu ta' tliet (3) snin mill-President ta' Malta, li jaġixxi fuq il-parir tal-Prim Ministru, wara li jikkonsulta mal-Kap tal-Oppożizzjoni, liema persuna għandha tingħażel minħabba l-involviment, tagħrif fil-fond u esperjenza tagħha fl-edukazzjoni u l-industrija kif imfisser fl-artikolu 2.

(2) Il-President għandu jkun l-ogħla uffiċjal tal-Kulleġġ u għandu jkun responsabbli biex imexxi l-Kulleġġ fl-osservanza ta' dan l-Att u tal-politika strateġika edukattiva nazzjonali bħala l-kustodju uffiċjali tal-politika ta' governanza tajba u tal-proċeduri stabbiliti fil-Kulleġġ.

(3) Il-President għandu jippromulga l-istatuti, regolamenti u bye-laws tal-korpi regolatorji tal-Kulleġġ u jista' jibgħat lura għal darba waħda lill-korp regolatorju li jkun, dawk l-istatuti, regolamenti u bye-laws li fil-fehma tiegħu mhumiex konformi mal-liġijiet ta' Malta.

(4) Il-President jista' f'każ li ma jkunx hemm Prinċipal jew Prinċipal-Maħtur biex jaqdi d-dmirijiet ta' Prinċipal kif imfisser fl-artikolu 22, minħabba forza maġġuri, jaħtar xi wieħed mid-Deputati Prinċipali biex jaqdi tali dmirijiet sa meta l-Prinċipal ikun jista' jerġa' jaqdi d-dmirijiet tiegħu jew sa meta jinħatar Prinċipal ġdid skont id-dispożizzjonijiet ta' dan l-Att:

Iżda l-President għandu, fi żmien ħamest (5) ijiem mill-ħatra ta' Prinċipal isejjaħ laqgħa ta' emerġenza tal-Bord tal-Gvernaturi, sabiex tiġi ratifikata l-ħatra temporanja.

Il-Viċi President.

20. (1) Il-Viċi President għandu jinħatar mill-Ministru għal perjodu ta' mhux iżjed minn tliet (3) snin, wara konsultazzjoni mal-President.

(2) Kull meta l-kariga ta' President tkun temporanjament vakanti, u sakemm jinħatar President ġdid, u kull meta d-detentur tal-kariga jkun assenti minn Malta jew ikun bil-vakanzi jew għal xi raġuni ma jkunx jista' jwettaq il-funzjonijiet mogħtija lilu b'dan l-Att, dawk il-funzjonijiet għandhom jiġu mwettqa mill-Viċi President.

(3) Il-Viċi President għandu wkoll iwettaq dawk il-funzjonijiet tal-President kull meta jiġi meħtieġ bil-miktub biex jagħmel dan mill-President.

Is-Segretarju tal-Bord tal-Gvernaturi.

21. (1) Għandu jkun hemm Segretarju tal-Bord tal-Gvernaturi li għandu jintgħażel mill-Bord tal-Gvernaturi, wara li jkun ġie nominat mill-President wara konsultazzjoni mal-Prinċipal.

(2) Is-Segretarju għall-Bord tal-Gvernaturi għandu jżomm il-minuti kif meħtieġ minn kull laqgħa tal-Bord tal-Gvernaturi u għandu jaqdi dawk id-dmirijiet ta' uffiċjal ta' kollegament bejn il-President u, jew il-membri tal-Bord tal-Gvernaturi u l-Prinċipal tal-Kulleġġ.

Il-Prinċipal.

22. (1) Il-Prinċipal, bla ħsara għas-setgħat vestiti f'xi korp regolatorju tal-Kulleġġ bid-dispożizzjonijiet ta' dan l-Att, għandu jkollu s-setgħat kollha meħtieġa għat-tmexxija u għall-amministrazzjoni tal-Kulleġġ, inkluża s-setgħa li jagħmel dawk il-ħatriet meħtieġa ta' uffiċjali u impjegati li jkollhom esperjenza akkademika jew teknika, jew ta' kull xort'oħra, għal dak il-perjodu, taħt dawk il-kondizzjonijiet u skont politika ta' governanza tajba u proċeduri stabbiliti mill-Bord tal-Gvernaturi, kif ukoll li jiddeċiedi fuq kull ħaġa urġenti ta' xorta edukattiva jew xort'oħra:

Iżda kull deċiżjoni bħal dik hawn fuq imsemmija li tolqot xi setgħa jew funzjoni vestita b'dan l-Att f'korp regolatorju tal-Kulleġġ għandha tiġi reġistrata mill-Prinċipal u tinġieb quddiem dak il-korp regolatorju fl-ewwel laqgħa tiegħu wara dik id-deċiżjoni.

(2) Il-Prinċipal għandu jeżerċita awtorità fuq l-għalliema, l-eżaminaturi, l-istudenti, il-kandidati għall-eżamijiet, l-impjegati tal-Kulleġġ, u fuq kull min jiġi inkarigat jagħti xi servizz lill-Kulleġġ, kemm jekk ta' natura kummerċjali kif ukoll jekk mhux kummerċjali, u għandu jżomm id-dixxiplina u jieħu ħsieb li jiġu strettament imħarsa d-dispożizzjonijiet tal-Att, tal-Istatut tal-Istituti, tal-bye-laws u tar-regoli oħra magħmula mill-korpi kompetenti tal-Kulleġġ.

(3) Il-Prinċipal għandu jikkonferixxi l-Għotjiet, Kwalifiki u distinzjonijiet oħra tal-Kulleġġ.

(4) Il-Prinċipal għandu jiżgura li, safejn jiddependi minnu, il-korpi regolatorji jkunu regolarment kostitwiti, u li jipprovdi għall-organizzazzjoni ta' dawk l-elezzjonijiet meħtieġa b'dan l-Att, inkluż li

fil-fatt dawn isiru kif stabbilit u mingħajr dewmien bla bżonn.

(5) Il-Prinċipal għandu jiżgura li l-korpi regolatorji jiltaqgħu regolarment kif stabbilit b'dan l-Att u għandu jkun responsabbli għall-ippjanar u l-kordinament tal-attivitajiet tal-korpi u tal-istituzzjonijiet tal-edukazzjoni u taħriġ differenti u għat-twettiq tad-deċiżjonijiet tal-awtoritajiet kompetenti tal-Kulleġġ.

(6) Il-Prinċipal għandu jaħtar u jimpjega, permezz ta' sejħiet pubbliċi, dawk l-impjegati li jistgħu minn żmien għal żmien ikunu meħtieġa għat-twettiq kif imiss u effiċjenti tal-funzjonijiet tal-Kulleġġ, taħt il-pattijiet u kondizzjonijiet li jistgħu jiġu stabbiliti minn żmien għal żmien mill-Bord tal-Gvernaturi u mingħajr il-ħtieġa ta' xi formalità oħra stabbilita minn żmien għal żmien skont l-Att dwar l-Amministrazzjoni Pubblika.

Kap. 595.

Id-Deputati Prinċipali.

23. Id-Deputati Prinċipali għandhom iwettqu dawk il-funzjonijiet li jiddelegalhom il-Prinċipal, inkluż li jaġixxu f'ismu skont kif ikun meħtieġ.

Ir-Reġistratur.

24. Ir-Reġistratur għandu:

(a) jassisti lill-Prinċipal jew lid-delegat tiegħu fl-amministrazzjoni ta' kuljum tal-programmi akkademiċi, edukattivi u ta' taħriġ tal-Kulleġġ, u għandu jkun responsabbli għat-twettiq tal-istruzzjonijiet tal-Prinċipal jew tad-delegat tiegħu;

(b) iżomm is-siġill tal-Kulleġġ u jiffirma wkoll id-dokumenti kollha li fuqhom jiġi mqiegħed is-siġill tal-Kulleġġ;

(ċ) jiffirma d-dokumenti li jiċċertifikaw l-Għotjiet u Kwalifiki akkademiċi u vokazzjonali mogħtija mill-Kulleġġ u jżomm record sħiħ tagħhom;

(d) jaġixxi ta' segretarju għall-Kunsill Vokazzjonali u Professjonali u, jew direttament jew permezz ta' delegat fil-Bordijiet tal-Istudji fl-Istituti;

(e) ikun responsabbli għar-records tal-eżamijiet kollha miżmuma mill-Kulleġġ u għall-ħarsien xieraq ta' dawn ir-records, u li jżomm kopji aġġornati tal-istatuti, ir-regolamenti u l-bye-laws;

(f) iżomm l-elenki tal-membri tal-Bord tal-Gvernaturi, tal-Kunsill Vokazzjonali u Professjonali, tal-Bordijiet tal-Istudji, tal-eżaminaturi, u tal-istudenti;

(g) iżomm records tal-attivitajiet edukattivi u ta' taħriġ ta' kull student;

(h) ikun responsabbli, wara konsultazzjoni mad-Deputati Prinċipali, għall-arranġamenti xierqa tal-orarju tat-tagħlim; u

(i) jaqdi dawk id-dmirijiet l-oħra skont kif jista' jkun mitlub jagħmel mill-Prinċipal skont l-esiġenzi tal-Kulleġġ.

Id-Diretturi tal-Istituti.

25. Id-Diretturi tal-Istituti għandhom iwettqu dawk il-funzjoinijiet li jiġu assenjati lilhom mill-Prinċipal inkluż li jipprovdu tmexxija lill-Istitut billi jamministraw kemm il-ħtiġiet strateġiċi kif ukoll dawk operattivi.

TAQSIMA IV
Dispożizzjonijiet Finanzjarji

Finanzjament u kontroll tal-finanzi tal-Kulleġġ.

26. (1) Il-Bord tal-Gvernaturi għandu, permezz tal-Kunsill Amministrattiv, matul kull sena finanzjarja jiżgura li jiġu mħejjija u adottati estimi tad-dħul u nfiq tal-Kulleġġ għas-sena ta' wara.

(2) Il-Bord tal-Gvernaturi, permezz tal-Kunsill Amministrattiv, għandu jiżgura li jiġi mħejji, aġġornat regolarment u mwettaq pjan finanzjarju ta' tliet snin (li jirrifletti l-pjan strateġiku ta' tliet snin).

(3) Il-Bord tal-Gvernaturi, permezz tal-Kunsill Amministrattiv, għandu jiżgura li jinżammu sew kontijiet u dokumentazzjoni oħra dwar l-operazzjonijiet u t-transazzjonijiet tiegħu, u għandu jara li jiġi preparat rendikont tal-kontijiet tiegħu għal kull sena finanzjarja.

(4) Il-kontijiet tal-Kulleġġ għandhom jiġu verifikati minn awditur jew awdituri kwalifikati bil-*warrant* maħtura mill-Bord tal-Gvernaturi minn żmien għal żmien, filwaqt li l-amministrazzjoni finanzjarja tal-Kulleġġ għandha tkun soġġetta għall-verifika min-naħa tal-Awditur Ġenerali.

(5) Il-Bord tal-Gvernaturi għandu, mhux aktar tard minn sitt (6) xhur mill-għeluq ta' kull sena finanzjarja, jiżgura li kopja tar-rendikont tal-kontijiet verifikati, flimkien ma' rapport tal-attivitajiet tal-Kulleġġ matul dik is-sena, jintbagħat lill-Ministru flimkien ma' kopja tar-rapport tal-awditur jew awdituri dwar dak ir-rendikont, u l-Ministru għandu mingħajr dewmien żejjed iqiegħed dawk ir-rendikonti u rapporti fuq il-Mejda tal-Kamra.

Drittijiet, rati u ħlasijiet.

27. (1) Il-Kulleġġ jista' jiġbor id-drittijiet, rati u ħlasijiet oħra kollha preskritti fil-protokolli tiegħu jew meqjusa bħala preskritti minn u taħt dan l-Att u, jew regolamenti, jew kull liġi oħra li għandha x'taqsam mas-setgħat u l-funzjonijiet tal-Kulleġġ.

(2) Il-Kulleġġ għandu jitħallas mill-Gvern mill-Fond Konsolidat dawk is-somom li l-Parlament jawtorizza li jkunu approprijati biex jagħmlu tajjeb għall-ispejjeż dwar xogħlijiet speċifikati li għandhom jitkomplew u għall-operat u l-amministrazzjoni ta' kuljum tal-Kulleġġ.

Estimi finanzjarji.

28. (1) Il-Kulleġġ għandu jara li jiġu mħejjija f'kull sena finanzjarja, u mhux aktar tard minn sitt (6) ġimgħat wara t-tmiem ta' kull sena jadotta, estimi tad-dħul u nfiq tal-Kulleġġ għas-sena finanzjarja li tiġi minnufih wara.

(2) Fit-tħejjija ta' dawk l-estimi, il-Kulleġġ għandu jqis kull fond u flus oħra li jistgħu jkunu dovuti li jitħallsu lilu mill-Fond Konsolidat matul is-sena finanzjarja rilevanti, jew bis-saħħa ta' dan l-Att jew ta' Att ta' Approprjazzjoni jew ta' kull liġi oħra u l-Kulleġġ għandu hekk iħejji dawk l-estimi b'mod li jiżgura li kull dħul totali tiegħu jkun mill-inqas suffiċjenti biex minnu jinħarġu l-ammonti ta' flus kollha li għandhom jitħallsu kif dovut fil-kont tad-dħul tiegħu inklużi, imma mingħajr preġudizzju għall-ġeneralità ta' dik il-frażi, id-deprezzament.

(3) L-estimi għandhom isiru f'dak il-format u għandu jkun fihom dik l-informazzjoni u dawk il-paraguni mal-estimi ta' snin ta' qabel hekk kif il-Ministru responsabbli għall-finanzi jista' jordna.

(4) Kopja tal-estimi għandha, meta dawn jiġu adottati mill-Kulleġġ, tintbagħat minnufih lill-Ministru u lill-Ministru responsabbli għall-finanzi.

(5) Il-Ministru għandu mal-ewwel opportunità li jkollu u mhux aktar tard minn sitt (6) ġimgħat wara li jkun irċieva kopja tal-estimi mill-Kulleġġ (jew jekk matul dak il-perjodu l-Kamra ma tkunx qed tiltaqa', fi żmien sitt (6) ġimgħat mill-bidu tas-sessjoni li jkun imiss) jara li tali estimi jitqiegħdu fuq il-Mejda tal-Kamra flimkien ma' mozzjoni li l-Kamra tapprova dawk l-estimi.

Flejjes li jitħallsu mill-Kulleġġ.

29. (1) Il-flejjes kollha li jirċievi l-Kulleġġ għandhom jitqiegħdu f'bank jew banek li jinħatru bankiera mill-Kulleġġ b'riżoluzzjoni tal-Bord tal-Gvernaturi tal-Kulleġġ. Dawk il-flejjes għandhom, skont kemm ikun prattiku, jitqiegħdu fil-banek minn jum għall-ieħor, ħlief għal dak l-ammont li l-Kulleġġ jista' jawtorizza li jinżammu biex jitħallsu minnu nefqiet żgħar u ta' minnufih.

(2) Il-ħlasijiet kollha li jsiru mill-fondi tal-Kulleġġ, ħlief għal nefqiet żgħar ta' mhux iżjed minn dak l-ammont li jista' jkun stabbilit mill-Kulleġġ minn żmien għal żmien, għandhom isiru minn dak l-uffiċjal jew uffiċjali tal-Kulleġġ li jistgħu jiġu maħtura jew imsemmija minnu għal dak il-għan.

(3) Ċekkijiet li jiġu maħruġa u flejjes li jiġu rtirati minn xi kont

tal-bank tal-Kulleġġ għandhom jiġi ffirmati mill-Prinċipal, jew minn tali membru jew uffiċjal ieħor li jista' jiġi awtorizzat mill-Bord tal-Gvernaturi għal dak il-għan.

Proċeduri finanzjarji.

30. Il-Kulleġġ għandu wkoll jipprovdi:

(a) għall-mod kif, u l-uffiċjal jew uffiċjali li għandhom is-setgħa, jawtorizzaw jew japprovaw il-ħlasijiet;

(b) għat-titolu ta' kull kont li jinżamm fil-bank jew banek fejn għandhom jitħallsu l-flejjes tal-Kulleġġ, u t-trasferimenti ta' fondi minn kont għal ieħor;

(ċ) għall-metodu li għandu jiġi adottat biex isiru ħlasijiet mill-fondi tal-Kulleġġ u dwar kull ħaġa li hija rilevanti għaż-żamma kif imiss u l-kontroll tal-kontijiet u l-kotba, u l-kontroll tal-finanzi tal-Kulleġġ;

(d) għas-sottomissjoni tal-kontijiet annwali tal-ġestjoni approvati mill-Bord tal-Gvernaturi.

TAQSIMA V
Mixxellanji

Ilbies uffiċjali.

31. L-ilbies xieraq uffiċjali li l-uffiċjali ewlenin tal-persunal akkademiku tal-Kulleġġ, tal-gradwati, tal-istudenti u tal-membri l-oħra tal-Kulleġġ huma mistennija li jilbsu fl-okkażjonijiet uffiċjali għandhom jiġu stabbiliti b'regolamenti magħmula mill-Bord tal-Gvernaturi wara konsultazzjoni mal-Kunsill Vokazzjonali u Professjonali.

Għoti ta' gradi u diplomi.

32. (1) Il-gradi u d-diplomi għandhom jingħataw f'ċerimonja pubblika jew, bil-kunsens tal-Bord tal-Gvernaturi, fil-privat jew *in absentia*.

(2) Kandidat għandu jkun eliġibbli biex jingħata grad jew diploma biss wara li l-Prinċipal jiċċertifika li l-kondizzjonijiet kollha stabbiliti fl-istatuti, fir-regolamenti u fil-bye-laws rilevanti għal dak il-grad jew għal dik id-diploma jkunu ġew sodisfatti u kemm-il darba l-obbligi u r-responsabbiltajiet l-oħra kollha tal-kandidat lejn il-Kulleġġ ikunu ġew ukoll sodisfatti.

(3) Ebda persuna ma tista' titqies li għandha grad jew diploma tal-Kulleġġ jekk dan il-grad jew dik id-diploma ma tkunx ingħatat kif preskritt fis-subartikolu (1).

Trasferiment ta' attiv lill-Kulleġġ.

33. (1) B'effett mid-data stabbilita, il-proprjetà u l-intrapriżi kollha għandhom, bis-saħħa ta' dan l-Att, u mingħajr ebda

assigurazzjoni oħra, jiġu trasferiti lill-Kulleġġ, u jiġu vestiti fih, taħt l-istess titolu li bih kienu miżmuma mill-Gvern minnfih qabel dak il-jum.

(2) Tali trasferiment għandu jestendi għal kull tali proprjetà pubblika u intrapriżi u għandu jinkludi l-artijiet kollha u proprjetà oħra mobbli u immobbli, attiv, setgħat, drittijiet, privileġġi u jeddijiet għal azzjonijiet miżmuma jew li jappartjenu f'konnessjoni magħhom jew li għandhom x'jaqsmu magħhom.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 148 tat-12 ta' Lulju, 2023.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.) **GEORGE VELLA**
President

21st July, 2023

ACT No. XXXII of 2023

AN ACT to provide, in lieu of Part VIII of the Education Act (Cap. 327), for the establishment, functions and purpose of the Malta College of Arts, Science and Technology, establishing governing bodies and principal officers thereof, the functions, composition and powers of such governing bodies, providing for financial provisions relating to the College, as well as providing for other matters connected therewith or ancillary thereto.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

ARRANGEMENT OF ACT

		Articles
Part I	Preliminary	1 - 2
Part II	Establishment, Functions and Purpose of the College	3 - 7
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PART I
Preliminary

Short title and commencement.

1. (1) The short title of this Act is the Malta College of Arts, Science, and Technology Act, 2023.

(2) This Act shall come into force on such date as the Minister responsible for education may, by notice in the Gazette, establish, and different dates may be so established for different provisions and different purposes of the Act.

Interpretation.

2. In this Act, unless the context otherwise requires:

"academic units" means quality-assured and time-framed education and training modules within programmes, which may include, but are not limited to, work-based learning and apprenticeships;

"administrative affairs" means matters pertaining to the day-to-day running of the College;

"apprenticeship" means systematic, long-term training alternating periods at the workplace and in an educational institution, in the voluntary sector or training centre. The apprentice is contractually linked to the employer and receives remuneration (wage or allowance). The employer assumes responsibility for providing the trainee with training leading to a specific occupation;

"applied and impact research" means the process of establishing new knowledge or exploring the feasibility of new or improved technology, service or solution, based on a methodology used to solve a specific, practical problem undertaken with the specific aim of benefiting the industry in an impact oriented manner whether directly or indirectly;

"Award" means study programmes of shorter duration which do not fulfil the requirements in terms of the minimum credits required at the respective level of the Malta Qualification Framework;

"Board of Governors" means the Board of Governors established by article 9;

"body corporate" means a body having a distinct legal personality;

"body of persons" means any partnership, fellowship, society, or other association of persons whether vested with legal personality or not;

"College" means the Malta College of Arts, Science and

Technology as defined by means of article 3;

"Deputy Principal" means the person or persons designated by the Principal to support his office in specific areas or sectors of the College;

"employment" means any labour or work exercised by way of trade or for gain, whether the gain be to the person employed or to any other person, and whether the labour or work is done for wages or other compensation or not, and "to employ" shall be construed accordingly;

"function" means any responsibility, power, obligation, and duty;

"Government entity" shall have the same meaning as assigned to it in the Public Administration Act; Cap. 595.

"industry" means any general business activity and commercial enterprise which shall include but is not limited to sciences, biotechnology, pharmaceuticals, advertising, creative arts and media, construction, farming and agriculture, fashion, finance, information technology, infrastructure, manufacturing, retail, robotics, artificial intelligence, aerospace technology, space technology, telecommunications, as well as research and development;

"industry-driven and community based curricula" means curricula based on a wide variety of instructional methods and programs utilised to connect what is being taught to the needs of the Industry and the surrounding community, which includes but not limited to, work-based learning;

"MFHEA" means the Malta Further and Higher Education Authority established by the Further and Higher Education Act; Cap. 607.

"Minister" means the Minister responsible for education;

"MQF" means the Malta Qualifications Framework and shall have the same meaning as assigned to it by article 63 of the Education Act; Cap. 327.

"parent" means the father or the mother and includes any person who has the care and custody, whether legal or actual, of a child;

"person" includes a body of persons and any body corporate established by law;

"President" means the person appointed in terms of article 18 to preside over and chair the Board of Governors;

"prescribed" means stipulated by any law, regulation, statute, rule or bye-law;

"Qualifications" means the substantial programmes based on learning outcomes at the respective Level of the Malta Qualifications Framework and having enough workload to meet the requirements depending on the level as required by the Malta Qualifications Framework;

"PHE" means higher education offered at MQF Levels 5 upwards that offers profession-oriented education through close industry collaboration, applied and impact-oriented research, and practice-relevant knowledge that maintains the academic rigour;

"Principal" means the person appointed by the Board of Governors to perform the duties indicated in article 21 and any person who temporarily occupies that office;

"remuneration" means compensation in any form whether in money or in kind;

"VET" means education and training offered at MQF Levels 1 - 4 that aims to equip people with knowledge, know-how, skills and, or competences required in particular occupations or more broadly on the labour market;

"VET provider" means an individual or body corporate who is the administrator of work placements, apprenticeships and internships providing vocational educational programmes at further education or higher levels, as licensed by the Malta Further and Higher Education Authority or is approved by international structures with qualification recognised by the industry;

"Vice President" means the person appointed by the Minister in terms of article 19, to act on behalf of the President and chair the Board of Governors meetings in his absence or as directed from time to time;

"VPET" means education and training which aims to equip persons with knowledge, know-how, skills and, or competences required in particular occupations or more broadly on the labour market. For the purposes of this Act, VPET is an inclusive term which includes both Vocational Education and Training (VET) and Professional Higher Education (PHE);

"work-based learning" means the acquisition of knowledge and skills through carrying out – and reflecting on – tasks in a vocational context, either at the workplace (such as alternance training) or in a VET institution.

PART II
Establishment, Functions and Purpose of the College

The Malta College of Arts, Science and Technology.

3. The Malta College of Arts, Science and Technology, established by public deed by the Government of Malta on the 11 of August of the year 2000, shall strive, function, and endeavour to develop curricula, and design, provide, and deliver study VPET programmes, Work-Based Learning and Apprenticeship, and to further students' education in the vocational and professional sectors, and provide services that promote and enhance the College's students' and employees' well-being.

Legal personality and juridical representation of the College.

4. (1) The Malta College of Arts, Science and Technology, a Government entity, shall be a body corporate having a distinct legal personality and shall be capable, subject to the provisions of this Act, of entering into contracts, of acquiring, holding, and disposing of any kind of property for the purposes of its functions, of employing its staff, of suing and being sued, of establishing commercial undertakings, including limited liability companies, and conducting all operations and entering into all such transactions as are incidental or conducive to the exercise or performance of its functions under this Act.

(2) The College is a public entity and its employees, whilst part of the public sector, are not public officers or Government employees. The structures relating to wages, grades, posts, appointments and disciplinary procedures of the College's employees are distinct from those of the public sector unless otherwise specifically provided, this in accordance with the Public Administration Act. Cap. 595.

(3) The legal and juridical representation of the College shall vest in the College's Principal:

Provided that the Board of Governors may appoint any one or more of its members or of the officers or employees of the College to appear in the name and on behalf of the College in any judicial proceedings and in any act, contract, instrument or other document whatsoever:

Provided further that in order for the College to enter into contracts pertaining to the acquisition or disposal of immovable property under whichever title, a Board Resolution from the Board of Governors shall be required.

Official languages.

5. Maltese and English are the official languages of the College. The College administration may use either or both languages for official purposes.

Purpose of the College.

6. (1) The main objective of the College shall be that of an Education Institution which enables students to reach their potential. The College shall endeavour to ensure that education is accessible and available to all students, without discrimination, and to develop VPET curricula and establish vocational education, facilities and programmes of education and training, and of work and practical experience which the College may deem necessary to provide all with the opportunity to qualify in the vocational sectors taking into account the socio-economic situation of Malta.

(2) The College shall, in a general manner, ensure connectivity between the College, the community and the industry, in a manner which mirrors the requisites of the industry in the content and running of its educational programmes within and outside the College:

Provided that the College shall provide programmes of studies in VPET leading to qualifications at all levels of the MQF relevant to industry.

(3) The College shall organise programmes of study including but not limited to all the levels of the Malta Qualifications Framework.

(4) The College, as a VET provider, shall comply with the provisions of the Work-Based Learning and Apprenticeship Act, or any other subsequent and, or relevant legislation.

Cap. 576.

(5) The College shall endeavour and strive to achieve and maintain the quality of its vocational and professional programmes and apprenticeships at all levels of the MQF by establishing its own internal quality assurance system and a validation system based on external quality assurance as required by the relevant competent national authority and as established by the relevant legislation.

(6) The College shall ensure, in such areas as may be possible and according to the possibilities of the College, access to each person regardless of academic qualifications, and shall have special programmes to assist any person to achieve the required education, so that such person may continue and terminate successfully such level according to established standards, and with this aim the College shall accredit prior learning.

(7) The College shall provide study programmes of vocational and professional education and training to help persons acquire Awards and Qualifications according to their needs through different modes of delivery, including all forms of work-based learning and apprenticeship as prescribed by the Work-Based Learning and Apprenticeship Act.

Cap. 576.

(8) The College shall:

(a) embed all forms of work-based learning, particularly apprenticeships, in vocational and professional education and training programmes at MQF Level 4 and in higher education qualifications;

(b) offer Awards and Qualifications at all levels of the Malta Qualifications Framework;

(c) promote Malta's vision as a hub of cultural, industrial, commercial and services activity for other regions of the world and in particular for the Euro-Mediterranean region;

(d) ensure that applied and impact-based research as well as community-based curricula be at the core of all student learning experiences, including in curriculum design and in the development of study programmes;

(e) educate its students in being able to appreciate and welcome the challenges and opportunities which the accelerated process of the global economy is bringing along with it as a result of the advances being made in the areas of communication, culture, information technology, and science;

(f) promote as part of its holistic education different modes of work based learning;

(g) promote an entrepreneurship culture through its different programmes of study and by offering practical on-the-job experience;

(h) cultivate a culture of open-mindedness, propriety, good governance, creativity, and innovation in the pursuit of excellence, and flexibility and space to do things differently, sustained by commitment, dedication, and integrity at College, at the students' future place of work, and in the exercise of the College's students' and personnel's profession, taking into account the students' well-being;

(i) foster among students a commitment towards occupational health and safety at the place of work;

(j) respond at a relevant time and in a relevant manner to the needs of the labour market, by networking and effective partnership at all levels of educational and training experience with the educational, economic, industrial, cultural and services sectors;

(k) foster the mindset, skills, and values conducive to agile employability and lifelong learning and retraining of its students;

(l) ensure the implementation of the principles of inclusive education by providing an equitable access to all persons in full respect of diversity;

(m) attribute the necessary importance to research sustainable innovation and development in the areas of applied arts, social sciences, engineering, science, and technology;

(n) develop programmes of study based on the concept of lifelong learning;

(o) ensure that the quality and standards of study programmes and of certificates awarded are recognised at both national and international levels;

(p) be guided by the national policies and strategies as adopted from time to time by Government;

(q) participate in bilateral and regional exchange programmes and particularly in the educational and training programmes, such as those of the European Union in which Malta participates from time to time;

(r) develop flexible learning strategies through the application of portfolio qualifications and the use of innovative technologies and methodologies.

(9) The College shall collaborate and communicate with the other National and International Educational Institutions, public and private institutions and organisations, the national employment agency, civil society, trade union organisations, chambers of commerce, business, trade, recognised trade unions who represent employees of the College and Industry associations, and the other national competent authorities which participate in the social and economic development of Malta.

(10) The College shall establish associate academies and institutes as the Board of Governors may deem appropriate.

Powers and functions of the College.

7. The College shall:

(a) through education and training in the subjects of arts, science, technology, technical knowledge and trades, guide students enrolled in any of its study programmes in the development of the required competences and proficiency for the

exercise of jobs, professions and callings in the economic, industrial, and services sectors;

(b) on its own, or together with other institutions, whether public or private, local or foreign, organise such study programmes of instruction and training as it may deem necessary or expedient;

(c) on its own, or together with other institutions and organizations, organise such cultural, sports, and pastoral activities for the better formation and enrichment of an individual's personality;

(d) establish such entities, institutes, departments, centres, research hubs and programmes which it may deem necessary and shall supervise the administration thereof;

(e) establish the conditions for admission to the respective programme of studies and training, and of practical and work experience and prescribe the required regulations concerning examinations and the modalities of education and training in such study programmes;

(f) provide for adequate procedures for the certification of persons who have reached the necessary proficiency in the several areas of study and training;

(g) offer such Awards and Qualifications or other distinctions which it may deem suitable to such candidates who satisfy the prescribed conditions after following the required study programmes or having pursued distinguished careers in the arts, science and technology;

(h) establish the lecturing, teaching, training posts and administrative posts as may be required from time to time and appoint persons to such posts;

(i) establish and maintain as due, libraries, laboratories, workshops, services and other facilities required for teaching, training, experimentation, research and the dissemination of knowledge;

(j) establish internal auditing schemes which ensure the quality of education and training being imparted and the effective use of resources;

(k) make regulations concerning the performance and the conduct of students, lecturers and other persons entrusted with

rendering any service at the College, whether engaged by an indefinite or a definite contract of service, or by a contract for services, or if seconded or on loan to the College by government, public or private entities;

(l) make regulations to safeguard the health and well-being of all parties mentioned in paragraph (k);

(m) establish policies and procedures to ensure student retention and promote their academic and educational success;

(n) administer the property, resources, and funds allotted to it from time to time by the Government with an aim of accomplishing the College programmes, including such other funds as it may receive or raise from other sources;

(o) do anything required to be done so as to accomplish its objectives according to this Act and in accordance to directives given by the Minister in pursuance of general Government policy.

Statutes, regulations and bye-laws.

8. (1) The College shall have the power to make statutes, regulations, and bye-laws in order to provide for its own administration and for the administration of its activities and of the entities created by it.

(2) Statutes shall be made by the Board of Governors and shall bind the whole College as well as the entities created by it.

(3) Regulations shall be made by the Vocational and Professional Council and shall provide for matters of an academic nature and shall bind the whole College.

(4) Bye-laws shall be made by the Boards of Studies and shall provide for matters of an academic nature and shall bind the Institute represented by the Board of Studies that made those bye-laws.

(5) The Vocational and Professional Council may, on the advice of the Board of Governors, make a statute that provides for a matter of an academic nature, and, or may amend or repeal, in whole or in part, such statute, however if such advice is not tendered within the term established by the Council, which term shall in no case be less than twenty-one (21) days from the date of the said request, the Council may make that statute or amend or revoke it without that advice.

(6) Statutes, regulations and bye-laws made by the competent governing bodies of the College in accordance with the provisions of this Part shall be promulgated and published to have the force of law:

Provided that the subsidiary legislation herein mentioned shall as soon as it is promulgated and published, be laid on the Table of the House in accordance with article 11 of the Interpretation Act. Cap. 249.

(7) Any power given by this Act for the making of statutes, regulations or bye-laws by the competent governing body of the College shall be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the statutes, regulations or bye-laws, and such power shall be exercisable without prejudice to the making of new statutes, regulations or bye-laws.

PART III
The Governing Bodies and Principal Officers of the College

Governing bodies and officers of the College.

9. (1) The governing bodies of the College shall be the following:

(a) the Board of Governors;

(b) the Vocational and Professional Council;

(c) the Administrative Council;

(d) the Boards of Studies.

(2) The non-executive principal officers of the College are:

(a) the President of the Board of Governors;

(b) the Vice-President and members of the Board of Governors.

(3) The executive principal officers of the College are:

(a) the Principal of the College;

(b) the Deputy Principals of the College;

(c) the Registrar;

(d) the Institute Directors.

(4) There shall be other officers, in addition to those listed under sub-article (3), as may be established by the Board of Governors from time to time. Such officers shall all be answerable to the Principal of the College for the conduct of their respective duties.

Composition of the Board of Governors.

10. (1) The Board of Governors shall be composed of not less than eleven (11) and not more than thirteen (13) members who, unless otherwise specifically provided for in this Act, shall be appointed for a period of three (3) years and the members shall be eligible to be re-appointed for a further period of three (3) years, only once after their first term of office expires, up to a total maximum term of six (6) years.

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

(a) the President appointed in accordance with article 19;

(b) the Vice-President appointed in according with article 20;

(c) the Chairperson of Malta Enterprise;

(d) the Chairperson of the National Skills Council;

(e) the Permanent Secretary of the Ministry for Education;

(f) a representative elected by and from the students of the College who shall hold office for a term not exceeding one (1) year;

(g) two (2) representatives elected by and from the employees of the College, which shall consist of one (1) representative elected from the academic employees and one (1) representative elected from the non-academic employees;

(h) three (3) members nominated by the Minister in consultation with the President amongst whom there shall be representatives of employers, employees, and civil society, and who, in the opinion of the Minister, possess: the necessary academic qualifications; professional experience; knowledge of the Maltese and global Industry and of the global evolution of work and technology; leadership qualities to develop and strengthen the good governance of the College; and who have an understanding of vocational education and the national and international labour market within the context of creating an open-minded, democratic, fair, prosperous, diverse, and inclusive society:

Provided that at least one (1) of the members of the Board of Governors shall be a person with a disability as defined by the Equal Opportunity (Persons with Disability) Act.

Cap. 413.

(3) The Principal of the College shall have the right to attend the meetings of the Board without having a right to vote, provided that he shall withdraw from each meeting where matters connected with his performance or contract of work are discussed.

(4) The members of the Board of Governors shall be persons having competence or experience in the education sector, vocational education, the cultural sector, the economy, industry and services sectors or in the social sectors, and who, in the opinion of the Minister, possess leadership qualities, and have an understanding of the importance of vocational education and training within the context of general socio-economic and democratic development.

(5) A member of the Board of Governors may at any time be removed from office by the Minister, after consultation with the President, on the grounds of inability to perform the functions of his office as required, either because of mental or physical illness, or upon the Board's recommendation that such member is deemed to be disruptive and, or a source of frequent conflict causing hindrance to the proper functioning of the Board of Governors, or for any other reason due to which the member would no longer be fit to occupy such office, which shall include a breach of confidentiality.

(6) A member of the Board of Governors may resign from his office through a letter addressed to the Minister. If any member tenders his resignation or is removed from his office by the Minister, in consultation with the President, or should the office of any member of the Board become in any manner vacant, the Minister, after consultation with the President, 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 re-appointed subject to the limitations of sub-article (1).

(7) A member of the Board of Governors having a direct or indirect interest in any contract made or proposed to be made by the Board of Governors, or any financial interest or otherwise in any enterprise or activity which may affect the performance of his functions as a member in this Board, shall declare his interest in writing during the first sitting of the Board of Governors. A declaration of interests of members of the Board of Governors will be registered in the minutes of the Board meeting, and the Board member concerned shall withdraw from the meeting while such contract or matter in which he has an interest is being discussed. Declarations of interests are to be communicated to the Minister without delay. When such interest as the member may have is such that it may lead to his removal from office, the member shall immediately report the fact to

the Minister and offer to tender his resignation, without prejudice to the Minister's power to remove such member from the Board.

(8) Any absence or vacancy among the members of the Board of Governors, 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 of not less than one-half of the number of members of the Board plus one.

(9) Subject to the provisions of this Act and of any regulations made thereunder, the Board of Governors may appoint non-executive committees with established terms of reference.

(10) The Board of Governors shall take all necessary precautions and treat all information including but not limited to information passed on to them during or in anticipation of Board of Governors meetings as highly confidential in its relations with both public and private institutions.

(11) The Board of Governors may engage the services of non-executive Senior Advisors to provide objective and independent advice in order to assist the Board of Governors in its work. The said Senior Advisors shall report to the Board of Governors:

Provided that the number of Senior Advisors shall not exceed three (3) per one (1) calendar year.

(12) The Minister may, after consulting the President, make regulations regarding the procedures to be adopted by the Board of Governors in the course of its operations.

Functions of the Board of Governors.

11. (1) The Board of Governors shall be the highest governing body of the College and shall have the duty of performing the objectives and to exercise the powers of the College as laid down in the provisions of this Act, and shall in particular have the following functions:

(a) to acquire and control the resources, facilities and property, both movable and immovable, of the College:

Provided that insofar as immovable property is concerned, the College and, or any of its Principal Officers shall be precluded, both *ipso facto* and *ipso jure*, from alienating, transferring, selling, hypothecating or otherwise burdening and, or encumbering such property and, or from assigning any rights, obligations and, or title thereto to third parties to further such third parties' private, commercial, financial and, or profit-making interests to the detriment of any above-mentioned

educational purposes and associated support services in line with the College's purposes and functions as outlined in article 7:

Provided further that the Board of Governors may resolve to allow an exemption to this restriction should a decision of the Board of Governors be taken by unanimous vote when all of its members are present. The objective criteria and reasons upon which the Board has based its decision shall be explicitly and expressly minuted on pain of nullity of its decision;

(b) to facilitate relations with the Industry and to ensure the continuous connectivity between the College and the Industry as to be able to reflect the exigencies of the Industry in the College's methods, educational programmes and curricula;

(c) to approve the establishment of associate academies and institutes for the due performance of the educational and training tasks and of interdisciplinary co-operation;

(d) to approve the three-year Strategic Plan of the College;

(e) in support of the three-year strategic plan, to approve and ensure the execution of a three-year financial plan to approve the yearly budget of the College in line with the three-year strategic plan, which financial plan shall include a human resources plan;

(f) to supervise the expenditure and the administration of the College at all levels and to approve the annual budget proposals to be submitted to the Minister within a given time;

(g) to appoint, after a public call, a Principal and, on his advice, to also appoint the executive or senior managerial positions within the College;

(h) to set up and abolish, on the advice of the Principal, any post of an academic and administrative nature within the College;

(i) to make statutes, rules and other procedures, of a non-academic nature, in terms of the provisions of this Act;

(j) together with the Vocational and Professional Council, to ensure that proper education levels are retained and improved on, and to establish and supervise internal auditing schemes which ensure the quality of education;

(k) to facilitate agreements as appears necessary with sectors of economic activity in the country and with institutions in Malta and overseas for the better achievement of the objectives of the College;

(l) to establish and oversee the operations of the Internal Audit Office whose main function shall be the assurance of the proper functioning and good governance in the day-to-day operations of the College.

(2) The Board of Governors shall oversee that the qualification degrees, diplomas, awards, and certificates of the College are recognised both at a national and at an international level, and that, wherever applicable, are related to the standards established by the MFHEA.

(3) The Board of Governors shall meet to focus on strategic orientation and strategic decisions. The Board shall meet as necessary, however not less than once every two (2) months with a quorum of not less than half of the number of members of the Board plus one.

Composition of the Vocational and Professional Council.

12. (1) There shall be a Vocational and Professional Council which shall create, administer and monitor all education and training activities of the College including part-time commercial and non-commercial study programmes.

(2) The Vocational and Professional Council shall have full authority over the quality and standards of Awards and Qualifications offered by the College.

(3) The Vocational and Professional Council shall be constituted of the following members:

(a) the Principal, who presides *ex officio*;

(b) the Deputy Principals, *ex officio*;

(c) the Registrar, *ex officio*;

(d) two (2) members representing the industry appointed by the President;

(e) two (2) members appointed by the Minister;

(f) the Directors of all the Institutes *ex officio*;

(g) the Director, Education and Training Programmes;

(h) the Director, Quality Assurance;

(i) the Director, Student Services;

(j) two (2) members elected by and from amongst the full-time academic staff;

(k) two (2) members elected by and from amongst the students who shall hold office for a term not exceeding one (1) year:

Provided that personnel responsible for different academic functions may be invited to the meeting, as necessary.

Functions of the Vocational and Professional Council.

13. (1) The Vocational and Professional Council shall be responsible for the general direction of the academic, vocational and professional education and training of the College, and shall have the following functions:

(a) to ensure that the policies, strategy and decisions adopted by the Board of Governors in terms of article 10 are implemented;

(b) in line with the three-year strategic plan, prepare a three-year academic plan based on the plans prepared and submitted by each academic unit and ensure its execution;

(c) to regulate by means of policies and procedures the programmes of studies, training, research, documentation and examinations at the College and to establish such degrees, diplomas, certificates and awards for such candidates satisfying the prescribed conditions after following the required study programmes;

(d) to decide about the persons to whom the academic, vocational and professional degrees, diplomas, certificates and other distinctions shall be awarded;

(e) to establish, subject to the provisions of this Act, the entry conditions to the College, including those of part-time study programmes;

(f) to appoint Maltese or foreign examiners according to pre-established statutes and procedures, and to ensure that payment is effected for their services;

(g) to recognise, following a recommendation by the competent authorities according to law, such degrees, diplomas,

certificates and distinctions of other universities or educational institutions;

(h) to approve the curricula and the syllabi submitted by the academic units and, where it deems it so necessary, to revert same with its advice about any proposed amendments;

(i) to recommend to the Board of Governors the establishment of new vocational and professional academic units leading to qualifications at all MQF levels which may include the introduction of new subject matter;

(j) to present to the Board of Governors, with the launch of each prospectus, an annual proposal of all academic units forecasted to be removed, retained and introduced in the prospectus of the following year;

(k) to ensure positive and active relations between the College and its professional and educational partners in Malta and overseas;

(l) to give advice to the Board of Governors on academic and professional matters.

(2) The Council shall meet at least every six (6) weeks and the quorum for the meetings shall be of not less than one-half of the number of members plus one.

Composition of the Administrative Council.

14. (1) There shall be an Administrative Council of the College, which is answerable to the Board of Governors, which shall be *inter alia* constituted of the following persons:

(a) the Principal, as Chairperson;

(b) the Deputy Principals;

(c) the Registrar;

(d) the Financial Controller:

Provided that Directors and Deputy Directors responsible for different administrative functions may be invited to the meeting, as necessary. Directors may also appoint Deputy Directors to substitute them during these proceedings.

(2) The Deputy Principal responsible for the Administration of the College shall act as Secretary to the Administrative Council.

Functions of the Administrative Council.

15. The Council shall meet at least every six (6) weeks in order to:

(a) ensure that the policies, strategy and decisions relating to administrative affairs adopted by the Board of Governors are implemented;

(b) propose policies, strategies and decisions relating to administrative affairs to be adopted by the Board of Governors to oversee the preparation of the three-year Financial Plan for the Board of Governors' approval;

(c) oversee the preparation of the yearly Human Resources Plan;

(d) approve and monitor the yearly Communications Plan;

(e) monitor the Financial Plan and the Human Resources Plan, as approved by the Board of Governors;

(f) ensure that recruitment within the College is carried out in a fair and transparent manner and according to laws and regulations as may come into force from time to time;

(g) monitor all staff movement within the College;

(h) approve all policies relating to the College's Administration;

(i) administer the use of all College facilities whether for commercial or non-commercial purposes;

(j) establish grievance policies and procedures, monitor their compliance, and oversee the workings of the Grievance Office.

Composition of the Board of Studies.

16. (1) There shall be a Board of Studies for each academic Institute or Section to be constituted of the following members:

(a) the Director of such Institute shall be the chair *ex officio*;

(b) the Registrar, or a representative of the office of the Registrar, *ex officio*;

(c) the Deputy Director of the relevant section/s of the Institute/Unit *ex officio*;

(d) the Institute Vocational Co-ordinators of the relevant academic units/sections;

(e) two (2) members elected by and from among the full-time lecturers of the academic unit;

(f) one (1) student representative elected by and from amongst the students of the academic unit who shall hold office for a term not exceeding one (1) year;

(g) one (1) member representing the industry appointed by the President;

(h) two (2) members representing the Minister:

Provided that there shall be a minimum of one (1) Board of Studies for each Institute:

Provided further that the Deputy Principal whose responsibility includes the particular Institute or Section, and the Deputy Principal whose responsibility includes the Registrar's Office shall have a right to be informed of and attend the meetings of the respective Boards of Studies:

Provided further that personnel responsible for different academic functions within the Institute or Unit may be invited to the meeting, as may be necessary.

(2) Without prejudice to article 18:

(a) the elections mentioned in paragraph (e) of sub-article (1) shall take place once every three (3) years provided that the same representative may be re-elected;

(b) the elections mentioned in paragraph (f) of sub-article (1) shall take place once per academic year provided that the same representative may be re-elected.

(3) The designated Deputy Principal shall have the right to convene a meeting of the Board of Studies of any academic unit whenever he may deem necessary and in such cases he shall preside the meeting.

Functions of the Board of Studies.

17. (1) The Board of Studies shall have the following functions:

(a) to develop and direct an academic plan for the academic unit;

(b) to approve and oversee all full and part-time curriculum programme matters at the Institute;

(c) to draft and propose bye-laws relating to the respective academic unit in terms of the provisions of this Act;

(d) to advise and support the Principal in providing administrative, academic, training and development operations within the College;

(e) to nominate examiners for consideration for approval of the Vocational and Professional Council;

(f) to propose research and continuous professional development projects to the Vocational and Professional Council.

(2) Policies and procedures which are made by the Board of Studies shall be sent to the Vocational and Professional Council for its approval and shall not be presented to the Board of Governors to be considered unless the Vocational and Professional Council only gives a conditional approval.

(3) The Boards of Studies shall meet at least once every six (6) weeks and the quorum of the meetings shall be of fifty per cent plus one.

Common provisions for the governing bodies of the College.

18. (1) Any appointed or elected person holding office on a governing body of the College shall, unless otherwise specifically provided elsewhere in this Act, hold such office for a period of three (3) years:

Provided that any person holding office on a governing body of the College shall continue to hold that office, notwithstanding such person having terminated the relative period, until the time when an election is held or another person is appointed to occupy that office in his stead:

Provided further that any nominated or elected person holding office on a governing body of the College may not, whether concurrently or subsequently, hold office of any other governing body of the College.

(2) Any governing body of the College may act notwithstanding any vacancy in its membership and quorum shall be computed as if there were no such vacancy.

(3) Any matter proposed for decision at any meeting of any

governing body of the College shall be determined by a majority of the votes of the members present and voting, and, if on any such question the votes are equally divided, the presiding member shall have and exercise a casting vote.

Appointment, powers and duties of the President.

19. (1) The President shall be appointed for a term of three (3) years by the President of Malta, acting in accordance with the advice of the Prime Minister, after consulting with the Leader of the Opposition, which person shall be chosen on account of his involvement, in-depth knowledge, and experience in education and the industry as defined in article 2.

(2) The President shall be the most senior official of the College and shall be responsible for leading the College to comply with this Act and with national educational strategic policy as the official guardian of all established good governance policies and procedures at the College.

(3) The President shall promulgate the statutes, regulations and bye-laws of the governing bodies of the College and may revert once to any governing institution such statutes, regulations, and bye-laws which in his opinion are not in compliance with the laws of Malta.

(4) The President may in the event that there is no Principal or Principal-Designate to fulfil the duties of Principal as outlined in article 22, due to *force majeur*, appoint any one of the Deputy Principals to carry out such duties until such time when the Principal can resume his duties or a new Principal is appointed in terms of the provisions of this Act:

Provided that the President shall, within five (5) working days of appointment of the Principal, convene an emergency Board of Governors meeting in order to ratify the temporary appointment.

The Vice-President.

20. (1) The Vice-President shall be appointed by the Minister for a term not exceeding three (3) years, following consultation with the President.

(2) Whenever the office of President is temporarily vacant, and until a new President is appointed, and whenever the holder of such office is absent from Malta or on vacation or is for any reason unable to perform the functions conferred upon him by this Act, those functions shall be performed by the Vice-President.

(3) The Vice-President shall also perform the functions of the President whenever required to do so in writing by the President.

The Secretary to the Board of Governors.

21. (1) There shall be a Secretary to the Board of Governors who shall be chosen by the Board of Governors, after being nominated by the President following consultation with the Principal.

(2) The Secretary to the Board of Governors shall keep minutes as required of each Board of Governors meeting and shall perform the duties of liaison officer between the President and, or the members of the Board of Governors and the Principal of the College.

The Principal.

22. (1) The Principal, without prejudice to the powers vested in the governing bodies of the College by the provisions of this Act, shall have all the powers necessary for the governance and administration of the College, including the power to make such necessary appointments of officers and employees having an academic or technical background or of any other kind, for such period, under such conditions and in accordance with good governance policies and procedures established by the Board of Governors, including the power to decide upon any urgent matter of an educational or other nature:

Provided that any such aforementioned decision affecting any power or function vested by this Act in a governing body of the College shall be registered by the Principal and put on the agenda of that governing body in its first meeting after such decision.

(2) The Principal shall exercise authority over the teaching staff, examiners, students, examination candidates, College employees, and whosoever is entrusted with rendering any service, whether commercial or non-commercial, to the College, and he shall enforce discipline and the strict observance of the provisions of the Act, of the Statute of the Institutes, bye-laws and other rules made by the competent bodies of the College.

(3) The Principal shall confer the Awards, Qualifications and other distinctions of the College.

(4) The Principal shall ensure that, insofar as it depends on him, the governing bodies are regularly constituted, and that he provides for the organisation of such elections required by this Act, including that they actually be held as established and without undue delay.

(5) The Principal shall ensure that the governing bodies meet regularly as established by this Act and shall be responsible for the planning and coordination of the activities of the different educational and training bodies and institutions and for the performance of the decisions of the competent authorities of the College.

(6) The Principal shall appoint and employ, through public calls, such employees as may from time to time be necessary for the due and efficient discharge of the functions of the College, under the terms and conditions as may be established from time to time by the Board of Governors, and without the need for any other formalities as may be from time to time be established in terms of the Public Administration Act.

Cap. 595.

Deputy Principals.

23. The Deputy Principals shall perform such functions as are delegated to them by the Principal, including that they act on his behalf as may be necessary.

The Registrar.

24. The Registrar shall:

(a) assist the Principal or his delegate in the day to day administration of the academic, educational and training programmes of the College, and he shall be responsible for the execution of the instructions of the Principal or his delegate;

(b) keep the College seal and also sign all documents on which the College seal is applied;

(c) sign the documents which certify the academic and vocational Awards and Qualifications conferred by the College and keep a full record thereof;

(d) act as secretary to the Vocational and Professional Council and, either directly or through a delegate, to the Institutes' Boards of Studies;

(e) be responsible for the records of all examinations held by the College and for the proper safekeeping of such records, and for keeping updated copies of the statutes, regulations and bye-laws;

(f) keep the rolls of the members of the Board of Governors, the Vocational and Professional Council, Institute Boards of Studies, examiners and students;

(g) keep records of the educational and training activities of each student;

(h) be responsible, after consultation with the Deputy Principals, for suitable arrangements about the teaching time-table; and

(i) carry out such other duties as may be called for by the Principal according to the exigencies of the College.

25. The Institute Directors shall perform such functions as are assigned to them by the Principal including that they provide leadership to the Institute by managing both the strategic and operational requirements. The Institute Directors.

PART IV
Financial Provisions

26. (1) The Board of Governors, through the Administrative Council, shall during each financial year ensure the preparation and adoption of a budget of the revenue and expenditure of the College for the following year. Financing and control of the College finances.

(2) The Board of Governors, through the Administrative Council, shall ensure that a three-year financial plan (reflecting the three-year strategic plan) is prepared, updated regularly and executed.

(3) The Board of Governors, through the Administrative Council, shall ensure the proper keeping of accounts and other records concerning its operations and transactions, and shall ensure that a relative statement of accounts is prepared for each financial year.

(4) The College accounts shall be audited by warranted qualified auditor or auditors appointed by the Board of Governors from time to time, while the financial administration of the College shall be subject to auditing by the Auditor General.

(5) The Board of Governors shall, by not later than six (6) months from the closing of each financial year, ensure that a copy of the audited statement of accounts, together with a report of the activities during that year of the College, is sent to the Minister together with a copy of the report made by the auditor or auditors about that statement, and the Minister shall without undue delay cause such statements and reports to be laid on the Table of the House.

27. (1) The College may levy all fees, rates and other payments prescribed in its protocols or deemed to be prescribed by or under the Act and, or these regulations, or any other law related to the powers and functions of the College. Fees, rates and payments.

(2) The College shall be paid by Government out of the Consolidated Fund such sums as Parliament authorises to be appropriated to meet the costs of specified works to be continued and for the day to day operation and management of the College.

28. (1) The College shall cause to be prepared in every financial year, and shall not later than six (6) weeks after the end of each such year adopt, estimates of the income and expenditure of the Financial estimates.

College for the next following financial year.

(2) In the preparation of such estimates the College shall take account of any funds and other moneys that may be due to be paid to it out of the Consolidated Fund during the relevant financial year, whether by virtue of this Act or of an Appropriation Act or of any other law and the College shall so prepare the said estimates as to ensure that the total revenues of the College are at least sufficient to meet all sums properly chargeable to its revenue account, including, but without prejudice to the generality of that expression, depreciation.

(3) The estimates shall be made out in such form and shall contain such information and such comparisons with previous years as the Minister responsible for finance may direct.

(4) A copy of the estimates shall, upon their adoption by the College, be sent forthwith by the College to the Minister and to the Minister responsible for finance.

(5) The Minister shall, at the earliest opportunity and not later than six (6) weeks after he has received a copy of the estimates from the College (or if at any time during that period the House is not in session within six (6) weeks from the beginning of the next following session), cause such estimates to be laid on the Table of the House together with a motion that the House approves the said estimates.

Monies payable by the College.

29. (1) All monies received by the College shall be paid into a bank or banks appointed as bankers of the College by a resolution of the Board of Governors of the College. Such monies shall, as far as practicable, be paid into any such banks from day to day, except such sum as the College may authorise to be retained to meet petty disbursements and immediate cash payments.

(2) All payments out of the funds of the College, other than petty disbursements not exceeding a sum to be fixed by the College, shall be made by such officer or officers of the College as it shall appoint or designate for that purpose.

(3) Cheques against and withdrawals from any bank account of the College shall be signed by the Principal, or such other member or officer of the College as may be authorised by the Board of Governors of the College for that purpose.

Financial procedures.

30. The College shall also make provision with respect to:

(a) the manner in which, and the officer or officers by whom, payments are to be authorised or approved;

(b) the title of any account held with the bank or banks into which the monies of the College are to be paid, and the transfer of funds from one account to the other;

(c) the method to be adopted in making payments out of funds of the College; and any matter relevant to the proper keeping and control of the accounts and books, and the control of the finance, of the College;

(d) the submission of annual management accounts approved by the Board of Governors.

PART V
Miscellaneous

Official dress.

31. The proper official dress which the principal officers of the College academic staff, graduates, students and other members of the College are expected to wear on official occasions shall be prescribed by regulations made by the Board of Governors following consultations with the Vocational and Professional Council.

Conferment of degrees and diplomas.

32. (1) Qualifications shall be conferred at a public ceremony or, with the consent of the Board of Governors, privately or *in absentia*.

(2) A candidate shall be eligible for the conferment of a qualification only after certification by the Principal that all the conditions prescribed by statutes, regulations and bye-laws relevant to that qualification have been fulfilled, and insofar as all other obligations and responsibilities of the candidate towards the College have also been satisfied.

(3) No person may be considered as holding a qualification of the College unless such qualification has been conferred as prescribed in sub-article (1).

Transfer of assets to the College.

33. (1) With effect from the appointed day all property and undertakings shall, by virtue of this Act, and without further assurance, be transferred to, and shall vest in, the College under the same title by which they were held by the Government immediately before that day.

(2) Such transfer shall extend to the whole of such public property and undertakings and shall include all lands and other property movable or immovable, assets, powers, rights, privileges and causes of action held or enjoyed in connection therewith or appertaining thereto.

A 744

Passed by the House of Representatives at Sitting No. 148 of the 12th July, 2023.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

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