

**L.N. 264 of 2025**

**FURTHER AND HIGHER EDUCATION ACT  
(CAP. 607)**

**Validation of Non-Formal and Informal Learning Regulations, 2025**

IN EXERCISE of the powers conferred by article 25 of the Further and Higher Education Act, the Minister responsible for education, has made the following regulations:-

**1.** (1) The title of these regulations is the Validation of Non-Formal and Informal Learning Regulations, 2025. Citation and commencement.

(2) These regulations shall come into force on 1st January 2026.

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

"accreditation" shall have the same meaning assigned to it by article 2 of the Act;

"Act" means the Further and Higher Education Act; Cap. 607.

"Authority" means the Malta Further and Higher Education Authority established by article 3 of the Act;

"award" means the title of certification of learning achieved through programmes with less than the required number of credits at the specific Malta Qualifications Framework level to be considered a qualification;

"entity" means an entity licensed by the competent authority to offer formal and non-formal learning;

"informal learning" shall have the same meaning assigned to it by article 2 of the Act;

"lifelong learning" shall have the same meaning assigned to it by article 2 of the Act;

"Malta Qualifications Framework" shall have the same meaning assigned to it by article 2 of the Act;

"Minister" means the Minister responsible for education;

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S.L. 605.10.

"National Skills Council" means the National Skills Council established by article 4 of the National Skills Council (Establishment) Order;

"non-formal learning" shall have the same meaning assigned to it by article 2 of the Act;

"occupational standards" means standards which describe the knowledge, skills and competences an individual in a particular occupation should possess to be formally recognised as competent for the purpose of a given occupation;

"qualification" shall have the same meaning assigned to it by article 2 of the Act;

"Sector Skills Committee" means the committee established by regulation 5 to provide strategic guidance on the validation of non-formal and informal learning;

"Sector Skills Unit" means an industry-focused unit established by the National Skills Council that develops occupational standards with the purpose of improving the skills of the work force;

"Validation Assessment Centre" means an entity licenced by the Authority to validate non-formal and informal learning;

"validation of non-formal and informal learning" means a process which identifies, assesses and formally certifies the knowledge, skills and competences which individuals develop throughout their lives by means of participation in non-formal and informal learning.

Scope.

**3.** The scope of these regulations is to provide a regulatory framework for the validation of non-formal and informal learning and for the granting of validation awards classified within the Malta Qualifications Framework in accordance with the types of awards established within the said framework.

National Skills Council and the Authority.

**4. (1)** The National Skills Council shall be the competent body responsible for the validation of non-formal and informal learning whilst the Authority shall be the competent authority to classify such validation at a level of the Malta Qualifications Framework.

**(2)** For the purpose of sub-regulation (1), the National Skills Council shall establish such structures and shall have such functions and powers as provided in these regulations.

(3) Without prejudice to the powers of the Minister in accordance with the Act, the National Skills Council and the Authority shall have such power and authority as may be required for the proper performance of any and all of their functions in accordance with these regulations.

5. (1) The National Skills Council shall establish a Sector Skills Committee, with the approval of the Minister for a period not exceeding three (3) years and each member of such committee shall be eligible for re-appointment.

Sector Skills Committee.

(2) The Sector Skills Committee shall be composed of the following:

(a) the Chairperson of the National Skills Council or his representative;

(b) one (1) member from the Authority;

(c) one (1) member representing industry in general;

(d) one (1) member representing education and training in general;

(e) one (1) member representing employers;

(f) one (1) member representing employees, nominated by the Malta Council for Economic and Social Development established by article 3 of the Malta Council for Economic and Social Development Act;

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(g) one (1) member representing Validation Assessment Centres;

(h) up to a maximum of two (2) additional members, at the discretion of the Minister, who may contribute to the work of the Sector Skills Committee.

(3) The Sector Skills Committee shall formulate and develop the following:

(a) the policies and procedures to govern the Sector Skills Units;

(b) the criteria and standards for the validation of non-formal and informal learning;

(c) the guidelines for the assessment of skills and competences for the purpose of the granting of awards by the

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Validation Assessment Centres;

(d) contribute to the development of guidelines for quality assurance of non-formal learning together with the Authority; and

(e) occupational standards relevant to particular or multiple economic sectors:

Provided that the instruments developed by the Sector Skills Committee in accordance with this sub-regulation shall be adopted by the Authority to enable their enforcement in accordance with these regulations.

(4) In the formulation, development and adoption of occupational standards as provided in sub-regulation (3), the Sector Skills Committee, the National Skills Council and the Authority shall have due regard to the use of occupational standards in enhancing curriculum development, specifying competences which workers need to possess, assisting in certifying workers, creating a framework to enable employers to carry out skills audits, directing professional development within the workforce, setting quality standards across or within sectors and occupations, facilitating the validation of non-formal and informal learning, enabling Government to determine skills capacity at a national level and promoting the mobility of workers across national borders.

(5) Without prejudice to its specific competences established in accordance with these regulations, the Sector Skills Committee shall have the following functions and responsibilities:

(a) to generally advise the National Skills Council and the Authority on all matters related to the validation of non-formal and informal learning;

(b) to promote the benefits of validation of non-formal and informal learning in Malta.

(6) The Sector Skills Committee shall meet as often as necessary and the quorum shall be four (4) members, including the Chairperson or his representative.

(7) In the absence of consensus, decisions of the Sector Skills Committee shall be taken by a majority of votes of the members present and voting. In the case of an equality of votes, the Chairperson shall have a casting vote.

(8) Any vacancy among members of the Sector Skills

Committee shall not invalidate the proceedings of the Committee.

(9) The Sector Skills Committee shall compile and send to the National Skills Council, by not later than four (4) weeks from the end of each financial year, an annual report on its activities during that year, including the policies, functions and future plans of the Sector Skills Committee. Such report shall be integrated with the annual report to be compiled and sent by the National Skills Council to the Minister in accordance with article 12 of the National Skills Council (Establishment) Order. S.L. 605.10.

6. (1) The National Skills Council shall from time to time, on the advice of the Sector Skills Committee and in accordance with these regulations, establish Sector Skills Units, the members of which shall be appointed by the National Skills Council with the approval of the Minister. Sector Skills Units.

(2) The Sector Skills Units shall be composed of the following:

- (a) a Chairperson;
- (b) two (2) members from the private sector representing the respective economic sector;
- (c) two (2) members representing education and training institutions, representing the public and the private sector;
- (d) one (1) member representing a government authority or department responsible for the policy development associated with the relevant sector;
- (e) one (1) member appointed by workers' representatives within the relevant sector; and
- (f) up to a maximum of four (4) additional members, at the discretion of the Minister, who may contribute to the work of the Sector Skills Units:

Provided that failure to appoint any member shall not invalidate the working of the Sector Skills Units.

(3) The Sector Skills Units shall be under the direct responsibility of the Sector Skills Committee and shall apply the established instruments.

(4) The Sector Skills Units shall have the following objectives:

- (a) to ensure the consistency and relevance of

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occupational standards;

(b) to reduce skills gaps and skills shortages by facilitating the validation of non-formal and informal learning; and

(c) to improve learning opportunities and to ensure the recognition and certification of skills and competences.

(5) Sector Skills Units shall have the following functions and responsibilities:

(a) to develop and propose to the Sector Skills Committee occupational standards relevant to their respective sector;

(b) to develop and propose to the Sector Skills Committee guidelines and mechanisms for the validation of non-formal and informal learning for all skills within their respective sector;

(c) to develop and maintain a sectoral qualifications framework referenced to the Malta Qualifications Framework, in agreement with the Authority;

(d) to provide guidance to persons submitting their documented experiences for validation;

(e) to approve assessments and testing methods for the validation of non-formal and informal learning;

(f) to contribute to audits launched by the Authority from time to time, of all assessment processes and results achieved thereby;

(g) to advise on, and promote the benefits of validation of non-formal and informal learning in their respective sector;

(h) to advise the Sector Skills Committee on the state, operation, needs and prospects of the sector from an education and training perspective; and

(i) to compile and send to the Sector Skills Committee, by the end of each financial year, an annual report on its activities during that year, including the policies, functions and future plans of the respective Sector Skills Unit.

(6) Members of the Sector Skills Units shall be appointed for a

period not exceeding three (3) years and shall be eligible for re-appointment.

(7) Each Sectors Skills Unit shall meet as often as necessary and the quorum shall be of four (4) members, including the Chairperson.

(8) In the absence of consensus, decisions of the Sector Skills Units shall be taken by a majority of votes of the members present and voting. In the case of an equality of votes, the Chairperson shall have a casting vote.

(9) Any vacancy among members of the Sector Skills Units shall not invalidate the proceedings of the Units.

(10) The National Skills Council shall appoint one (1) or more coordinators who shall be responsible for the day-to-day management of the Sector Skills Units and to provide appropriate support for their meetings and to implement any decisions taken.

**8.** (1) The Authority shall maintain and publish an updated Register. register of entities providing non-formal learning activities and of non-formal learning awards, in accordance with article 3(3)(j) of the Act.

(2) Any entity providing non-formal learning may apply to the Authority to be listed in the register referred to in sub-regulation (1). The listing of any entity on such register shall be valid for a period not exceeding three (3) years, subject to renewal in accordance with guidelines issued by the Authority.

(3) Entities listed in the register referred to in sub-regulation (1) shall apply to the Authority for their awards to be validated and for an award to be classified by the Authority at a level of the Malta Qualifications Framework.

(4) The listing, or the renewal thereof, of an entity and the awards it grants, in the register referred to in sub-regulation (1) shall be subject to such requirements, conditions, limitations and exclusions as the Sector Skills Committee, with the approval of the Authority, may consider necessary, appropriate and proportionate in accordance with these regulations.

(5) The Authority shall, on the advice of the Sector Skills Committee, establish the criteria for the listing of a entity and its awards on the register referred to in sub-regulation (1), which criteria shall include provisions relating to the quality of the non-formal learning activities provided.

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(6) Entities are to keep appropriate records of individuals making use of their non-formal learning activities and who were issued non-formal learning awards. The National Skills Council and the Authority may request any such data for statistical, monitoring and auditing purposes.

(7) The Authority may, on the advice of the Sector Skills Committee, restrict, suspend or revoke the listing of an entity from the register referred to in sub-regulation (1) where it is apparent to the Authority that the non-formal learning activities provided by it, or the quality of the provision of such activities, substantially differ from that evidenced by it at the time of the listing.

(8) The register referred to in sub-regulation (1) shall stipulate the name of the entity, the type of non-formal learning activities provided by the entity and the awards conferred by the same entity.

(9) All entities listed in the register shall comply with the provisions of these regulations and the requirements, conditions, limitations and exclusions issued by the Authority and the National Skills Council, on the advice of the Sector Skills Committee, from time to time.

(10) Any entity listed in the register that fails to comply with these regulations or guidelines issued shall be liable to have their licence revoked:

Provided that prior to imposing such revocation, the Authority shall allow for a period of time for the entity to comply with sub-regulation (8), during which time the Authority may restrict the operations of the entity concerned in accordance with sub-regulation (6):

Provided further that if the Authority deems that immediate revocation is in the best interest of the general public, it may revoke the license immediately.

Individual  
validation  
process.

**9.** (1) Persons who have undertaken non-formal or informal learning for at least two (2) years or as established by the Sector Skills Committee for a specific occupation within an economic sector, may apply to the Validation Assessment Centres to have their prior non-formal or informal learning experience validated in accordance with the process provided in this regulation.

(2) The validation process undertaken for the purpose of the validation of an individual's prior non-formal or informal learning experience shall be voluntary, provide equal access and equal and fair treatment to each individual, respect the rights of the individual, be

transparent and be based on the principle of quality assurance.

(3) Any individual may apply for validation of prior non-formal or informal learning, hereinafter referred to as a "candidate".

(4) Upon application, the Sector Skills Unit shall provide candidates with all necessary information.

(5) The Sector Skills Committee shall establish, with the approval of the Authority, the format of a portfolio to be given by candidates for the validation of skills and competences, which portfolio shall document and provide evidence of all the experiences of the candidate relevant to the validation being sought.

(6) The Sector Skills Committee shall establish, with the approval of the Authority, the procedures, methods and tools to be applied by the Validation Assessment Centres for the assessment of candidates in the validation process.

(7) Assessment procedures, methods and tools established in accordance with sub-regulation (6) shall make provision for candidates' technical, professional, personal competences or social competences.

(8) Assessment procedures established in accordance with sub-regulation (6) shall take into consideration criteria stipulated in occupational standards published on the National Skills Council's website and shall be undertaken by qualified assessors.

(9) Assessment methods and tools established in accordance with sub-regulation (6) shall be based on the criteria of validity of the tool, reliability of results, fairness and fitness for purpose.

(10) A combination of the following assessment methods shall be applied by the Validation Assessment Centres for the purpose of the assessment referred to in sub-regulation (6):

Provided that the Authority may direct the Validation Assessment Centre to use specific assessment methods:

Provided further that the following list of assessment methods is not exhaustive:

(a) debate or interview, where candidates demonstrate the depth of their knowledge and communication and social skills;

(b) declarative methods, where candidates demonstrate

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critical reflection, while making evidence-based statements about their competences;

(c) portfolio of evidence, in which candidates undertake a self-assessment and document evidence of own competences and achievements, including assessments by third parties;

(d) observation, where candidates' behaviour is observed, which may take place either through a simulated or a real-life work scenario; or

(e) tests and examinations, where candidates demonstrate, orally or in writing, their competences on a specific subject.

(11) The assessment of candidates shall be undertaken by assessors who shall be validation practitioners approved by the Authority. Assessors shall be individuals trained in assessment and validation, who are tasked with judging candidates in order to determine whether specific assessment criteria are met. Assessors shall have knowledge of the specific sector concerned, of the validation process and of the assessment methods used. Assessors shall not have any personal interest in the validation outcomes.

Individual  
validation  
awards.

**10.** (1) The validation referred to in regulation 9 shall be given by means of an award conferred upon a candidate by the Validation Assessment Centre, for the granting of that award and for the classification of the award at a specific level of the Malta Qualifications Framework:

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Provided that the Authority shall not authorise the conferring of such award upon any person at any level higher than Level 5 of the Malta Qualifications Framework, which Framework is established in accordance with the Malta Qualifications Framework for Lifelong Learning Regulations.

(2) Awards conferred by the Validation Assessment Centres in accordance with this regulation shall have the same value as nationally accredited qualifications classified at the same level of the Malta Qualifications Framework.

(3) Awards conferred by the Validation Assessment Centres in accordance with this regulation shall stipulate the name of the individual upon whom the award is conferred, the awarding entity, the type of award conferred, the date of conferral of the award, the expiry date, if applicable, and a declaration that the award was granted through the validation process.

(4) Awards conferred by the Validation Assessment Centres in accordance with this regulation shall be accompanied by an award supplement, to be drafted in accordance with the requirements of the Sector Skills Committee, as authorised by the Authority. The award supplement shall contain details about the knowledge, skills and competences of the individual upon whom the award is conferred.

**11.** (1) There shall be a Sector Skills Appeals Board, Appeals. hereinafter referred to as the Appeals Board to which any person or entity may appeal if aggrieved by any decision taken by the Authority with respect to the validation of non-formal and informal learning in accordance with these regulations.

(2) Any appeal referred to in sub-regulation (1) shall be filed in the Registry of the Appeals Board within ten (10) days from the date when the decision is communicated to the person or entity so aggrieved.

(3) The Appeals Board shall consist of an independent Chairperson and two (2) independent members who shall be appointed by the Minister from among persons of known integrity who appear to him to be qualified by reason of having had experience of and shown capacity in, matters deemed appropriate for such purpose:

Provided that one (1) of the members of the Appeals Board shall also act as Secretary to the Appeals Board, with the right to vote.

(4) A member of the Appeals Board shall abstain and may be challenged in such circumstances as would disqualify a judge in terms of Sub-title II of Title II of Book Third of the Code of Organization and Civil Procedure. In any such case the member shall be substituted by another person appointed for such purpose by the Minister. Cap. 12.

(5) The members of the Appeals Board shall hold office for a period of three (3) years, and shall be eligible for re-appointment.

(6) A member of the Appeals Board may be removed from office by the Minister on grounds of gross negligence, conflict of interest, incompetence, or acts or omissions unbecoming a member of the Board.

(7) The decisions of the Appeals Board shall be final except with respect to points of law decided by the Appeals Board, from which an appeal shall lie within twenty (20) days to the Court of Appeal (Inferior Jurisdiction). The judge shall have the right to decide *in camera* that such appeal is frivolous or vexatious following the closing of the stage of written submissions. Such an appeal shall also be regulated by rules of court made under article 29 of the Code of Cap. 12.

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Organization and Civil Procedure.

Repeal and  
saving.  
S.L. 607.02.

**12.** (1) The Validation of Non-Formal and Informal Learning Regulations are hereby repealed without any prejudice to anything done or omitted to be done thereunder.

S.L. 607.02.

(2) Any authorisation, direction, decision or order granted or made under the Validation of Non-Formal and Informal Learning Regulations and which is still in force immediately before the coming into force of these regulations, shall remain in force thereafter as if it were an authorisation, direction, decision or order granted or made under a corresponding provision of these regulations, and any such authorisation, direction, decision or order as aforesaid shall be treated and regulated accordingly, unless otherwise provided in these regulations.

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