

MALTA

ATT Nru. XXIV ta' l-1988

ATT mahruġ b'ligi mill-Parlament ta' Malta.

**ATT biex jikkonsolida u jirrifirma l-ligi
dwar l-Edukazzjoni f'Malta.**

ACT No. XXIV of 1988

AN ACT enacted by the Parliament of Malta.

**AN ACT to consolidate and reform the
law relating to Education in Malta.**

Naghti l-kunsens tiegħi.

(L.S.)

PAUL XUEREB
Agent President

Id-9 ta' Awissu, 1988

ATT Nru. XXIV ta' l-1988

ATT biex jikkonsolida u jirrifirma l-liġi dwar l-Edukazzjoni f' Malta.

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

TAQSIMA I

Dispożizzjonijiet Ġenerali

1. Kull ċittadin tar-Repubblika ta' Malta għandu dritt għall-
edukazzjoni u tagħlim mingħajr distinzjoni ta' età, sess, twemmin jew
mezzi finanzjarji. Dritt għall-
Edukazzjoni
u Tagħlim.
2. Huwa dmir ta' l-Istat: Dmirijiet
tal-Istat.
 - (a) li jmessi 'l quddiem l-edukazzjoni u t-tagħlim;
 - (b) li jiżgura li jkun hemm sistema ta' skejjel u istituzzjonijiet
li jkunu miftuħa għaċ-ċittadini Maltin kollha u li jkunu jipprovdu
għall-iżvilupp sħiħ tal-persuna inkluża l-ħila ta' kull persuna għax-
xogħol; u
 - (ċ) li jipprovdi skejjel u istituzzjonijiet bħal dawn fejn ma
hemmx.
3. Ikun id-dmir tal-ġenituri ta' minuri li jieħdu ħsieb li dak il-
minuri: Dmirijiet
tal-ġenituri.
 - (a) jiġi registrat fi skola għall-ewwel sena skolastika li tibda
meta jkun ta' l-età obligatorja għall-iskola;
 - (b) ikompli jattendi l-iskola sa tmiem is-sena skolastika li
matulha l-minuri ma' jibqax ta' l-età obligatorja għall-iskola, jew

sa tmiem dak il-perijodu itwal li jista' jiġi preskritt mill-Ministru b'regolamenti; u

(ċ) jattendi regolarment l-iskola għal kull jum skolastiku, kemm-il darba l-minuri ma jkollux raġuni ġusta u suffiċjenti sabiex ma jattendix l-iskola.

Dritt ta' għażla tal-ġenituri.

4. Huwa dritt ta' kull ġenitur ta' minuri li jagħti d-deċiżjoni tiegħu rigward kull materja li tolqot l-edukazzjoni li għandu jirċevi l-minuri.

Dritt ta' Istat li jirregola l-Edukazzjoni.

5. L-Istat ikollu d-dritt:

(a) li jistabilixxi *curriculum* minimu nazzjonali ta' studju għall-iskejjel kollha;

(b) li jistabilixxi l-kondizzjonijiet minimi nazzjonali għall-iskejjel kollha; u

(ċ) li jiżgura li jiġu mharsa il-*curriculum* minimu nazzjonali ta' studju u l-kondizzjonijiet minimi nazzjonali għall-iskejjel kollha.

Liċenzji biex jinfethu skejjel.

6. (1) Kull persuna jkollha d-dritt li tapplika lill-Ministru biex jagħtiha liċenzja biex tiftaħ skola.

(2) Il-Ministru għandu jagħti l-liċenzja msemmija fis-subartikolu (1) ta' dan l-artikolu meta:

(a) l-persuna li tapplika tkun il-Knisja Kattolika jew kull għaqda volontarja oħra, reliġjuża jew xort'oħra, li ma tkunx twaqqfet bl-iskop li tagħmel profitt; u

(b) l-iskola tkun konformi mal-kondizzjonijiet minimi nazzjonali:

Iżda applikazzjoni għal-liċenzja taht dan l-artikolu ma titqiesx li saret mill-Knisja Kattolika jekk ma tkunx firmata mill-Isqfijiet Ordinarji ta' dawn il-Gżejjer jew awtorizzata bil-miktub minnhom.

(3) Fil-każ ta' kull applikazzjoni oħra għal-liċenzja taht dan l-artikolu u li ma tkunx applikazzjoni li taqa' taht id-dispożizzjonijiet tas-subartikolu (2) ta' dan l-artikolu, il-Ministru jista' jagħti l-liċenzja jekk fil-fehma tiegħu jkun fl-interess pubbliku li jagħmel hekk.

(4) Kull min japplika għal-liċenzja taht dan l-artikolu bil-hsieb li jiftaħ skola li tkun enti ġuridiku bi statut għalih, għandu jiddikjara dan il-hsieb fl-applikazzjoni tiegħu li magħha għandu jkun hemm kopja ta' l-istatut, u f'dan il-każ l-għotja ta' liċenzja lil min japplika titqies prova konklusiva li l-iskola hija enti ġuridiku.

(5) Kull liċenża li tingħata taht dan l-artikolu għandha tkun f'isem il-Kap ta' Skola fil-kwalità tiegħu persunali jew bhala rappreżentant ta' korp ta' persuni skond il-każ u għal dan l-iskop, min

japplika ghal-liċenzja għandu jniżżel fl-applikazzjoni il-partikolaritajiet tal-Kap ta' Skola u jekk il-liċenzja għandhiex tingħata f'isem dak il-Kap ta' Skola fil-kwalità tiegħu persunali jew bħala rappreżentant ta' korp ta' persuni:

Iżda l-Kap ta' Skola li f'ismu tkun il-liċenzja jkun responsabbli personalment li jiżgura li l-obbligazzjonijiet kollha marbuta ma' dik il-liċenzja jkunu mharsa f'kull żmien, kemm jekk il-liċenzja tkun f'ismu fil-kwalità tiegħu persunali, kif ukoll jekk tkun f'ismu bħala rappreżentant ta' korp ta' persuni.

(6) Id-deċiżjoni tal-Ministru li jilqa' jew jiċhad applikazzjoni għal-liċenzja għandha tiġi notifikata bil-miktub lil min ikun applika u dan fi żmien tlett xhur mid-data li fiha l-Ministru jirċievi l-applikazzjoni.

(7) Meta l-Kap ta' Skola li f'ismu hemm liċenzja taht id-dispożizzjonijiet ta' dan l-artikolu ma jibqax Kap ta' Skola għal raġuni, tkun xi tkun, għandhom japplikaw id-dispożizzjonijiet li ġejjin ta' dan is-subartikolu:

(a) meta l-liċenzja hija f'isem dak il-Kap ta' Skola fil-kwalità tiegħu persunali, għandha ssir applikazzjoni mill-ġdid għal-liċenzja skond id-dispożizzjonijiet ta' dan l-artikolu;

(b) meta l-liċenzja hija f'isem dak il-Kap ta' Skola bħala rappreżentant ta' korp ta' persuni, dak il-korp għandu javża bil-miktub u mingħajr dewmien lill-Ministru bil-bdil f'dik il-kariga u jagħti l-partikolaritajiet tal-persuna li assumiet dik il-kariga u minn hemm 'il quddiem il-liċenzja titqies li hija f'isem dik il-persuna bħala rappreżentant ta' dak il-korp ta' persuni.

(8) Meta ebda applikazzjoni kif meħtieġ bil-paragrafu (a) tas-subartikolu (7) ta' dan l-artikolu jew ebda avviż kif meħtieġ bil-paragrafu (b) ta' dak is-subartikolu ma jsir jew jingħata fi żmien tlett xhur mid-data li fiha l-Kap ta' Skola li f'ismu hija l-liċenzja ma jibqax f'dik il-kariga, dik il-liċenzja titqies li giet imhassra fid-data li fiha jagħlaq dak il-perjodu ta' tlett xhur.

(9) Min japplika għal-liċenzja taht is-subartikolu (2) ta' dan l-artikolu jista' jappella lit-Tribunal Skolastiku meta:

(a) l-applikazzjoni tiegħu tiġi miċhuda; jew

(b) ma jkunx ġie notifikat bil-miktub bid-deċiżjoni tal-Ministru kif maħsub fis-subartikolu (6) ta' dan l-artikolu.

(10) Appell taht is-subartikolu (9) ta' dan l-artikolu għandu jsir bil-miktub fi żmien xahrejn mid-data li fiha d-deċiżjoni li biha giet miċhuda l-applikazzjoni tkun giet notifikata lil min ikun applika jew mid-data li fiha jagħlaq il-perjodu ta' tlett xhur imsemmi fis-subartikolu (6) ta' dan l-artikolu, skond il-każ.

7. Il-Ministru, għall-finijiet ta' din l-liġi, jkollu d-dritt li jispezzjona kull skola u jkollu d-dritt li jissorvelja l-amministrazzjoni ta' kull skola.

Dritt tal-Ministru li jissorvelja l-iskejjel.

Il-Ministru
jirrappreżenta
lill-Istat.

8. Kull dritt vestit fl-Istat u kull dover impost fuq l-Istat bid-dispożizzjonijiet ta' dan l-Att ghandu jiġi eżerċitat jew imwettaq mill-Ministru.

TAQSIMA II

Warrants ta' Ghalliema

Warrant
permanenti.

9. (1) Ebda persuna ma ghandha teżerċita l-professjoni ta' għalliem fi skola u tirċievi hlas għalhekk minghajr *warrant* mill-Ministru.

(2) Persuna tikkwalifika għal *warrant* permanenti taht dan l-artikolu kemm-il darba:

- (a) hija ċittadin ta' Malta;
- (b) hija ta' kondotta tajba; u
- (ċ) tikkwalifika taht is-subartikolu (3) ta' dan l-artikolu.

(3) Persuna tikkwalifika għal *warrant* permanenti taht dan is-subartikolu kemm-il darba tkun:

(a) hadet il-lawrja ta' Baċillier fl-Edukazzjoni jew kisbet grad ta' dottorat jew maġisteru mill-Università; jew

(b) ghamlet kors shiħ fil-kulleġġ li kien magħruf bhala *St. Michael's Training College* jew fil-kulleġġ li kien magħruf bhala *Mater Admirabilis Training College* jew tkun ghamlet kors li jixbah lil dan fil-Kulleġġ tal-Arti, Xjenza u Teknoloġija (magħruf bhala *l-Polytechnic*); jew

(ċ) ghamlet kors shiħ ta' studju f'Malta jew f'Università jew Istitut barra minn Malta u dak il-kors ikun fl-opinjoni tal-Ministru ekwivalenti għal kors minn dawk imsemmija fil-paragrafi (a) u (b) ta' dan is-subartikolu; jew

(d) għallmet fi skejjel f'Malta jew barra minn Malta għall-perjodu ta' mhux anqas minn hmistax-il sena u fl-opinjoni tal-Ministru tkun tal-hila akkademika meħtieġa.

Għall-finijiet tal-paragrafu (a) ta' dan is-subartikolu "Università" tinkludi l-istituzzjonijiet li kienu magħrufa bl-isem tal-Università l-Qadima, l-Università l-Ġdida, l-Università Rjali ta' Malta kif ukoll l-Università li kienet teżisti minnufih qabel il-bidu fis-seħh ta' l-artikolu 26 ta' dan l-Att.

Warrant
temporanju.

10. B'dak kollu li jinsab fid-dispożizzjonijiet tal-artikolu 9 ta' dan l-Att, il-Ministru jista' jagħti *warrant* temporanju li jkun validu għal sena lil kull persuna li fid-diskrezzjoni tal-Ministru għandha l-hila meħtieġa biex tghallem f'Malta.

Ċahda,
sospensjoni
jew thassir ta'
warrant.

11. (1) Il-Ministru jista' jissospendi kull *warrant* li jingħata taht id-dispożizzjonijiet ta' dan l-Att meta d-detentur ta' dak il-*warrant* jinsab ħati ta' ksur tal-Kodiċi ta' Mġieba kif mahsub b'regolamenti taht dan l-Att.

(2) Il-Ministru jista' jhassar kull *warrant* li jinghata taht id-dispożizzjonijiet ta' dan l-Att meta d-detentur ta' dak il-*warrant*:

(a) jinsab hati minn Qorti ta' ġurisdizzjoni kriminali ta' delitt li ma jkunx delitt li sar b'nuqqas ta' hsieb, bi traskuraġni, jew b'nuqqas ta' hila fl-arti jew professjoni, jew b'nuqqas ta' tharis ta' regolamenti;

(b) jinsab hati minn tribunal kompetenti talli abbuża mill-fiduċja tal-istudenti jew talli għamel użu minn vjolenza fizika fuqhom.

(3) Id-deċiżjoni tal-Ministru li biha jiċhad talba għal *warrant* jew li biha jiġi sospiż jew imhassar *warrant* għandha tiġi notifikata bil-miktub lill-persuna li tkun applikat jew lid-detentur tal-*warrant*, skond il-każ, u lill-Kap ta' Skola li timpjegah meta jkun il-każ.

(4) Kull persuna li thossha aggravata b'deċiżjoni tal-Ministru li biha jiġi miċhud, sospiż jew imhassar *warrant* taht id-dispożizzjonijiet ta' qabel ta' dan l-artikolu tista' tappella bil-miktub lit-Tribunal Skolastiku fi żmien xahar mid-data li fiha l-applikant għall-*warrant* jew id-detentur tal-*warrant*, skond il-każ, jiġi notifikat bid-deċiżjoni tal-Ministru kif mehtieġ bis-subartikolu (3) ta' dan l-artikolu.

(5) Għalkemm ikun sar appell skond id-dispożizzjonijiet ta' dan l-artikolu, il-*warrant* jitqies sospiż jew imhassar, skond il-każ, pendent id-deċiżjoni finali tat-Tribunal Skolastiku.

12. Il-Ministru jista' fid-diskrezzjoni tiegħu, jirrevoka d-deċiżjoni tiegħu li biha jkun ġie sospiż jew imhassar *warrant* wara li jgħaddu xahrejn mid-data tad-deċiżjoni li biha jkun ġie sospiż il-*warrant* jew wara li tgħaddi sena mid-data li biha jkun ġie mħassar il-*warrant*, skond il-każ.

Dritt tal-Ministru li jirrevoka sospensjoni jew thassir ta' *warrant*.

13. Il-Ministru għandu jiehu hsieb li jinżamm registru tal-*warrants* kollha li jinghataw taht id-dispożizzjonijiet ta' dan l-Att u għandu jiehu hsieb li tiġi notata fih kull sospensjoni, thassir u reintegrazzjoni ta' *warrant*.

Registru.

TAQSIMA III

Skejjel ta' l-Istat

14. (1) Ikun id-dmir ta' l-Istat li jipprovdi għall-Edukazzjoni Primarja tal-ulied ta' ċittadini Maltin meta daww l-ulied ikunu ta' età obbligatorja għall-iskola, u ma għandhomx bżonnijiet edukattivi speċjali, jew li ma kkwalfikawx għall-Edukazzjoni Sekondarja.

Edukazzjoni Primarja.

(2) Għall-għan imsemmi fis-subartikolu (1) ta' dan l-artikolu, il-Ministru għandu sa fejn possibbli jzomm skola f'kull belt jew raħal u għandu jipprovdi trasport għal studenti li joqogħdu f'inhawi li huma l bogħod mill-iskola.

(3) L-Istat jista' jipprovdi skejjel għal tfal żgħar li huma taht l-età obbligatorja għall-iskola.

Edukazzjoni
Sekondarja.

15. Ikun id-dover ta' l-Istat li jipprovdi għall-Edukazzjoni Sekondarja tal-ulied ta' ċittadini Maltin meta dawk l-ulied ikunu tfal li temmew l-edukazzjoni primarja tagħhom u li ma għandhomx bżonnijiet edukattivi speċjali.

Skejjel Speċjali.

16. (1) Ikun id-dover ta' l-Istat li jipprovdi skejjel speċjali għall-ulied ta' ċittadini Maltin meta dawk l-ulied ikunu minuri li għandhom bżonnijiet edukattivi speċjali.

(2) Minuri jitqies li għandu bżonnijiet edukattivi speċjali meta dak il-minuri għandu diffikultajiet speċjali ta' xorta fiżika, mentali jew psikologika.

Dritt ta' Azzjoni

17. Kull persuna li jidrilha li giet aggravata bin-nuqqas ta' l-Istat li jwettaq id-doveri mposti fuqu bl-artikoli 14, 15 u 16 ta' dan l-Att tista' tagħxi kontra l-Ministru għal dikjarazzjoni ta' l-aggravju li batiet.

Dritt
tal-Ministru
li jstabilixxi
il-*curriculum*.

18. (1) Bla hsara għad-dispożizzjonijiet tas-subartikolu (2) ta' dan l-artikolu, ikun id-dover tal-Ministru li jstabilixxi l-*curriculum* għal Skejjel ta' l-Istat u jista' jstabilixxi *curricula* differenti għal Skejjel ta' l-Istat differenti.

(2) Ikun id-dover tal-Ministru li jipprovdi għall-edukazzjoni u taġlim tar-Reliġjon Kattolika fi Skejjel ta' l-Istat u li jstabilixxi l-*curriculum* għall-edukazzjoni u taġlim ta' dik ir-reliġjon f'dawk l-iskejjel, skond ma jkunu ddisponew f'dan ir-rigward l-Isqfijiet Ordinariji ta' dawn il-Gżejjer.

(3) Kunsill ta' Skola jista' jagħmel talba lill-Ministru biex idaħhal fil-*curriculum* ta' dik l-iskola korsijiet ta' studji b'żieda ma' dawk stabbiliti mill-Ministru u l-Ministru jista' jilqa' dik it-talba.

(4) Il-ġenituri ta' minuri għandhom id-dritt jagħzlu li l-minuri ma' jirċevix taġlim tar-Reliġjon Kattolika.

Dmir tal-Istat
biex jipprepara
li-ċittadini
għax-xogħol.

19. Ikun id-dmir ta' l-Istat li, wara li jkun ipprovda għall-edukazzjoni ta' ċittadini Maltin biex ikunu jistgħu jiffurmaw il-ġudizzju indipendenti tagħhom, jstabilixxi dawk il-faċilitajiet skolastiċi li l-Istat jidhirlu meħtieġa biex jipprovdi lil dawk iċ-ċittadini bl-opportunità li jikkwalifikaw fis-snajja', mestieri, attivitajiet artigjanali, tekniċi jew kummerċjali, u fil-professjonijiet biex b'hekk ihejji, iġhallem, u jagħti sens ta' dixxiplina lil dawk iċ-ċittadini għax-xogħol fil-komunità.

TAQSIMA IV

Skejjel bhala Enti Ġjuridiċi

Skejjel meqjusa
enti ġjuridiċi.

20. Skola mdaħħla fl-Iskeda II ta' dan l-Att titqies enti ġjuridiku u ma tistax tiġi soppressa waqt li dik l-iskola tkun hekk imdaħħla f'dik l-Iskeda.

21. (1) Bla hsara għad-dispożizzjonijiet tal-artikolu 7 ta' dan l-Att, skola skedata għandha titmexxa minn Kunsill ta' Skola. Kunsill ta' Skola.

(2) Il-Kunsill ta' Skola jkun magħmul kif ġej:

(a) president nominat mill-Ministru;

(b) il-Kap ta' Skola li jkun is-segretarju u teżorier;

(ċ) tlett membri eletti mill-ghalliema tal-iskola minn fosthom; u

(d) tlett membri oħra eletti kemm mill-ġenituri tal-istudenti li ma għalqux l-età ta' sittax-il sena kif ukoll minn l-istudenti li għalqu dik l-età u minn fost dawk il-ġenituri u l-istudenti l-aħħar imsemmija.

(3) Fil-każ ta' skejjet wara dawk tal-livell sekondarju, flimkien mal-membri msemmija fis-subartikolu (2) ta' dan l-artikolu, ikun hemm ukoll tlett membri oħra maħtura mill-Ministru biex jirrappreżentaw interessi ġenerali f'qasam ta' studju.

22. Bla hsara għad-dispożizzjonijiet tal-artikolu 7 ta' dan l-Att, il-Kunsill ta' Skola għandu jkollu l-funzjonijiet li ġejjin: Funzjonijiet tal-Kunsill ta' Skola.

(a) li jiltaqa' mhux anqas minn darba fix-xahar u li jzomm il-minuti tal-laqgħat tiegħu li għandhom jithejjew u jiġu ffirmati mis-segretarju;

(b) li jamministra l-fondi u l-attiv l-iehor kollu ta' l-iskola; u

(ċ) li fix-xahar ta' Lulju ta' kull sena jagħmel rapport lill-Ministru dwar l-amministrazzjoni u t-tmexxija finanzjarja ta' l-iskola.

23. B'dak kollu li jinsab fl-artikoli 21 u 22 ta' dan l-Att, il-Kap u l-ghalliema ta' skola skedata jkun responsabbli għat-tagħlim u ż-żamma tad-dixxiplina fl-iskola u jirrispondu għal dan lejn il-Ministru. Risponsabilità għat-tagħlim u dixxiplina.

24. L-elezzjonijiet għall-Kunsill ta' Skola jinżammu fit-tieni ġimgħa tax-xahar ta' Ottubru ta' kull sena skond regolamenti li jsiru mill-Ministru. Elezzjonijiet.

25. Kull min japplika u jingħata liċenzja sabiex jiftaħ skola skond id-dispożizzjonijiet tal-artikolu 6 ta' dan l-Att għandu jagħmel kull sforz sabiex, mingħajr obbligu legali, jagħmel tiegħu is-sistema ta' tmexxija minn Kunsill ta' Skola kif maħsub f'din it-Taqsima ta' dan il-Att. Mudell ta' tmexxija għal skejjet mhux ta' l-Istat.

TAQSIMA V

L-Università tal-Istudji ta' Malta

Rifondazzjoni,
ghanijiet,
funzjonijiet u
setghat tal-
Università
tal-Istudji.

26. L-Università tal-Istudji ta' Malta qiegħda b'dan l-Att tiġi mwaqqfa mill-ġdid taħt l-isem ta' Università ta' Malta u bil-funzjonijiet u setghat li ġejjin:

(a) li ttiprovdi għall-istruzzjoni f'dawk l-oqsma ta' taġħlim, u tiegħu hsieb ttiprovdi għal riċerka u għall-avvanz u tixrid tal-għerf, kif tista' minn żmien għal żmien tistabilixxi;

(b) li tistabilixxi l-kundizzjonijiet għad-dhul fl-Università u f'xi kors ta' studju li ttiprovdi hi;

(ċ) li ttiprovdi għal proċeduri xierqa biex jiġu identifikati l-persuni li laħqu l-profiċjenza neċessarja fid-diversi oqsma ta' studju;

(d) li tagħti gradi, diplomi, ċertifikati jew distinzjonijiet akkademiċi oħra;

(e) li twaqqaf fakultajiet, dipartimenti, u taqsimiet oħra akkademiċi tal-Università;

(f) li tistiwxxi karigi akkademiċi u xort'oħra kif meħtieġ minn żmien għal żmien u taħtar persuni għal dawk il-karigi;

(g) li teriġi u żżomm kif imiss libreriji, laboratorji u faċilitajiet oħra meħtieġa għat-tagħlim, riċerka, sperimentazzjoni, u tixrid tal-għerf u x-xjenza;

(h) li twaqqaf enti bl-istatut tagħhom u tissorvelja l-amministrazzjoni ta' dawk l-enti kif ukoll ta' dawk l-enti l-oħra li jkunu diġà stabbiliti jew li jistgħu jinholqu minn oħrajn fil-qasam ta' l-Edukazzjoni Għolja;

(i) li tamministra l-fondi li jiġu votati mill-Kamra tad-Deputati biex jitwettqu l-programmi tagħha u dawk il-fondi l-oħra li tista' tirċievi minn għejjun oħra;

(j) li tagħti valur lill-gradi u distinzjonijiet akkademiċi barranin;

(k) li tagħmel statuti, regolamenti u ordinamenti skond id-dispożizzjonijiet ta' dan l-Att; u

(l) li tagħmel dak kollu meħtieġ sabiex jitwettqu l-ghanijiet tagħha.

Finanzjament u
kontroll tal-Finanzi
tal-Università.

27. (1) Il-Gvern għandu jalloka kull sena lill-Università dik is-somma flus li tiġi votata mill-Kamra tad-Deputati fl-Estmi Ġenerali sabiex l-Università tkun tista' tilhaq l-ghanijiet li għalihom kienet ġiet mwaqqfa u li għalihom twaqqfet mill-ġdid u sabiex twettaq attivitajiet tagħha skond il-bżonnijiet tal-pajjiż kif jifhimhom il-Gvern.

(2) Is-somma votata skond is-subartikolu (1) ta' dan l-artikolu, għandha tithallas lill-Università f'pagamenti ndaq bil-

quddiem iżda l-Gvern jista' fl-istess hin jimponi rati ta' nfiq gradwali u jista' wkoll jindika l-limiti ta' nefqa rikorrenti futura għas-sentejn ta' wara.

(3) Il-Gvern għandu wkoll jalloka lill-Università dawk is-somom kapitali li jiġu votati mill-Kamra tad-Deputati biex jitwettqu proġetti partikolari:

Iżda filwaqt li jiġi approvat proġett partikolari il-Gvern jista' jaqsam il-pagamenti ta' somom kapitali f'ammonti li jithallsu kull sena iżda dan il-qsim waħdu ma jorbotx lill-Gvern li jalloka is-somom li jkunu ġew indikati għal snin ta' wara.

(4) L-Università għandha kull sena tippovdi lill-Gvern estimi dettaljati bil-proposti tagħha ta' nfiq għas-sena ta' wara kif ukoll rendikont dettaljat ta' nfiq għas-sena finanzjarja li tkun intemmet.

(5) Bla ħsara għad-dritt tal-Università li tamministra bil-mod mill-aktar hieles possibbli l-flus u l-proprietà li tirċievi minn ghejjun li ma jkunux tal-Gvern, il-Ministru tal-Finanzi jista' jqabbad awdituri biex jeżaminaw il-kotba u l-kontijiet tal-Università u biex jagħmlulu rapport.

28. (1) Il-korpi ta' gvern tal-Università jkunu dawn li ġejjin:

- (a) il-Kunsill;
- (b) is-Senat;
- (c) il-Bordijiet tal-Fakultajiet.

(2) L-Uffiċjali Prinċipali tal-Università jkunu dawn li ġejjin:

- (a) il-Kanċillier;
- (b) il-Pro-Kanċillier;
- (c) ir-Rettur;
- (d) il-Pro-Rettur;
- (e) is-Segretarju;
- (f) id-Dekani tal-Fakultajiet.

(3) Il-Kanċillier jiġi mahtur għal żmien seba' snin mill-President ta' Malta li jaġixxi skond il-parir tal-Prim Ministru mogħti wara li jkun ikkonsulta il-Kap ta' l-Oppożizzjoni.

(4) Il-Kanċillier ikun l-ogħla uffiċċjal tal-Università u jkun responsabbli li jiżgura li l-Università tikkonforma mal-liġi.

Korpi ta'
Gvern u
uffiċċjali
tal-Università

(5) Il-Kanċillier jippromulga l-istatuti, regolamenti u ordinamenti tal-korpi ta' gvern tal-Università u jista' jibghat lura għal darba waħda lill-korpi ta' gvern li jkun, dawn l-istatuti, regolamenti jew ordinamenti li fil-fehma tiegħu ma jkunux skond il-liġi; il-Kanċillier, f'ċirkostanzi speċjali, ikollu wkoll is-setgħa li jlaqqa' l-Kunsill, is-Senat u l-Bordijiet tal-Fakultajiet.

(6) Il-Pro-Kanċillier jiġi mahtur mill-Kanċillier wara l-approvazzjoni tal-Ministru għal żmien ta' mhux iktar minn hames snin.

(7) Kull meta l-kariga ta' Kanċillier tkun temporanjament vakanti, u sakemm jiġi mahtur Kanċillier ġdid, u kull meta d-detentur tal-kariga jkun assenti minn Malta jew ikun bil-vakanzi jew għal xi raġunijiet ma jkunx jista' jaqdi l-funzjonijiet mogħtija lilu b'dan l-Att, dawk il-funzjonijiet għandhom jiġu moqđija mill-Pro-Kanċillier li għandu jkompli jaqdi dawk il-funzjonijiet għalkemm ikun għalaq iż-żmien tal-ħatra tiegħu.

(8) Il-Pro-Kanċillier għandu wkoll jaqdi l-funzjonijiet ta' Kanċillier kull meta l-Kanċillier jitolbu bil-miktub biex jagħmel dan.

(9) Il-Pro-Kanċillier ikun il-president *ex-officio* tal-Kunsill.

(10) Ir-Rettur jiġi elett mill-Kunsill għal żmien hames snin u jkun l-uffiċċjal akkademiku u amministrattiv prinċipali ta' l-Università.

(11) Ir-Rettur ikun responsabbli għat-tmexxija ta' kuljum ta' l-Università, ikun il-president *ex-officio* tas-Senat u tal-Bordijiet tal-Fakultajiet, u r-rappreżentanza legali tal-Università tkun vestita fih.

(12) Il-Pro-Rettur jiġi mahtur mir-Rettur għal żmien sena u għandu jaqdi l-funzjonijiet tar-Rettur għall-istess raġunijiet u fl-istess ċirkostanzi li l-Pro-Kanċillier jkollu jaqdi l-funzjonijiet ta' Kanċillier taħt id-dispożizzjonijiet tas-subartikolu (7) u tas-subartikolu (8) ta' dan l-artikolu.

(13) Is-Segretarju jkun it-tieni l-ogħla uffiċċjal amministrattiv tal-Università u jiġi mahtur mill-Kunsill għal żmien hames snin.

(14) Id-Dekan ta' Fakultà jiġi elett għal żmien sentejn mill-akkademiċi ta' dik il-fakultà u minn fost il-Kapijiet tad-Dipartimenti ta' dik il-fakultà u jkun il-president *ex-officio* tal-Bord tal-Fakultà meta r-Rettur ma jkunx preżenti.

Legislazzjoni
Sussidjarja.

29. (1) L-Università jkollha s-setgħa li tagħmel statuti, regolamenti, u ordinamenti sabiex tippovdi għall-amministrazzjoni tagħha u għall-amministrazzjoni tal-attivitajiet tagħha u tal-enti mahluqa minnha.

(2) L-istatuti jagħmilhom il-Kunsill u jkunu jorbtu lill-Università kollha kif ukoll lill-enti mahluqa minnha.

(3) Ir-regolamenti jagħmilhom is-Senat u għandhom jipprovdu għall-hwejjeġ ta' natura akkademika u jorbtu lill-Università kollha.

(4) L-ordinamenti jagħmluhom il-Bordijiet tal-Fakultajiet u għandhom jipprovdu għall-hwejjeġ ta' natura akkademika u jorbtu lill-fakultà rappreżentata mill-Bord tal-Fakultà li għamlet dawk l-ordinamenti.

(5) Il-Kunsill ma jista' jagħmel ebda statut li jipprovdi għal xi haġa ta' natura akkademika, u meta jkun għamel statut bħal dan ma jistax jemendah jew iħassru, kemm-il darba l-Kunsill ma jitlobx il-parir tas-Senat dwar dak l-istatut jew dwar dik l-emenda jew dak it-thassir, iżda jekk dak il-parir ma jingħatax fiż-żmien stabbilit mill-Kunsill, li f'ebda każ ma għandu jkun inqas minn wiehed u għoxrin ġurnata mid-data li ssir dik it-talba, il-Kunsill jkun jista' jagħmel dak l-istatut jew jemendah jew iħassru mingħajr dak il-parir.

(6) L-istatuti, ir-regolamenti u l-ordinamenti li jsiru mill-korpi ta' gvern kompetenti ta' l-Università skond id-dispożizzjonijiet ta' din it-Taqsima ta' dan l-Att ikunu bla effett kemm-il darba ma jiġux promulgati mill-Kanċillier u ppubblikati fil-Gazzetta tal-Gvern iżda meta dawk l-istatuti, regolamenti, jew ordinamenti jiġu hekk promulgati u pubblikati huma jkollhom is-saħħa ta' liġi; b'dan li l-leġislazzjoni sussidjarja hawn imsemmija, kemm jista' jkun malajr wara li ssir, għandha titqiegħed fuq il-Mejda tal-Kamra tad-Deputati.

(7) Kull setgħa mogħtija b'dan l-Att għall-egħmil ta' statuti, regolamenti jew ordinamenti mill-korp ta' gvern kompetenti ta' l-Università għandha tiftihem li tinkludi setgħa, eżerċitabbli bl-istess mod u suġġetta għall-istess kunsens u kundizzjonijiet, jekk ikun hemm, għar-rexissjoni, revoka, emenda, jew bdil tal-istatuti, regolamenti jew ordinamenti, u dik is-setgħa tkun eżerċitabbli mingħajr hsara għall-egħmil ta' statuti, regolamenti jew ordinamenti godda.

30. Il-Kunsill tal-Università jkun magħmul mill-membri li ġejjin: Kostituzzjoni tal-Kunsill.

(a) il-Pro-Kanċillier, li jkun *ex-officio* president;

(b) ir-Rettur, li jkun *ex-officio* viċi-president;

(ċ) erba' membri li jirrappreżentaw lis-Senat;

(d) żewġ membri eletti mill-akkademiċi minn fost dawk minnhom li ma jkunux membri tas-Senat;

(e) żewġ membri eletti mill-impjegati mhux akkademiċi u minn fosthom;

(f) żewġ membri eletti mill-istudenti tal-Università u minn fosthom;

(g) membru mahtur mill-Ministru;

(h) numru ta' membri, li qatt ma għandu jkun iżjed minn numru ta' membri kollha msemmija fil-paragrafi (ċ), (d), (e), (f) u (g) ta' dan l-artikolu mahtura mill-Prim Ministru biex jirrappreżentaw l-interess ġenerali tal-pajjiż.

31. Il-Kunsill ikun l-ogħla korp ta' gvern ta' l-Università u jkollu l-funzjonijiet li ġejjin: Funzjonijiet tal-Kunsill.

(a) li jamministra u jikkontrolla l-propjetà, mobbli u immobbli, ta' l-Università;

(b) li jwaqqaf u jnehhi karigi ta' natura akkademika jew xort'ohra;

(c) li jwaqqaf, jamministra u jnehhi instituti u enti ohra;

(d) li jagħmel statuti skond id-dispożizzjonijiet ta' dan l-Att;

(e) li jagħti hatriet għal karigi, ta' natura akkademika jew xort'ohra, skond proċeduri stabbiliti mill-istatuti;

(f) li jhallas il-pagi jew salarji tal-impjegati kollha akkademiċi u mhux akkademiċi skond skali li jstabilixxi bl-approvazzjoni tal-Ministru;

(g) li jstabilixxi fakultajiet, dipartimenti u istituti għall-ippjanifikar kif imiss tax-xogħol akkademiku u tal-kollaborazzjoni interdixiplinari, wara li jiehu kont tad-direzzjonijiet mogħtija mill-Ministru skond id-dispożizzjonijiet ta' dan l-Att;

(h) li jahtar kapijiet ta' dipartimenti għal żminijiet li ma jkunux ta' iżjed minn erba' snin wara li jikkunsidra r-rakkomandazzjonijiet tad-dipartimenti konċernati;

(i) li jahtar eżaminaturi Maltin jew barranin skond statuti u proċeduri stabbiliti minn qabel u jiehu hsieb li jithallsu;

(j) li jagħmel dak kollu li ma hux vestit f'korp ta' gvern ieħor ta' l-Università.

Kostituzzjoni
tas-Senat.

32. Is-Senat ta' l-Università jkun magħmul mill-membri li ġejjin:—

(a) ir-Rettur, li jkun *ex-officio* president;

(b) il-Pro-Rettur, li jkun *ex-officio* viċi-president;

(c) id-Dekani tal-fakultajiet kollha;

(d) rappreżentant ta' kull fakultà elett mill-akkademiċi ta' dik il-fakultà u minn fosthom;

(e) erbà membri eletti mill-istudenti ta' l-Università u minn fosthom;

(f) żewġ rappreżentanti tal-Ministru maħtura minnu minn fost il-lawrejati ta' l-Università;

(g) żewġ membri maħtura mid-diretturi tal-istituti u tal-enti l-oħra mwaqqfa mill-Università;

(h) il-Librar.

Funzjonijiet
tas-Senat.

33. Is-Senat ikollu d-direzzjoni ġenerali tal-hwejjeġ akkademiċi ta' l-Università u jkollu l-funzjonijiet li ġejjin:

(a) li jirregola b'regolamenti l-istudji, riċerka, id-dokumentazzjoni u l-eżamijiet fl-Università;

(b) li jagħmel regolamenti skond id-dispożizzjonijiet ta' dan l-Att;

(ċ) li jiddeciedi lil min għandhom jinghataw gradi u distinzjonijiet oħra;

(d) li jistabilixxi b'regolamenti l-kondizzjonijiet għad-dhul fl-Università;

(e) li jagħti għarfien lil gradi, diplomi, ċertifikati u distinzjonijiet ta' universitajiet jew istituti ta' Edukazzjoni Għolja barranin;

(f) li jagħti parir lill-Kunsill dwar kull haġa ta' natura akkademika wkoll meta ma tkunx ta' natura għal kollox akkademika;

(g) li jagħti parir lill-Gvern dwar kull haġa fl-oqsma tal-għerf, xjenza u teknoloġija riferita lilha mill-Gvern;

(h) li jitratta minn kull haġa oħra ta' natura akkademika li tinqala' fl-amministrazzjoni tal-Università.

34. Il-Bord ta' kull Fakultà jkun magħmul mill-membri li ġejjin:—

Kostituzzjoni
tal-Bordijiet
tal-Fakultajiet.

(a) ir-Rettur, li jkun *ex-officio* president;

(b) id-Dekan tal-Fakultà, li jkun *ex-officio* viċi president;

(ċ) il-Kapijiet tad-dipartimenti kollha tal-Fakultà;

(d) rappreżentant ta' kull dipartiment tal-Fakultà li jiġi elett mill-akkademiċi tad-dipartiment u minn fosthom;

(e) żewġ membri eletti mill-istudenti tal-Fakultà u minn fosthom;

(f) żewġ membri mahtura mill-Ministru biex jirrapprezentaw l-interessi ta' barra l-Fakultà u li, fil-fehma tal-Ministru, jistgħu jagħtu sehem effettiv lill-amministrazzjoni tal-Fakultà.

35. (1) Il-Bord tal-Fakultà jkollu l-funzjonijiet li ġejjin:

Funzjonijiet
tal-Bordijiet
tal-Fakultajiet.

(a) li jmexxi b-mod unitarju u b'konsultazzjoni x-xogħol akkademiku tal-Fakultà;

(b) li jistabilixxi l-istudji, t-tagħlim u r-riċerka fil-Fakultà u li jipprovdi għall-amministrazzjoni, pubblikazzjoni u tixrid tax-xogħol akkademiku tal-Fakultà u li jqassam ix-xogħol f'dawn l-attivitajiet;

(ċ) li jagħmel ordinamenti li jolqtu lill-Fakultà skond id-dispożizzjonijiet ta' dan l-Att;

(d) li jhejji pjanijiet għall-iżvilupp tal-Fakultà u jipprezentahom għall-approvazzjoni tas-Senat u tal-Kunsill.

(2) L-ordinamenti li jagħmel il-Bord tal-Fakultà għandhom jintbagħtu lis-Senat għall-approvazzjoni tiegħu u ma għandhomx jingiebu quddiem il-Kanċillier biex jiġu promulgati kemm-il darba ma jkunux ġew hekk approvati mis-Senat.

Setgħat
tar-Rettur.

36. (1) Ir-Rettur, bla hsara għas-setgħat vestiti fil-korpi ta' gvern ta' l-Università bid-dispożizzjonijiet ta' dan l-Att, ikollu s-setgħat kollha meħtieġa għall-amministrazzjoni ta' kuljum ta' l-Università u jkollu s-setgħa li jiddeċiedi fuq kull haġa urġenti ta' natura akkademika jew xort'ohra, iżda kull deċiżjoni bħal dik msemmija li tolqot xi setgħa jew funzjoni vestita b'dan l-Att f'korp ta' gvern ta' l-Università għandha tiġi reġistrata mis-Segretarju u tingieb quddiem dak il-korp ta' gvern fl-ewwel laqgħa tiegħu wara dik id-deċiżjoni.

(2) Ir-Rettur, bhala l-uffiċjal vestit bit-treġġja mmedjata ta' l-Università, jkollu l-awtorità fuq l-ghalliema, l-eżaminaturi, l-istudenti, il-kandidati għall-eżamijiet, u fuq l-impjegati kollha ta' l-Università, u jzomm id-dixxiplina u jiehu hsieb li jiġu mharsa għal kollox id-dispożizzjonijiet ta' dan l-Att u l-istatuti, ir-regolamenti u l-ordinamenti.

(3) Ir-Rettur jagħti l-gradji ta' l-Università, diplomi, ċertifikati u distinzjonijiet ohra.

(4) Ir-Rettur ikollu s-setgħa li jlaqqa l-Kunsill, is-Senat u l-Bordijiet tal-Fakultajiet.

(5) Ir-Rettur għandu jiżgura li dawk l-elezzjonijiet meħtieġa bid-dispożizzjonijiet ta' dan l-Att fil-fatt isiru minghajr dewmien bla bżonn u jkun responsabbli li jipprovdi għall-proċeduri ta' dawk l-elezzjonijiet.

(6) Ir-Rettur ikun responsabbli għall-ippjanar u l-koordinament tax-xogħol tal-korpi w istituzzjonijiet differenti tal-Edukazzjoni Għolja u għat-twettiq tad-deċiżjonijiet tal-awtoritajiet kompetenti ta' l-Università.

Dispożizzjonijiet
komuni
għall-korpi ta'
gvern tal-
Università.

37. (1) Kull persuna li għandha kariga f'korp ta' gvern tal-Università għandha żżomm dik il-kariga għal żmien sentejn kemm-il darba ma hux espressament provdut xort'ohra xi mkien iehor f'dan l-Att.

(2) Il-*quorum* għal-laqgħat ta' kull korp ta' gvern tal-Università jkun wiehed aktar minn terz tal-membri ta' dak il-korp; iżda l-*quorum* tal-Kunsill ikun tmienja.

(3) Kull korp ta' gvern ta' l-Università jista' jaġixxi nonostanti kull vakanza fost il-membri tiegħu u l-*quorum* jinhadem daqs li kieku ma kien hemm ebda vakanza bħal dik.

(4) Kull kwistjoni mressqa għal deċiżjoni f'xi laqgħa ta' xi korp ta' gvern ta' l-Università għanda tiġi deċiża b'maġġoranza tal-voti tal-membri preżenti u li jivvotaw, u jekk fuq xi kwistjoni bħal dik il-voti jkunu maqsuma ndaqs il-membri li jkun jippresjedi għandu jkollu u għandu jeżerċita vot deċisiv.

TAQSIMA VI

Dispożizzjonijiet Ohra

38. Il-Ministru ghandu jahtar Registratur tal-Eżamijiet li jkun responsabbli: Registratur
tal-
Eżamijiet.

(a) ghat-tmexxija tal-eżamijiet fl-iskejjel kollha u fl-istituzzjonijiet kollha ta' tagħlim tal-Istat minn barra fl-Università;

(b) ghat-tmexxija tal-eżamijiet għad-dhul fis-servizz ta' l-istat, ta' korporazzjonijiet pubbliċi u ta' soċjetajiet kummerċjali li fihom l-Istat għandu kontroll effettiv;

(ċ) għas-sorveljanza tal-eżamijiet li jinżammu u jitmexxew mill-Università.

Għall-finijiet tal-paragrafu (b) ta' dan l-artikolu, l-Istat jitqies li għandu kontroll effettiv ta' soċjetà kummerċjali meta f'dik is-soċjetà iżjed minn hamsin fil-mija tal-kapital jew tal-voti jkunu direttament jew indirettament jappartjenu lil jew kontrollati mill-Istat.

39. (1) Fi Skejjel ta' l-Istat u fl-Università, t-tagħlim għandu jingħata liċ-ċittadini Maltin mingħajr hlas. Sabiex jiġi żgurat l-eżerċizzju sħiħ tad-dritt tal-ġenituri għall-għażla ta' skola, l-Istat għandu, bi ftehim dwar sussidju ta' skejjel li ma humiex Skejjel ta' l-Istat u li ma jkunux twaqqfu bl-iskop li jagħmlu profitt, jipprovdi gradwalment skond il-fondi pubbliċi disponibbli għall-istess gratuwità ta' tagħlim f'dawk l-iskejjel kif provdut lill-istudenti fi Skejjel ta' l-Istat. Gratuita tat-
tagħlim u
sussidju f'ċerti
każi.

(2) Il-Ministru jista', b'regolamenti, jippreskrivi l-hlasijiet li għandhom isiru għall-eżamijiet u għal korsijiet speċjali barra l-hinijiet normali u l-hlasijiet li għandhom isiru minn studenti li ma humiex ċittadini Maltin; iżda l-Ministru jista' jeżenta lil kull persuna milli jagħmel dak il-hlas.

(3) Il-Ministru jista' jistabilixxi r-rati ta' stipendji li għandhom jithallsu lill-istudenti li jkomplu l-edukazzjoni tagħhom wara li jtemmu l-Edukazzjoni Sekondarja u jista' jimponi kondizzjonijiet għall-hlas ta' dawk l-istipendji.

(4) Il-Ministru jista', kif jista' jiġi preskritt b'regolamenti, jordna li ma jintalbox hlasijiet għat-tagħlim ta' ċittadini Maltin fi skejjel li ma humiex Skejjel ta' l-Istat u li ma jkunux twaqqfu bl-iskop li jagħmlu profitt iżda f'dan il-każ il-Ministru għandu qabel xejn jiżgura li l-iskejjel li għalihom tapplika l-ordni jkunu f'qagħda li jissoktaw jagħtu s-servizz tagħhom u, meta minn sħarriġ flimkien ma' l-iskejjel milquta jirriżulta li jkun hekk meħtieġ, għandu jissupplimenta l-mezzi finanzjarji ta' dawn l-iskejjel minn fondi pubbliċi.

(5) Bla hsara għad-dispożizzjonijiet tas-subartikolu (4) ta' dan l-artikolu, il-Ministru jista' b'regolamenti jistabilixxi l-ogħla

hlasijiet li jistgħu jintalbu għat-tagħlim ta' ċittadini Maltin fi skejjel li ma jkunux Skejjel ta' l-Istat u l-oghla hlasijiet hekk stabbiliti jistgħu jkunu differenti għal skejjel differenti jew għal livelli jew oqsma differenti ta' skejjel li ma jkunux Skejjel ta' l-Istat; iżda meta jagħmel regolamenti bħal dawn il-Ministru għandu jiżgura, fuq il-bażi ta' eżami oġġettiv ta' l-iskejjel li għalihom japplikaw ir-regolamenti, li dawn ikunu f'qagħda li jissoktaw jagħtu s-servizzi tagħhom u għal dan l-iskop il-Ministru, jekk ikun hekk meħtieġ, għandu jissupplimenta l-mezzi finanzjarji ta' dawk l-iskejjel minn fondi pubbliċi.

Tribunal
Skolastiku.

40. (1) Għandu jkun hemm Tribunal, li jkun magħruf bħala t-Tribunal Skolastiku, sabiex jisma' u jiddeċiedi appelli li jsiru quddiemu skond id-dispożizzjonijiet tas-subartikolu (9) tal-artikolu 6 u tas-subartikolu (4) tal-artikolu 11 ta' dan l-Att.

(2) It-Tribunal Skolastiku jkun magħmul mill-membri li ġejjin:

(a) president, li jkun imħallef jew maġistrat mahtur mill-President ta' Malta li jaġixxi skond il-parir tal-Prim Ministru;

(b) membru li jirrappreżenta l-Università u l-Iskejjel kollha ta' l-Istat u li jiġi elett mir-Rettur ta' l-Università flimkien mal-kapijiet ta' dawk l-Iskejjel ta' l-Istat u minn fosthom;

(ċ) membru li jirrappreżenta l-iskejjel kollha liċenzjati taht dan l-Att u li jiġi elett mill-Kapijiet kollha ta' dawk l-iskejjel u minn fosthom;

(d) membru mahtur mit-*trade union* li tirrappreżenta lill-maġġoranza ta' l-ghalliema.

(3) Il-president u l-membri l-oħra tat-Tribunal Skolastiku jiġu mahtura jew eletti, skond il-każ, għal żmien hames snin.

(4) Sabiex jiddeċiedi appelli taht is-subartikolu (9) tal-artikolu 6 ta' dan l-Att, it-Tribunal Skolastiku jkun magħmul mill-president u l-membri msemmija fil-paragrafi (b) u (ċ) tas-subartikolu (2) ta' dan l-artikolu.

(5) Sabiex jiddeċiedi appelli taht is-subartikolu (4) tal-artikolu 11 ta' dan l-Att, it-Tribunal Skolastiku jkun magħmul mill-president u l-membri msemmija fil-paragrafi (b) u (d) tas-subartikolu (2) ta' dan l-artikolu.

(6) Il-proċedimenti quddiem it-Tribunal Skolastiku għandhom ikunu skond il-prinċipji tal-ġustizzja naturali iżda salv dak li ntqal għandhom ikunu kif it-Tribunal Skolastiku jqis xieraq.

(7) Kull membru tat-Tribunal Skolastiku jista' jiġi rikużat jew għandu jastjeni fl-istess ċirkostanzi bħal imħallef tal-Qrati Superjuri u f'kull każ bħal dan:

(a) jekk il-membri rikużat jew li jastjeni jkun il-president tat-Tribunal Skolastiku, il-President ta' Malta li jaġixxi skond il-

parir tal-Prim Ministru għandu jahtar imhallet jew magiŕtrat ieħor biex ikun president tat-Tribunal Skolastiku flok dak il-membru għall-każ jew każijiet partikolari li għar-rigward tagħhom il-membru ikun ġie rikuzat jew ikun astjena.

(b) jekk il-membru rikuzat jew li jastjeni ma jkunx il-president tat-Tribunal Skolastiku:

(i) il-partijiet fl-appell jistgħu jaqblu dwar persuna biex tidhol flok dak il-membru fuq it-Tribunal Skolastiku u f'dan il-każ il-persuna li dwarha jkun sar qbil għandha tidhol bħala membru tat-Tribunal Skolastiku minflok dak il-membru rikuzat jew li astjena għall-każ jew każijiet partikolari li għar-rigward tagħhom il-membru jkun ġie rikuzat jew ikun astjena; jew

(ii) fin-nuqqas ta' qbil kif provdut fis subparagrafu (i) ta' dan il-paragrafu, il-President ta' Malta li jaġixxi skond il-parir tal-Prim Ministru għandu jahtar persuna oħra biex tkun membru tat-Tribunal Skolastiku flok dak il-membru li jkun ġie rikuzat jew ikun astjena u għall-każ jew każijiet partikolari li għar-rigward tagħhom il-membru jkun ġie rikuzat jew ikun astjena.

(8) Kull meta tkun meħtieġa li ssir elezzjoni tal-membri tat-Tribunal Skolastiku, jew ta' wieħed jew aktar minn dawk il-membri, il-Prim Ministru għandu jahtar persuna bħala uffiċjal elettoral li jkollu l-funzjoni li jzomm, imexxi u jissorvelja dik l-elezzjoni li, bla ħsara għad-dispożizzjonijiet ta' dan l-Att jew ta' regolamenti magħmula tahtu, għandha ssir f'dak il-hin jew f'dawk il-hinijiet u għandha titmexxa b'dak il-mod li dik il-persuna jidhrilha xieraq:

Iżda l-Prim Ministru jista' jagħmel regolamenti biex isiru dawk l-elezzjonijiet u dwar it-tmexxija u s-sorveljanza tagħhom.

41. (1) Ebda persuna, mingħajr il-permess bil-miktub tal-Ministru, ma tista' timpjega minuri tal-età obligatorja għall-iskola jew li xort'oħra jkun obligat jattendi l-iskola.

Impjeg ta' minuri.

(2) Il-Ministru jista' jagħti l-permess tiegħu taht is-subartikolu (1) ta' dan l-artikolu meta, wara li jkun għamel il-verifiki neċessarja, jkun tal-fehma li hemm raġunijiet suffiċenti sabiex il-ġenituri tal-minuri jiġu eżentati mid-dmir tagħhom li jiżguraw li l-minuri jattendi regolarment l-iskola u meta l-Ministru jkun tal-fehma wkoll li l-impjeg tal-minuri ma jkunx ta' ħsara għas-saħħa u l-iżvilupp normali tal-minuri.

(3) Il-Ministru jista' japprova kuntratti ta' l-apprendistat u skemi ta' taħriġ li, meta jiġu hekk approvati, ma jitqiesux impjeg għall-ghanijiet ta' dan l-artikolu.

42. (1) Kull ġenitur ta' minuri li:

Reati u Pieni

(a) jonqos milli jirreġistra lil dak il-minuri fi Skola Statali jew liċenzjata taht dan l-Att għall-ewwel sena skolastika li tibda meta

dak il-minuri jkun ta' l-età obligatorja għall-iskola jew jonqos milli jiehu hsieb li dak il-minuri jkun hekk registrat f'kull żmien għal kull sena skolastika matul il-perjodu kollu li l-minuri jkun ta' l-età obligatorja għall-iskola jew jonqos milli jiehu hsieb li dak il-minuri jkompli jkun hekk registrat sa tmiem is-sena skolastika li matulha l-minuri ma jibqax ta' l-età obligatorja għall-iskola jew sa tmiem dak il-perjodu itwal li jista' jiġi preskritt mill-Ministru b'regolamenti; jew

(b) jonqos milli jiehu hsieb, minghajr raġuni tajba u suffiċjenti, li dak il-minuri jattendi regolarment l-iskola għal kull jum skolastiku matul dak iż-żmien li l-minuri jkun ta' l-età obligatorja għall-iskola u sa tmiem is-sena skolastika li matulha l-minuri ma jibqax ta' l-età obligatorja għall-iskola u sa tmiem dak il-perjodu itwal li jista' jiġi preskritt mill-Ministru b'regolamenti;

ikun hati ta' reat u jeħel, meta jinsab hati, il-pieni tal-kontravvenzjonijiet flimkien ma' ammenda ta' mhux iżjed minn lira għal kull ġurnata li matulha jkompli r-reat fil-każ ta' reat permanenti:

Izda ebda proċeduri kriminali għal reat taht il-paragrafu (b) ta' dan is-subartikolu ma għandhom jittiehdu hlief jekk il-ġenitur, fi żmien tlett ijiem mid-data li jirċievi avviż mingħand id-Direttur ta' l-Edukazzjoni li fih jitolbu jispjega r-raġuni għala il-minuri m'attendix l-iskola, jonqos milli jagħti spjegazzjoni tajba u suffiċenti.

(2) Kull persuna li tiftaħ jew iżzomm skola minghajr liċenzja tal-Ministru tkun hatja ta' reat u teħel, meta tinsab hatja, il-pieni tal-kontravvenzjonijiet flimkien ma' ammenda ta' mhux iżjed minn hamsin lira għal kull ġurnata li matulha jkompli r-reat fil-każ ta' reat permanenti.

(3) Kull persuna li, bi hlas, teżerċita l-professjoni ta' għalliem fi skola minghajr *warrant* mill-Ministru tkun hatja ta' reat u teħel meta tinsab hatja, il-pieni tal-kontravvenzjonijiet flimkien ma' ammenda ta' mhux iżjed minn għaxar liri għal kull ġurnata li matulha jkompli r-reat fil-każ ta' reat permanenti.

(4) Kull persuna li tikser id-dispożizzjonijiet tas-subartikolu (1) tal-artikolu 41 ta' dan l-Att tkun hatja ta' reat u teħel meta tinsab hatja, il-pieni tal-kontravvenzjonijiet flimkien ma' ammenda ta' għaxar liri għal kull ġurnata li matulha jkompli l-impjieġ tal-minuri.

(5) Kull persuna li għandha liċenzja biex tiftaħ u iżzomm skola u li tonqos milli tiżgura li dik l-iskola tkun f'kull żmien konformi mal-kondizzjonijiet minimi nazzjonali kollha u li jkunu jgħoddu għal dik l-iskola minn żmien għal żmien, tkun hatja ta' reat u teħel, meta tinsab hatja, il-pieni tal-kontravvenzjonijiet flimkien ma' ammenda ta' mhux iżjed minn għaxar liri għal kull ġurnata li matulha jkompli r-reat fil-każ ta' reat permanenti.

(6) Fil-każ tat-tieni kundanna jew ohrajn warajha għal reat bi ksur tad-dispożizzjonijiet ta' dan l-artikolu magħmul minn persuna li

għandha liċenzja taht dan l-Att, il-Qorti tista' fid-diskrezzjoni tagħha iżda fuq talba tal-Ministru, thassar dik il-liċenzja jew tordna li l-liċenzja tiġi sospiżta għal dak iż-żmien li jidrilha xieraq:

Iżda, b'dak kollu provdut f'dispożizzjonijiet ta' xi liġi oħra, is-sospensjoni jew thassir ta *warrant* mogħti taht id-dispożizzjonijiet ta' dan l-Att tista' issir biss b'ordni tal-Ministru skond id-dispożizzjonijiet ta' dan l-Att.

43. (1) Fil-każ tat-tieni kundanna jew oħrajn warajha għal reat magħmul minn ġenitur bi ksur tad-dispożizzjonijiet tas-subartikolu (1) ta' l-artikolu 42 ta' dan l-Att, is-Sekond Awla tal-Qorti Ċivili tista', fuq rikors tad-Direttur tal-Edukazzjoni, tneħhi lil dak il-ġenitur l-awtorità tiegħu, "*de jure*" jew "*de facto*" fuq il-minuri u tista' tahtar tutur għal dak il-minuri.

Penalitajiet
fil-każ tat-tieni
kundanna jew
oħrajn ta' wara.

(2) Fil-każ tat-tieni kundanna jew oħrajn warajha għal reat magħmul minn xi persuna oħra bi ksur tad-dispożizzjonijiet tas-subartikolu (2) ta' l-artikolu 42 ta' dan l-Att, il-Qorti tista' tagħti s-setgħa lill-Ministru, fuq talba tiegħu, li jieħu pussess tal-bini miftuħ jew miżmum bħala skola mingħajr liċenzja u dan għal dak iż-żmien li l-Qorti jidhrilha meħtieġ sabiex-iżzomm lil dik il-persuna milli tagħmel reat ieħor bi ksur tad-dispożizzjonijiet ta' dak is-subartikolu.

44. (1) Għandu jkun hemm Kunsill għall-Edukazzjoni li jkun magħmul mill-membri li ġejjin:

Kunsill għall-
Edukazzjoni.

(a) president, li jkun ir-Rettur ta' l-Università;

(b) rappreżentant ta' kull skola mmexxija minn Kunsill ta' Skola kif maħsub bl-artikoli 21 u 25 ta' dan l-Att;

(c) membri oħrajn, mhux aktar fin-numru mill-membri msemmija fil-paragrafu (b) ta' dan is-subartikolu, mahtura mill-Ministru u li fil-fehma tal-Ministru jirrapprezentaw lill-pubbliku in generali mhux xort'oħra rappreżentat fuq il-Kunsill imwaqqaf b'dan l-artikolu, fosthom membri biex jirrapprezentaw lill-iskejjel tal-Knisja Kattolika f'Malta u lill-iskejjel l-oħra li ma humiex Skejjel ta' l-Istat.

(2) Il-Kunsill tal-Edukazzjoni jkollu l-funzjonijiet li ġejjin:

(a) li jagħti parir lill-Ministru fuq kull haġa li għandha x'taqsam ma' l-edukazzjoni kif jidhirlu xieraq u fuq kull haġa oħra riferita lilu mill-Ministru;

(b) li jhejji pjanijiet għall-iżvilupp tal-edukazzjoni u għall-integrazzjoni aħjar tas-servizzi edukattivi f'Malta u li jipprezenta dawk il-pjanijiet lill-Ministru għall-approvazzjoni tiegħu u biex jiġu mwettqa minnu;

(c) li jagħti parir lill-Ministru dwar kull proposta ta' emenda għad-dispożizzjonijiet ta' dan l-Att jew dwar kull proposta ta' liġi li thassar dan l-Att.

(3) Il-Ministru, qabel ma jipproponi lill-Kamra tad-Deputati xi emendi għad-dispożizzjonijiet ta' dan l-Att jew qabel ma jipproponi lil dik il-Kamra t-tfassir ta' dan l-Att, għandu jirreferi l-abbozz li bih jiġu proposti dawk l-emendi jew dak it-tfassir lill-Kunsill għall-Edukazzjoni li għandu jagħti l-parir tiegħu bil-miktub u fil-pubbliku fiż-żmien stab- bilit mill-Ministru għal dak l-iskop, liema żmien ma għandux ikun ta' inqas minn għimgha; iżda jekk dak il-parir ma jingħatax f'dak iż-żmien il-Ministru jkun jista' jipproponi dawk l-emendi jew dak it-tfassir lill-Kamra tad-Deputati.

Setgħa biex isiru regolamenti.

45. Il-Ministru jista' jagħmel regolamenti biex jagħtu effett lil kull waħda mid-dispożizzjonijiet ta' qabel ta' dan l-Att u b'mod partikolari, iżda bla ħsara għall-ġeneralità ta' dak li ntqal qabel, għal kull wiehed mill-għanijiet li ġejjin:

(a) biex jipprovdi għall-ħatra, kondizzjonijiet ta' l-impjieg, dmirijiet u setgħat ta' għalliema kif ukoll ta' Uffiċċjali dwar l-Attendenza fl-Iskejjel, Uffiċċjali Mediċi tal-Iskola, Uffiċċjali Dentali tal-Iskola, inklużi dispożizzjonijiet biex jagħtu setgħa lil kull wiehed mill-imsemmija uffiċċjali biex iżuru lit-tfal fi djarhom u biex jeżaminawhom jew jagħmlu sħarriġ iehor;

(b) biex jesigi mill-ġenituri li jagħtu lill-Ministru, lid-Direttur ta' l-Edukazzjoni jew lil kull wiehed mill-Uffiċċjali msemmija, dak it-tagħrif dwar it-tfal tagħhom li jidhirlu xieraq għall-qadi kif imiss tal-funzjonijiet u dmirijiet magħdud dak it-tagħrif li jista' jiġi speċifikat fir-regolamenti;

(ċ) biex jistabilixxi *curriculum* nazzjonali ta' studji mingħajr ħsara għan-natura reliġjuża speċifika ta' xi skola;

(d) biex jistabilixxi l-kwalifiki tal-għalliema, il-*curricula*, it-*terms*, il-ġranet u l-hinijiet ta' l-iskola u kull haġa oħra li għandha x'taqsam ma' jew li hi inċidentali għat-thaddim u l-amministrazzjoni ta' Skejjel ta' l-Istat;

(e) biex jistabilixxi l-kondizzjonijiet minimi nazzjonali u kull haġa oħra li għandha x'taqsam ma' jew li hi inċidentali għat-thaddim u l-amministrazzjoni tal-iskejjel kollha u għad-dixxiplina li għandha tinzamm fihom;

(f) biex jeħtieġ rapporti u prospetti perjodiċi u rapporti u prospetti oħra li għandhom jintbagħtu lill-Ministru jew lid-Direttur ta' l-Edukazzjoni mill-Kapijiet ta' Skejjel u minn dawk l-uffiċċjali u persuni l-oħra li għandhom x'jaqsmu ma' l-edukazzjoni kif il-Ministru jidhirlu xieraq, u b'dak il-mod u f'dik il-forma u fuq dawk is-sugġetti li hu jista' jispeċifika fir-regolamenti jew f'kull hteġa taħthom;

(g) biex jesigi mill-Kapijiet ta' Skejjel u minn dawk l-uffiċċjali jew persuni l-oħra li għandhom x'jaqsmu ma' l-edukazzjoni kif il-Ministru jidhirlu xieraq li jagħtu lill-Ministru jew lid-Direttur tal-Edukazzjoni dak it-tagħrif li huma jkunu jeħtieġu jew li jiġi preskritt;

(h) biex jippreskrivi kull haġa li għandha jew li tista' tiġi preskritta taht dan l-Att u biex jipprovdi dwar kull haġa oħra kif jidhirlu xieraq;

(i) biex jipprovdi għal kull haġa inċidentali jew supplimentari inkluża s-setgħa ta' dħul u spezzjoni ta' kull fond jew post, li jidhirlu spedjenti sabiex tiġi nfużata jew tagħti aktar effett lil kull dispożizzjoni ta' dan l-Att u kull regolamenti magħmula bis-saħħa tiegħu;

(j) biex jistabilixxi l-pieni għal kull kontravvenzjoni jew ksur ta' kull dispożizzjoni ta' kull regolament magħmul taht dan l-Att, jew għal nuqqas ta' tħaris ta' xi dispożizzjoni bħal dik jew ta' xi htieġa magħmula tahtha:

Iżda dawk il-pieni ma għandhomx ikunu iżjed minn mitejn lira dwar kull reat u minn għaxar liri addizzjonali għal kull ġurnata li matulha jkompli r-reat fil-każ ta' reat permanenti;

u regolamenti magħmula taht dan l-artikolu jistgħu jiddisponu b'mod differenti għal skopijiet jew ċirkostanzi differenti għal klassijiet jew xorta differenti ta' skejjel jew għal klassijiet differenti ta' tfal.

46. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma tehtieġx Tifsir. xort'oħra:

“Bord tal-Fakultà” tfisser il-korp ta' gvern tal-Università mwaqqaf bl-artikolu 34 ta' dan l-Att;

“bżonnijiet edukattivi speċjali” ikollha l-istess tifsira mogħtija lilha bis-subartikolu (2) tal-artikolu 16 ta' dan l-Att;

“*curriculum* minimu nazzjonali” tfisser il-*curriculum* minimu nazzjonali għall-iskejjel kollha msemmi fl-artikolu 5 ta' dan l-Att;

“Direttur ta' l-Edukazzjoni” tinkludi safejn tingħata xi awtorità, kull uffiċċjal fid-Dipartiment tal-Edukazzjoni awtorizzat mid-Direttur tal-Edukazzjoni kif imiss għal hekk;

“enti ġjuridiku” tfisser korp li għandu personalità legali distinta;

“Estimi Ġenerali” tfisser l-estimi, preżentati quddiem il-Kamra tad-Deputati dwar xi sena finanzjarja, tan-nefqa għas-servizz ta' dik is-sena finanzjarja u tinkludi kull estimi supplementari ta' nefqa li għaliha jkun meħtieġ li jiġi provdut wara li l-estimi jkunu ġew preżentati quddiem il-Kamra tad-Deputati u f'dan il-kuntest “sena finanzjarja” għandha l-istess tifsira li għandha għall-għanijiet tal-Kostituzzjoni ta' Malta;

“età obligatorja għall-iskola” tfisser kull età bejn il-hames snin u l-hmistax-il sena, it-tnejn inklużi, u għalhekk persuna titqies li hi ta' l-età obligatorja għall-iskola jekk għalqet l-età ta' hames snin u ma għalqitx l-età ta' sittax-il sena;

“ġenitur” tfisser il-missier jew l-omm u tinkludi kull persuna li jkollha l-harsien u l-kustodja, sew legali sew attwali, ta’ tifel jew tifla;

“ġurnata skolastika” tfisser kull ġurnata matul sena skolastika li ma tkunx btala pubblika;

“Gvern” tfisser il-Gvern ta’ Malta;

“hlas” tinkludi kumpens taht kull forma kemm fi flus kemm f’oġġetti oħra;

“impieg” tinkludi impieg f’xi xogħol jew hidma eżerċitati bhala mestier jew għall-qliegħ, sew jekk il-qliegħ ikun għall-persuna mpjegata sew jekk għal xi persuna oħra, u sew jekk ix-xogħol jew il-hidma jsiru għal paga jew għal kumpens ieħor sew jekk le, u “timpjega” għandha tiftiehem f’dan is-sens;

“Kap ta’ Skola” tinkludi kull persuna li għandha l-kariga ta’ Kap ta’ Skola jew li temporanjament taġixxi f’dik il-kariga;

“Kodiċi ta’ Mġieba” tfisser il-Kodiċi ta’ Mġieba provdut bir-regolamenti taht l-artikolu 11 ta’ dan l-Att;

“kondizzjonijiet minimi nazzjonali” tfisser il-kondizzjonijiet minimi nazzjonali għall-iskejjel kollha msemija fl-artikolu 5 ta’ dan l-Att;

“korp ta’ persuni” tfisser kull xirka, għaqda, soċjetà jew assoċjazzjoni oħra ta’ persuni, sew jekk ikollhom personalità legali distinta, sew jekk le;

“Kunsill” tfisser il-korp ta’ gvern tal-Università mwaqqaf bl-artikolu 30 ta’ dan l-Att;

“Kunsill għall-Edukazzjoni” tfisser il-Kunsill mwaqqaf bl-artikolu 44 ta’ dan l-Att;

“Ministru” tfisser il-Ministru responsabbli għall-edukazzjoni u, sa fejn tinghata xi awtorità, tinkludi kull persuna awtorizzata mill-imsemmi Ministru għal hekk;

“preskritt” tfisser preskritt b’xi regolament, statut, regola jew ordinament;

“Rettur” tfisser ir-Rettur tal-Università elett taht l-artikolu 28 ta’ dan l-Att u kull persuna li temporanjament taġixxi f’dik il-kariga;

“sena skolastika” tfisser dak il-perjodu stabbilit bhala s-sena skolastika mill-kondizzjonijiet minimi nazzjonali;

“Senat” tfisser il-korp ta’ gvern tal-Università mwaqqaf bl-artikolu 32 ta’ dan l-Att;

“skola” tfisser istituzzjoni li r-risorsi tagħha ta’ persuni u ta’ oġġetti, huma ordinati sabiex titmexxa l-quddiem l-edukazzjoni ta’ persuni oħra permezz tat-tixrid tat-tagħrif u t-*tkabbir tal-għerf* kemm b’*kuntatt personali dirett* kif ukoll bil-korrispondenza, iżda ma tinkludix istituzzjoni għat-tmexxija l-quddiem ta’ edukazzjoni u tagħrif ta’ natura eskklusivament jew kważi eskklusivament reliġjuża;

“skola skedata” tfisser skola mdahhla fl-Iskeda II ta’ dan l-Att;

“Skola ta’ l-Istat” tfisser kull skola miżmuma mill-Ministru skond it-Taqsima III ta’ dan l-Att;

“Tribunal Skolastiku” tfisser it-Tribunal Skolastiku mwaqqaf bl-artikolu 40 ta’ dan l-Att;

“Università” tfisser l-Università ta’ Studji ta’ Malta mwaqqfa bl-artikolu 26 ta’ dan l-Att;

“*warrant*” tfisser kull *warrant* mogħti taħt l-artikolu 9 jew 10 ta’ dan l-Att;

“*warrant* permanenti” tfisser *warrant* mogħti taħt l-artikolu 9 ta’ dan l-Att;

“*warrant* temporanju” tfisser *warrant* mogħti taħt l-artikolu 10 ta’ dan l-Att.

47. (1) Bla hsara għal kull haġa li saret jew naqset milli ssir taħthom u, b’mod partikolari, għal kull proċediment li sar jew jista’ jsir taħthom jew dwar reati magħmula bi ksur ta’ xi dispożizzjoni tagħhom, il-ligijiet imdahhla fl-Iskeda I ta’ dan l-Att qeghdin jiġu mhassra.

Tahsir u
Riservi.

(2) Bla hsara għal kull haġa li saret jew naqset milli ssir taħthom u, b’mod partikolari, għal kull proċediment li sar jew jista’ jsir taħthom jew dwar reati magħmula bi ksur ta’ xi dispożizzjoni tagħhom, ir-regolamenti, statuti, regoli jew ordinamenti magħmula taħt il-ligijiet imhassra b’dan l-Att qeghdin b’dan jiġu mhassra.

48. (1) L-Università għandha tissuċċedi għall-proprjetà, drittijiet u obbligi tal-Università li kienet teżisti minnufih qabel il-bidu fis-seħh tal-artikolu 26 ta’ dan l-Att kif ukoll għall-proprjetà, drittijiet u obbligi tal-istituzzjonijiet li kienu magħrufa bl-isem tal-Università l-Qadima, l-Università l-Ġdida u l-Università Rjali ta’ Malta.

Dispożizzjoni
Transitorja.

(2) Dawk il-persuni kollha li qabel il-bidu fis-seħh ta’ dan l-Att kienu mpjegati mal-istituzzjoni magħrufa bl-isem tal-Università ta’ Malta għandhom, mal-bidu fis-seħh ta’ dan l-Att, jitqiesu li kienu minn dejjem impjegati u għandhom jibqgħu hekk impjegati ma’ l-Università:

Iżda għar-rigward ta’ dawk il-persuni li, fid-data li fiha jiġi fis-seħh dan l-artikolu, is-servizz tagħhom, għall-finijiet ta’ l-Ordinanza dwar il-Pensjonijiet u ta’ l-Att dwar il-Pensjonijiet lil Nisa Romol u Tfal Iltiema, kien meqjus li hu servizz mal-Gvern, is-servizz ta’ dawk il-persuni ma’ l-Università ikompli, għall-finijiet ta’ l-imsemmija Ordinanza u ta’

l-imsemmi Att, jitqies li jkun servizz mal-Gvern skond it-tifsiriet tagħhom rispettivament.

(3) L-istatuti, ir-regolamenti u l-ordinamenti mdahhla fl-Iskeda III ta' dan l-Att jibdeu isehhu u jkollhom is-sahha ta' ligi mal-bidu fis-sehh tal-artikolu 26 ta' dan l-Att u jibqghu hekk isehhu sakemm ma jigux emendati jew imhassra mill-korpi ta' gvern kompetenti tal-Università skond id-dispożizzjonijiet ta' dan l-Att.

(4) Il-persuna li kella l-kariga ta' Rettur tal-istituzzjoni li kienet maghrufa bhala l-Università l-Qadima qabel hareġ b'ligi l-Att XII tal-1980 li emenda l-Att tal-1974 dwar l-Edukazzjoni li qiegħed jigi mhassar b'dan l-Att, ikun ir-Rettur tal-Università mal-bidu fis-sehh tal-artikolu 26 ta' dan l-Att.

(5) Il-hatriet tal-Kapijiet tad-Dipartimenti u l-hatriet u l-elezzjonijiet kollha tal-Kunsill, tas-Senat u tal-Bordijiet tal-Fakultajiet tal-Università għandhom isiru kemm jista' jkun malajr wara d-data tal-bidu fis-sehh tad-dispożizzjonijiet rilevanti ta' dan l-Att u f'ebda każ iktar tard minn tlett xhur wara dik id-data; iżda, minkejja kull haġa li tinsab fid-dispożizzjonijiet tal-artikoli 26 sa 37 (it-tnejn inklużi) ta' dan l-Att u bla hsara għad-dispożizzjonijiet tas-subartikolu (6) ta' dan l-artikolu, sakemm hekk isiru l-imsemmija hatriet tal-Kapijiet tad-Dipartimenti u sakemm l-imsemmija Kunsill, Senat u Bordijiet jergħu jigu hekk imwaqqfa jew, fil-każ il-wieħed jew l-iehor, sakemm jghaddi l-imsemmi żmien ta' tlett xhur, skond liema tkun l-ewwel data fil-każ il-wieħed jew l-iehor, il-Kapijiet tad-Dipartimenti, il-Kunsill, Senat u Bordijiet tal-Fakultajiet tal-Università li kienet teżisti minnufih qabel il-bidu fis-sehh tal-artikolu 26 ta' dan l-Att, ikunu l-Kapijiet tad-Dipartimenti, il-Kunsill, Senat u Bordijiet tal-Fakultajiet tal-Università għall-finijiet ta' dan l-Att.

(6) Minkejja d-dispożizzjonijiet tas-subartikolu (5) ta' dan l-artikolu, ir-Rettur imsemmi fis-subartikolu (4) ta' dan l-artikolu ikun membru u viċi-president *ex-officio* tal-Kunsill u membru u president *ex-officio* tas-Senat u tal-Bordijiet tal-Fakultajiet mal-bidu fis-sehh tal-artikolu 26 ta' dan l-Att.

Titolu fil-qosor
u bidu fis-sehh.

49. (1) Dan l-Att jista' jissejjah l-Att tal-1988 dwar l-Edukazzjoni.

(2) Id-dispożizzjonijiet ta' qabel ta' dan l-Att jigu fis-sehh f'dik id-data li l-Ministru jista' jstabilixxi b'avviż fil-Gazzetta tal-Gvern, u dati differenti jistgħu jigu hekk stabbiliti għal dispożizzjonijiet differenti jew għal għanijiet differenti ta' dan l-Att.

SKEDA I

(Artikolu 47)

Att ta' l-1974 dwar l-Edukazzjoni	—	(Att XXXIX ta' l-1974)
Ordinanza dwar l-Iskejjel tat-Tfal Żghar	—	(Kap. 32)

SKEDA II

(Artikolu 20)

Isem tal-Iskola

Agius de Soldanis
 Kan Pawl Pullicino
 Carlo Diacono
 Dun Guzepp Zammit
 Dun Gwann Mamo Trade School
 Fellenberg School of Electronics
 Gan Frangisk Abela
 Gorg Grognet de Vassé Technical Institute
 Guzeppi Despott
 Maria Assumpta
 Maria Goretti
 Maria Regina
 Mikielang Sapiano Technical Institute
 Mikiel Anton Vassalli
 Ninu Cremona Complex
 Salvatore Dimech School for Craftsmen
 Santa Tereza
 Sir Adrian Dingli
 Umberto Calosso Trade School

Lokalità

Victoria, Gozo
 Rabat
 Żejtun
 Hamrun
 Marsa
 Paola
 Msida
 Naxxar
 Cospicua
 Hamrun
 Tarxien
 Blata-l-Bajda
 Paola
 Tal-Handaq
 Victoria, Gozo
 Mosta
 Mrieħel
 St. Andrews
 Sta Vennera

SKEDA III

Statuti, Regolamenti u Ordinamenti

(Artiklu 48)

A — STATUTI

Statut 1 — GENERALI

1.1 Ilsna Uffiċjali

Il-Malti u l-Ingliż ikunu l-ilsna uffiċjali ta' l-Università. L-amministrazzjoni ta' l-Università tista' tuża wiehed miż-żewġ ilsna għal skopijiet uffiċjali.

1.2 Suġġetti Obbligatorji għad-Dhul

Il-Malti u l-Ingliż ikunu suġġetti obbligatorji għad-dhul għall-korsijiet ta' gradi u diplomi ta' l-Università.

Iżda s-Senat ikun jista' bir-regolamenti jhalli lil kandidati f'ċirkustanzi speċjali joffru suġġetti oħrajn minflokhom.

1.3 Kwalifiki Mehtieġa għad-Dhul: Żmien ta' Notifikazzjoni

L-Università tagħti notifikazzjoni fi żmien xieraq (normalment sentejn) qabel ma l-modifiki fir-regolamenti li jistgħu jeffettwaw il-kwalifiki għad-dhul f'xi kors ta' studju jibdew isehhu.

1.4 Ilbies Uffiċjali u Akkademiku

L-ilbies xieraq għall-Uffiċjali Ewlenin ta' l-Università, għall-Istaff Akkademiku, għall-gradwati, għall-istudenti, u għal membri oħra ta' l-Università jiġi ffissat minn regolamenti magħmulin mis-Senat.

1.5 Boroż ta' Studju u Premjijiet

1. Boroż ta' studju u premjijiet mogħtija mill-Università jiġu stabbiliti b'regolamenti magħmulin b'dan il-ghan.

2. L-ghoti ta' boroż ta' studju u premjijiet ikun immexxi wkoll minn regolamenti.

Statut 2 — IL-FAKULTAJIET

L-Università jkollha disa' Fakultajiet, li huma:

Il-Fakultà ta' l-Arkitettura u l-Inginerija Ċivili

Il-Fakultà ta' l-Arti

Il-Fakultà tal-Kirurgija Dentali

Il-Fakultà ta' l-Ekonomija, il-Management u l-Accountancy

Il-Fakultà ta' l-Edukazzjoni

Il-Fakultà tal-Liġi

Il-Fakultà ta' l-Inginerija Mekkanika u Elettriċa

Il-Fakultà tal-Medicina u l-Kirurgija

Il-Fakultà tax-Xjenza

Statut 3 — KORSIJJET TA' STUDJI, GRADI U DISTINZJONIJIET

3.1 Korsijiet ta' Studji għal Gradi, Diplomi u Ċertifikati

1. L-Università jkollha s-setgħa li tagħti dawn il-gradi, diplomi u ċertifikati lil kandidati li jwettqu l-kundizzjonijiet preskritti wara li jsegwu l-korsijiet ta' studji meħtieġa.

Doctor of Philosophy — Ph.D.

Master of Philosophy — M.Phil.

Il-Fakultà ta' l-Arkitettura u l-Inġinerija Ċivili

Bachelor of Engineering and Architecture — B.E.&A.

Bachelor of Engineering and Architecture (Honours) — B.E.&A. (Hons.)

Il-Fakultà ta' l-Arti

Bachelor of Arts — B.A.

Bachelor of Arts (Honours) — B.A. (Hons.)

Master of Arts — M.A.

Diploma in Applied Social Studies

Il-Fakultà tal-Kirurgija Dentali

Bachelor of Dental Surgery — B.Ch.D.

Bachelor of Dental Surgery (Honours) — B.Ch.D. (Hons.)

Il-Fakultà ta' l-Ekonomija, il-Management u l-Accountancy

Bachelor of Arts — B.A.

Bachelor of Arts (Honours) in Accountancy — B.A. (Hons.) Accountancy

Bachelor of Arts (Honours) in Business Management — B.A. (Hons.) Business Management

Bachelor of Arts (Honours) in Public Administration — B.A. (Hons.) Public Administration

Diploma in Labour Studies

Il-Fakultà ta' l-Edukazzjoni

Bachelor of Education — B.Ed.

Bachelor of Education (Honours) — B.Ed. (Hons.)

Master of Education — M.Ed.

Diploma in Guidance and Counselling

Diploma in Educational Administration and Management

Diploma in Education

Il-Fakultà tal-Liġi

Doctor of Laws — LL.D.

Diploma of Notary Public — N.P.

Diploma of Legal Procurator — L.P.

Il-Fakultà ta' l-Inġinerija Mekkanika u Elettrika

Bachelor of Engineering (Honours) — B.Eng. (Hons.)

Bachelor of Electrical Engineering (Honours) — B.Elec.Eng. (Hons.)

Bachelor of Mechanical Engineering (Honours) — B.Mech.Eng. (Hons.)

Il-Fakultà tal-Mediċina u Kirurġija

Doctor of Medicine and Surgery — M.D.
Bachelor of Pharmacy — B.Pharm.
Bachelor of Pharmacy (Honours) — B.Pharm. (Hons.)

Il-Fakultà tax-Xjenza

Bachelor of Science — B.Sc.
Bachelor of Science (Technology) — B.Sc. (Tech.)

L-Istitut għall-Harsien tas-Sahha

Bachelor of Science in Nursing Studies — B.Sc. (Nursing Studies)
Bachelor of Science in Medical Technology — B.Sc. (Medical Technology)

Interdixxiplinarju

Certificate in Foundation Studies

2. Il-korsijiet ta' l-istudji jibdwew skond kif jiddetermina l-Kunsill.

3.2 L-Għoti ta' Gradi u Diplomi

1. Il-grad u d-diplomi jingħataw f'ċerimonja pubblika jew, bl-approvazzjoni tas-Senat, f'ċerimonja privata jew *in absentia*.

2. Kandidat ikun eligibbli biex jingħata grad jew diploma biss wara li r-Rettur jiċċertifika li l-kundizzjonijiet preskritti kollha mill-istatuti, mir-regulamenti u mill-ordinamenti rilevanti għal dak il-grad jew għal dik id-diploma jkunu ġew sodisfatti.

3. Ebda persuna ma titqies li għandha grad jew diploma ta' l-Università jekk dan il-grad jew din id-diploma ma tkunx ingħatat kif hemm imfisser fil-paragrafu 1 ta' din it-taqsim.

3.3 Gradi *Honoris Causa*

1. L-Università jkollha wkoll is-setgħa li tagħti dawn il-grad *honoris causa*.

Doctor of Laws — LL.D.
Doctor of Medicine and Surgery — M.D.
Doctor of Literature — D.Litt.
Doctor of Engineering — D.Eng.
Doctor of Science — D.Sc.

2. Bir-rakkomandazzjoni tas-Senat, il-Kunsill jista' fid-diskrezzjoni tiegħu jordna l-għoti ta' grad *honoris causa* lil xi persuna li hu jista' jqisha denja ta' din id-distinzjoni.

3. L-ismijiet ta' daww li jingħataw grad *honoris causa* ikunu mdahhlin fil-Kalendarju ta' l-Università.

Statut 4 — L-EŻAMI TAL-MATRIKOLA

4.1 Ġenerali

1. Ikun hemm Eżami tal-Matrikola, miżmum normalment f'żewġ livelli: Ordinarju (M) u Avvanzat (MA).
2. Kull sena jkun hemm żewġ sessjonijiet ta' l-Eżami tal-Matrikola.
3. L-Eżami tal-Matrikola jkun taħt il-kontroll ta' Bord tal-Matrikola mahtur mis-Senat.

4.2 Il-Bord tal-Matrikola

1. Il-funzjonijiet tal-Bord tal-Matrikola jkunu:
 - (i) li jagħmel rakkomandazzjonijiet lis-Senat biex jipprovdi r-regulamenti mehtieġa għat-tmexxija xierqa ta' l-eżami;
 - (ii) li jagħmel rakkomandazzjonijiet lis-Senat għall-ħatra ta' Bordijiet ta' Eżaminaturi u għat-tfassil ta' sillabi;
 - (iii) li jissottometti lis-Senat rapport ġenerali fuq l-eżamijiet magħmula matul is-sena;
 - (iv) li jirrapporta u jagħmel rakkomandazzjonijiet dwar hwejjeġ li jiġu riferuti lilu mis-Senat; u
 - (v) li jmexxi l-Eżami tal-Matrikola skond ir-Regulamenti magħmulin mis-Senat.
2. (a) Il-Bord tal-Matrikola jkun magħmul minn hdax-il membru kif ġej:
 - (i) Chairman;
 - (ii) żewġ membri mahturin mis-Senat;
 - (iii) żewġ membri mahturin mill-Bord tal-Fakultà ta' l-Arti;
 - (iv) żewġ membri mahturin mill-Bord tal-Fakultà tax-Xjenza;
 - (v) membru mahtur mill-Bord tal-Fakultà ta' l-Edukazzjoni;
 - (vi) membru mahtur mill-Bord tal-Fakultà ta' l-Istudji tal-Management;
 - (vii) żewġ membri mahturin mill-Ministeru ta' l-Edukazzjoni, wiehed mill-qasam ta' l-Arti u iehor mill-qasam tax-Xjenza.
- (b) L-ghadd tal-membri mehtieġ biex jiffirma *quorum* hu sitta.
- (ċ) Il-membri jinhatru għal perijodu ta' żmien sa tliet snin. Membru li jispiċċa jista' jerga' jinhatar.

4.3 **Regulamenti u Sillabi**

Ir-regulamenti magħmulin mis-Senat għall-Eżamijiet tal-Matrikola, u s-sillabi għal kull sugġett, jiġu normalment ippubblikati sentejn qabel id-data ta' l-eżami li jirreferu għalih.

Statut 5 — L-EŻAMI TA' TMIEM L-ISKOLA FIT-TAGĦLIM RELIĠJUŻ

5.1 **Ġenerali**

1. Ikun hemm Eżami ta' Tmiem l-Iskola fit-Tagħlim Reliġjuż, miżmum f'żewġ livelli: Ordinarju u Avvanzat.
2. Kull sena jkun hemm żewġ sessjonijiet ta' l-Eżami.
3. L-Eżami jkun taħt il-kontroll ta' Kumitat mahtur mis-Senat għal dan il-għan.

5.2 **Il-Kumitat għall-Eżami ta' Tmiem l-Iskola fit-Tagħlim Reliġjuż**

1. Il-kumitat għall-Eżami ta' Tmiem l-Iskola fit-Tagħlim Reliġjuż ikun magħmul minn hames membri kif ġej:

- (a) Chairman, mahtur mis-Senat, u
- (b) membru mahtur minn kull wiehed minn dawn li ġejjin:
 - (i) il-Bord tal-Fakultà tat-Teoloġija;
 - (ii) il-Konferenza ta' l-Isqfijiet;
 - (iii) id-Dipartiment ta' l-Edukazzjoni tal-Gvern;
 - (iv) l-Assoċjazzjoni ta' l-Iskejjel Privati.

2. L-ghadd meħtieġ biex ikun hemm *quorum* ikun tlieta.

3. Id-dmirijiet tal-Kumitat ta' l-Eżami jkunu:

- (a) li jmexxi l-eżami skond ir-Regulamenti magħmulin mis-Senat;
- (b) li jagħmel rakkomandazzjonijiet lis-Senat dwar Regulamenti meħtieġa biex l-eżami jitmexxa tajjeb.
- (c) li jagħmel rakkomandazzjonijiet lis-Senat għall-hatra ta' Bordijiet ta' l-Eżaminaturi;
- (d) li jissottometti lis-Senat, sa tmiem Marzu, rapport ġenerali fuq iż-żewġ sessjonijiet ta' l-Eżami miżmuma fit-tmax-il xahar ta' qabel.

5.3 **Regulamenti u Sillabi**

Regulamenti magħmulin mis-Senat għall-Eżami ta' Tmiem l-Iskola fit-Tagħlim Reliġjuż u għas-sillabi jkunu normalment ippubblikati sentejn qabel id-data ta' l-eżami li jirreferu għalih.

**Statut 6 — L-UFFIĊJALI EWLENIN U UFFIĊJALI OĦRA
TA' L-UNIVERSITÀ**

6.1 L-Uffiċjali Ewlenin

1. L-Uffiċjali Ewlenin ta' l-Università huma:

il-Kanċellier

il-Pro-Kanċellier

ir-Rettur

il-Pro-Rettur

is-Segretarju

id-Dekani tal-Fakultà

2. **Il-Kanċellier**

(skond taqsima 28 subartikli (3)–(5) ta' l-Att ta' l-Edukazzjoni, 1988)

3. **Il-Pro-Kanċellier**

(skond taqsima 28 subartikli (6)–(9))

4. **Ir-Rettur**

(skond taqsima 28 subartikli (10)–(11) u taqsima 36)

5. **Il-Pro-Rettur**

(skond taqsima 28 subartiklu (12))

6. **Is-Segretarju**

(skond taqsima 28 subartiklu (13))

Is-Segretarju għandu:

(a) iżomm is-sigill ta' l-Università;

(b) jiffirma wkoll iċ-ċertifikati u d-diplomi ta' l-Università;

(ċ) jagħmilha ta' segretarju tal-Kunsill;

(d) iġhin lir-Rettur fil-qadi ta' dmirijietu u jwettaq l-istruzzjonijiet tiegħu;

(e) jamministra u jmexxi, taħt id-direzzjoni tar-Rettur, il-hidmiet minn jum għal iehor ta' l-Università, l-impjegati, u l-proprjetajiet mobbli, immobbli u oħrajn tagħha;

(f) jattendi l-laqgħat tas-Senat, tal-Bordijiet tal-Fakultajiet u Kumitati oħrajn ta' korpi li jmexxu l-Università, u ta' l-istatuti u entitajiet oħra mwaqqfa minnha;

(g) iwettaq, taht id-direzzjoni tar-Rettur, deċiżjonijiet mehudin mill-Kunsill, mis-Senat u mill-Bordijiet tal-Fakultà u, fejn dan japplika, minn istituti u entitajiet ohra mwaqqfa mill-Università;

(h) jaqdi dmirijiet ohra skond kif jista' jkun mitlub minhabba il-htigijiet ta' l-Università.

7. Id-Dekani ta' Fakultà

(skond taqsima 28 subartiklu (14))

6.2 L-Uffiċjali l-Ohra ta' l-Università

1. Ikun hemm Registratur, Uffiċjal tal-Finanzi, Biblijotekarju u uffiċjali ohra skond kif jiddetermina l-Kunsill minn żmien ghal iehor. Dawn l-uffiċjali jkunu responsabbli quddiem ir-Rettur ghat-tmexxija tad-dmirijiet rispettivi tagħhom ta' kuljum.

2. Ir-Registratur

Ir-Registratur:

(a) ighin lir-Rettur fl-amministrazzjoni akkademika ta' kuljum ta' l-Università, u jkun responsabbli ghas-sehh ta' l-istruzzjonijiet tieghu, u jirrapporta permezz tas-Segretarju;

(b) iżomm rekord shih tad-diplomi u ċ-ċertifikati mahruġa mill-Università;

(c) jagħmilha ta' segretarju ghas-Senat u, direttament jew permezz ta' delegat, għall-Bordijiet tal-Fakultajiet;

(d) ikun responsabbli għar-records ta' l-eżamijiet kollha magħmula mill-Università u għall-harsien xieraq ta' dawn ir-records, u li jżomm kopji aġġornati ta' l-Istatuti, ir-Regulamenti u l-Ordinamenti;

(e) iżomm l-elenki tal-membri tal-Kunsill, tas-Senat, tal-Bordijiet tal-Fakultajiet, ta' l-ghalliema, ta' l-eżaminaturi, u ta' l-istudenti;

(f) iżomm "records" ta' l-attivitajiet akkademiċi ta' kull student;

(g) ikun responsabbli, wara konsultazzjoni mad-Dekani tal-Fakultajiet, għall-arrangamenti xierqa ta' l-orarji tat-tagħlim;

(h) jaqdi dmirijiet ohra skond kif jista' jkun mitlub minhabba l-htigijiet ta' l-Università;

(i) fin-nuqqas tas-Segretarju, jaqdi d-dmirijiet kollha jew uħud mid-dmirijiet tas-Segretarju meta jingħata istruzzjoni li jagħmel dan mir-Rettur.

3. Il-Biblijotekarju

Il-Biblijotekarju hu mistenni li jmexxi l-Bibjoteka u jkun responsabbli quddiem il-Kumitat tal-Bibjoteka għall-harsien tar-Reguli u tar-Regulamenti tagħha.

Il-Biblijotekarju:

- (a) ikun responsabbli għall-ikkatalogar xieraq tal-kotba, kemm skond l-awtur u kemm skond is-sugġett, għaż-żamma u għall-harsien tagħhom, u għar-ritorn ta' kotba maħruġin b'self;
- (b) ighin lill-istudenti fit-tiftix tagħhom;
- (ċ) jiehu hsieb il-korrispondenza kollha li tolqot lill-Biblijoteka;
- (d) iżomm lista tal-mezzi viżivi u oħrajn li hemm għat-tagħlim u jikkontrolla s-self ta' dan il-materjal skond ir-regulamenti rilevanti;
- (e) jippreżenta rapport lill-Kumitat tal-Biblijoteka fuq ix-xogħol tal-Biblijoteka fi tmiem kull sena akkademika.

4. L-Uffiċjal tal-Finanzi

L-Uffiċjal tal-Finanzi jgħin lir-Rettur fit-tmexxija ta' kuljum tal-finanzi ta' l-Università, u jirrapporta permezz tas-Segretarju.

B'mod partikulari, l-Uffiċjal tal-Finanzi:

- (a) Ihejji
 - (i) l-estimi ta' kull sena tad-dhul u l-infiq;
 - (ii) l-istqarrija komparata ta' kull sena tad-dhul u l-infiq;
 - (iii) il-bilanċ ta' kull sena u stqarrija tal-kontijiet;
- (b) ikun responsabbli għall-ġbir tad-dhul u l-flus dovuti lill-Università;
- (ċ) iżomm kontroll immedjat fuq l-infiq skond il-proviżjonijiet approvati;
- (d) iżomm sistema xierqa ta' *accounting* li thaddan l-operazzjonijiet finanzjarji kollha ta' l-Università;
- (e) ikun responsabbli għall-ordnijiet kollha u għax-xiri kollu, u għall-kontroll ta' l-imħażen u l-inventarji;
- (f) jagħmel il-verifika tal-kontijiet u l-kontroll intern kollu li jhoss li hu mehtieg;
- (g) flimkien mar-Rettur jew mas-Segretarju, jiffirma l-kontijiet tal-kambju, iċ-ċekkijiet, il-*bank drafts*, l-ittri ta' kreditu u d-dokumenti bankarji, finanzjarji u kummerċjali l-oħra kollha, sugġett għal restrizzjonijiet li jsiru mill-Kunsill;
- (h) jaqdi dmirijiet oħra skond kif jista' jkun mitlub minhabba l-htigijiet ta' l-Università.

5. **Hatriet Ohra: L-Awditur**

(1) Il-Kunsill minn żmien għal ieħor jaħtar persuna kwalifikata u xierqa, fil-prattika attiva tal-professjoni tagħha, biex tkun awditur li jżomm il-hatra għal żmien speċifiku iżda li jista' jerga' jinħatar.

(2) L-aċċettazzjoni ta' din il-hatra minn awditur titqies li gġorr magħha dmir li jissodisfa lill-Kunsill li, fil-kontijiet mistharrġa u f'kull ċertifikat maħruġ minnu, hu nnifsu kien sodisfatt, bil-mezzi raġonevoli li kellu, dwar il-fatti u ċ-ċirkustanzi ta' kull każ, u li wara l-istharrig professjonali tiegħu, l-istqarrijiet fiċ-ċertifikati huma veri u eżatti u l-kontijiet iċċertifikati jew imghoddija huma sħaħ, veri u eżatti, f'kull każ safejn jaf hu.

(3) L-awditur jagħmel personalment, jew iġieghel li jsiru minn persuni kompetenti mogħtija s-setgħa minnu bil-kitba u li hu jiehu r-responsabbiltà tagħhom, żjarat u spezzjonijiet mhux mistennija f'hin magħżul minnu, u mbagħad jirrapporta r-riżultat bil-kitba lill-Kunsill permezz tar-Rettur. Hekk ukoll hu jissottometti rapport kull sena, jew kif jingħata struzzjonijiet mill-Kunsill minn żmien għal ieħor.

Statut 7 — HATRIET U PROMOZZJONIJIET AKKADEMIĊI

7.1 Hatriet għal postijiet akkademiċi

1. Hatriet għal postijiet akkademiċi jsiru fil-grad ta' professur, professur assoċjat, lettur anzjan jew lettur, jew fi gradi oħra approvati mill-Kunsill b'rakkomandazzjoni tas-Senat, skond il-kwalifiki tal-persuni li jkunu qegħdin jinħatru.

2. Il-postijiet jistgħu jkunu reklamati għal hatriet fi gradi speċifiċi.

3. Hatra għal post akkademiku ssir mill-Kunsill b'rakkomandazzjoni ta' Bord ta' l-Għażla magħmul kif ġej:

ir-Rettur, li jkun iċ-*chairman*;

tliet membri akkademiċi mahturin mis-Senat, li normalment jinkludu lill-kap tad-dipartiment li jkun (jew, fil-każ ta' post maħsub speċifikament għal istitut, lid-direttur ta' dak l-istitut) u kap ieħor ta' dipartiment minn barra l-Fakultà;

membru tal-Kunsill li ma jkunx impjegat ma' l-Unversità mahtur kull sena mill-Kunsill biex ikun membru tal-Bordijiet kollha ta' l-Għażla għal postijiet fil-Fakultà li tkun.

7.2 Promozzjoni Ta' L-Istaff Akkademiku

1. Darba f'sena, normalment matul Marzu/April, applikazzjonijiet mill-*istaff* akkademiku għal promozzjoni jkun kkunsidrati minn Bord tal-Promozzjonijiet magħmul kif ġej:

ir-Rettur, li jkun iċ-*chairman*;

tliet membri mahturin kull sena mis-Senat normalment minn fost id-Dekani u l-Kapijiet tad-Dipartimenti;

membru tal-Kunsill li ma jkunx impjegat ma' l-Università mahtur kull sena mill-Kunsill.

2. Ir-Rettur jista' jipproponi kull membru ta' l-*istaff* biex ikun ikkunsidrat mill-Bord tal-Promozzjonijiet fil-laqgħa ta' kull sena tiegħu, jew, f'ċirkustanzi eċċezzjonali, f'kull żmien ieħor matul is-sena.

7.3 Ġenerali

1. Meta jagħmel ir-rakkomandazzjonijiet tiegħu lill-Kunsill, il-Bord ta' l-Għażla u l-Bord tal-Promozzjonijiet iżomm dawn il-kunsiderazzjonijiet quddiemu:

(a) il-letturi għandhom ikollhom kwalifiki ta' livell dottorali;

(b) il-letturi anzjani għandhom ikollhom għallinqas hames snin esperjenza bħala letturi li matulhom ikunu qdew sewwa l-aspetti kollha ta' dmirijethom;

(ċ) il-professuri assoċjati jridu jkunu ddistingwew ruħhom b'kontribuzzjonijiet solidi lill-għerf u lill-affarijiet ġenerali ta' l-Università;

(d) il-professuri jridu jkunu stabbilew fama fost il-kollegi tagħhom bħala awtoritajiet fil-qasam ta' l-istudju tagħhom.

2. Qabel ma tkun rakkomandata persuna għal hatra jew promozzjoni għall-grad ta' professur, il-Bord ta' l-Għażla jew il-Bord tal-Promozzjonijiet, skond kif ikun il-każ, ifittex il-parir espert ta' żewġ akkademiċi indipendenti fl-istess qasam ta' studju.

3. Ebda membru akkademiku ta' l-*istaff* ma jista' jkun membru ta' Bord ta' l-Għażla jew ta' Bord tal-Promozzjonijiet li qieghed jikkunsidra hatriet jew promozzjonijiet għal gradi oghla minn tal-membru nnifsu.

Statut 8 — HATRIET U PROMOZZJONIJIET MHUX-AKKADEMIĊI

1. Hatriet għal postijiet mhux-akkademiċi jsiru mill-Kunsill b'rakkomandazzjoni ta' Bordijiet ta' l-Għażla mahtura mill-Kunsill.

2. Kull Bord ta' l-Għażla jkun magħmul kif ġej:

Ir-Rettur, jew id-delegat tiegħu, li jkun iċ-*chairman*;

Tliet membri mahtura mill-Kunsill, li minnhom wiehed ikun membru akkademiku tal-Kunsill u ieħor uffiċjal anzjan fl-amministrazzjoni;

Membru tal-Kunsill li ma jkunx impjegat ma' l-Università, mahtur mill-Kunsill.

3. Kandidati għal hatra f'postijiet partikulari jistgħu jkunu mistennija li jagħmlu eżamijiet miktuba u/jew orali u li jattendu għal intervista kif ikun xieraq. Tagħrif dwar dawn l-eżamijiet u l-intervisti jkun inkluz fis-sejha għall-applikazzjonijiet.

Statut 9 — HATRA TA' EŻAMINATURI

1. L-eżaminaturi jinhatru mill-Kunsill wara li jikkunsidra r-rakkomandazzjonijiet tas-Senat.
2. L-eżaminaturi jinhatru normalment għal sena akkademika waħda.
3. L-eżaminaturi li jispiċċaw jistgħu jergħu jinhatru.

Statut 10 — PUBBLIKAZZJONIJIET UFFIĊJALI

1. Il-pubblikazzjonijiet uffiċjali ta' l-Università jkunu:
Il-Kalendarju ta' l-Università — The University Calendar
Il-Gazzetta ta' l-Università — The University Gazette
u publikazzjonijiet oħra li l-Kunsill jista' jiddetermina minn żmien għal ieħor.
2. Il-Kalendarju jkun ippubblikat kull sena. Il-Kalendarju jinkludi:
 - (a) l-istatuti, ir-regulamenti, u leġislazzjoni sussidjarja oħra li jkollhom applikazzjoni ġenerali; u
 - (b) listi ta': l-uffiċjali ewlenin u uffiċjali oħrajn ta' l-Università; il-membri tal-Kunsill, is-Senat, il-Bordijiet tal-Fakultajiet u bordijiet statutorji oħrajn; il-membri ta' l-istaff akkademiku, Professuri Emeriti, u gradwati onorarji; il-persuni li ngħataw gradi jew diplomi matul is-sena akkademika ta' qabel.
3. Il-gazzetta ta' l-Università tkun ippubblikata għall-inqas erba' darbiet fis-sena. Supplimenti tal-Gazzetta jistgħu jkunu ppubblikati jew fl-istess żmien tal-Gazzetta jew għalihom.
4. Statuti godda, regolamenti jew leġislazzjoni sussidjarja oħra, u kull emenda għalihom, ikunu ppubblikati f'Suppliment tal-Gazzetta mhux aktar tard minn xahar minn meta jibdew isehħu.

Statut 11 — L-ISTITUT GHAT-TEKNOLOĠIJA TA' L-ENERĠIJA

1. Hawn qiegħed jitwaqqaf Istitut għat-Teknoloġija ta' l-Energija fl-Università ta' Malta.
2. L-ghanijiet ta' l-Istitut ikunu:
 - (a) li jgħin fl-iżvilupp ta' pjanijiet għall-enerġija nazzjonali bi studji dwar l-użu ta' eghjun ta' enerġija godda jew li jistgħu jiġġeddu, u ta' metodi ta' konservazzjoni ta' l-enerġija;
 - (b) li johloq u jieħu sehem fi programmi ta' taġħlim u proġetti ta' tiftix fil-qasam tat-teknoloġija ta' l-enerġija;
 - (ċ) li jxerred metodi u tekniki xierqa li għandhom x'jaqsmu mal-qasam ta' l-interess ta' l-Istitut;
 - (d) li jiddisinja taġħmir xieraq għall-kundizzjonijiet lokali.

3. L-Istitut ikun immexxi minn Bord.
 - (a) Il-Bord ikun magħmul minn dawn li ġejjin:
Chairperson: ir-Rettur jew deputat tiegħu,
Viċi-Chairperson: id-Direttur ta' l-Istitut,
 Persuna mahtura mill-Kunsill ta' l-Università għal tliet snin,
 Żewġ persuni mahtura mis-Senat ta' l-Università għal tliet snin,
 Erba' studjużi magħrufa mahtura billi jkunu ko-optjati.
 - (b) Id-dmirijiet tal-Bord ikunu dawn li ġejjin:
 - (i) li jiddetermina l-politika ta' l-Istitut dwar l-għanijiet imsemmija hawn fuq;
 - (ii) li jara mill-qrib it-tmexxija finanzjarja ta' l-Istitut;
 - (iii) li jassigura l-kollaborazzjoni ma' korpi oħrajn, lokali u barranin, li hi mehtieġa biex jintlahqu l-għanijiet ta' l-Istitut.
4. L-Istitut ikollu Direttur u Staff:
 - (a) Id-Direttur, mahtur mill-Kunsill ta' l-Università, għal tliet snin wara sejha għall-applikazzjonijiet;
 - (b) membri akkademiċi oħra, mahtura mill-Kunsill ta' l-Università b'rakkomandazzjoni tal-Bord;
 - (c) staff amministrattiv u klerikali skond kif jahtar il-Bord.
5. L-Uffiċjal Finanzjarju ta' l-Università jkun it-Tezorer tal-Istitut. Id-Direttur ihejji l-estimi ta' kull sena ta' l-Istitut u jissottomettih lill-Bord għall-approvazzjoni. Id-Direttur jissottometti wkoll stqarrija finanzjarja u rapport ta' kull sena fuq il-hidmiet ta' l-Istitut.
6. Emendi għal dan l-Istatut jistgħu jkunu proposti mill-Bord għall-approvazzjoni tal-Kunsill ta' l-Università.

Statut 12 — L-ISTITUT GHALL-ISTUDJI ANGLO-TALJANI

1. Hawn qieghed jitwaqqaf Istitut għall-Istudji Anglo-Taljani fl-Università ta' Malta.
2. L-għanijiet ta' l-Istitut ikunu:
 - (a) li jagħmel tiftix fil-qasam tar-relazzjonijiet kulturali Anglo-Taljani, b'riferenza speċjali għal-letteratura u l-lingwa;
 - (b) li jorganizza konferenzi, seminarji u laqgħat oħra internazzjonali dwar temi fil-qasam ta' l-interessi ta' l-istitut;
 - (c) li jorganizza korsijiet ta' diploma u grad fl-istudji Anglo-Taljani, suġġetti għall-istatuti u għar-Regulamenti ta' l-Università;
 - (d) li johroġ rivista u pubblikazzjonijiet oħra.
3. L-Istitut ikun immexxi minn Bord.
 - (a) Il-Bord ikun magħmul minn dawn li ġejjin:
Chairperson: ir-Rettur jew deputat tiegħu,
Viċi-Chairperson: id-Direttur ta' l-Istitut,

Persuna mahtura mill-Kunsill ta' l-Università ghal tliet snin,
Żewġ persuni mahtura mis-Senat ta' l-Università ghal tliet snin,
Erba' studjużi maghrufa mahtura billi jkunu ko-optjati.

- (b) Id-dmirijiet tal-Bord ikunu dawn li ġejjin:
 - (i) li jiddetermina l-politika ta' l-Istitut dwar l-ghanijiet imsemmija hawn fuq;
 - (ii) li jara mill-qrib it-tmexxija finanzjarja ta' l-istitut;
 - (iii) li jassigura l-kollaborazzjoni ma' korpi oħrajn, lokali u barranin, li hi mehtieġa biex jintlahqu l-ghanijiet ta' l-Istitut.

4. L-Istitut ikollu Direttur u Staff;

- (a) Id-Direttur, mahtur mill-Kunsill ta' l-Università, ghal tliet snin wara sejha għall-applikazzjonijiet;
- (b) Membri akkademiċi oħra, mahtura mill-Kunsill ta' l-Università b'rakkomandazzjoni tal-Bord;
- (ċ) Staff amministrattiv u klerikali skond kif jahtar il-Bord.

5. L-Uffiċjal Finanzjarju ta' l-Università jkun it-Teżorier ta' l-Istitut. Id-Direttur ihejji l-estmi ta' kull sena ta' l-Istitut u jissottomettih lill-Bord għall-approvazzjoni. Id-Direttur jissottometti wkoll stqarrija finanzjarja u rapport ta' kull sena fuq il-hidmiet ta' l-Istitut.

6. Emendi għal dan l-Istatut jistgħu jkunu proposti mill-Bord għall-approvazzjoni tal-Kunsill ta' l-Università.

Statut 13 — L-ISTITUT GHALL-HARSIEN TAS-SAHHA

1. L-Istitut għall-Harsien tas-Sahha qieghed jitwaqqaf hawnhekk bhala istituzzjoni bejn il-Fakultajiet fi hdan l-Università ta' Malta.

2. L-ghanijiet ta' l-Istitut ikunu:

(a) li jipprovdi korsijiet ta' grad u diploma fix-Xjenzi tal-Harsien tas-Sahha (bhalma huma *Nursing*, it-Teknoloġija Medika, It-Terapija tat-Taħdit) u oqsma marbutin magħhom, suġġetti għall-Istatuti u għar-Regulamenti ta' l-Università;

(b) li johroġ ċertifikati għal korsijiet fil-Harsien tas-Sahha pprovdati minn Istituzzjonijiet oħra jekk il-livelli milhuqa jkunu aċċettabbli għalih;

(ċ) li jagħmel tiftix ta' xejra kemm mono-dixxiplinarja u kemm multi-dixxiplinarja, b'enfasi fuq il-harsien tas-sahha.

3. L-Istitut ikun immexxi minn Bord.

- (a) Il-Bord ikun magħmul minn dawn li ġejjin:

Chairperson: ir-Rettur jew deputat tiegħu;

Viċi-Chairperson: id-Direttur ta' l-Istitut;

Il-Ko-ordinaturi għal kull Programm ta' Studji;

Il-Ko-ordinatur tat-Tiftix (li x-xogħol tiegħu jkun li jikko-ordina l-proġetti varji ta' tiftix ta' l-Istitut);
 Żewġ membri mill-istaff akkademiċi u minn hdanu;
 Żewġ membri eletti mill-istudenti u minn fosthom;
 Membru mahtur mill-Kunsill u membru mahtur mis-Senat;
 Żewġ membri żejda jistgħu jkunu ko-optjati mill-Bord.

(b) Il-Bord ikollu s-setgħa li:

(i) jipproponi Regolamenti lis-Senat, u jagħmel u jneħħi l-ordinamenti;

(ii) isegwi d-direzzjoni ġenerali tal-materji akkademiċi kollha, fosthom il-programmi tal-korsijiet ta' l-istudji, il-kwalifiki għad-dhul ta' l-istudenti, l-eżamijiet u l-gradji;

(iii) jipproponi t-twaqqif, is-sospensjoni u t-tneħħija ta' postijiet akkademiċi u mhux-akkademiċi;

(iv) jahtar id-Direttur magħżul għas-sottomossjoni tal-Kunsill;

(v) jahtar il-Bordijiet ta' l-Eżaminaturi;

(vi) jahtar Ko-ordinaturi biex tkun assigurata l-ko-ordinazzjoni tal-Programmi ta' l-Istudju.

4. L-Istitut ikollu Direttur u Staff:

(a) id-Direttur, mahtur mill-Kunsill ta' l-Università, għal tliet snin wara sejha għall-applikazzjonijiet;

(b) membri akkademiċi oħra, mahtura mill-Kunsill ta' l-Università b'rak-komandazzjoni tal-Bord;

(c) staff amministrattiv u klerikali skond kif jahtar il-Bord.

5. L-Uffiċjal Finanzjarju ta' l-Università jkun it-Teżorier ta' l-Istitut. Id-Direttur iħejji l-estimi ta' kull sena ta' l-Istitut u jissottomettih lill-Bord għall-approvazzjoni. Id-Direttur jissottometti wkoll stqarrija finanzjarja u rapport ta' kull sena fuq il-hidmiet ta' l-Istitut.

6. Emendi għal dan l-Istatut jistgħu jkunu proposti mill-Bord għall-approvazzjoni tal-Kunsill ta' l-Università.

Statut 14 — L-ISTITUT TAL-LINGWISTIKA

1. Hawn qiegħed jitwaqqaf Istitut tal-Lingwistika fl-Università ta' Malta.

2. L-għanijiet ta' l-Istitut ikunu:

(a) li jmexxi 'l quddiem u jikko-ordina t-tiftix fil-Lingwistika, fid-deskrizzjoni ta' lingwi partikulari (l-aktar ta' dawġ li huma rappreżentati b'Dipartimenti fil-Fakultà ta' l-Arti) u fil-lingwistika applikata (inklużi attivitajiet l-aktar rilevanti fil-Fakultà ta' l-Edukazzjoni);

(b) li jiżviluppa kuntatti u ko-operazzjoni ma' korpi lokali interessati barra mill-Univerisità li qeghdin jaħdmu fil-qasam tal-lingwa u tan-nuqqasijiet fit-taħdit;

(ċ) li jmexxi 'l quddiem l-użu tal-Laboratorju Lingwistiku bħala għajjnuna fit-tagħlim ta' lingwi barranin kemm lill-istudenti ta' l-Università u kemm lill-istudenti l-oħra;

(d) li jiżviluppa kuntatti internazzjonali ma' istituzzjonijiet simili ta' Univerisitajiet barranin, l-aktar ma' dawk li għandhom interess fil-wirt Mediterranju;

(e) li jagħmel korsijiet għal grad u diploma fil-Lingwistika, suġġetti għall-Istatuti u għar-Regulamenti ta' l-Università.

3. L-Istitut ikun immexxi minn Börd.

(a) Il-Bord ikun magħmul minn dawn li ġejjin:

Chairperson: ir-Rettur jew deputat tiegħu,
Viċi-Chairperson: id-Direttur ta' l-Istitut,
Persuna mahtura mill-Kunsill ta' l-Università għal tliet snin,
Żewġ persuni mahtura mis-Senat ta' l-Università għal tliet snin,
Erba' studjużi magħrufa mahtura billi jkunu ko-optjati.

(b) Id-dmirijiet tal-Bord ikunu dawn li ġejjin:

(i) li jiddetermina l-politika ta' l-Istitut dwar l-għanijiet imsemmija hawn fuq;

(ii) li jara mill-qrib it-tmexxija finanzjarja ta' l-Istitut;

(iii) li jassigura l-kollaborazzjoni ma' korpi oħrajn, lokali u barranin, li hi meħtieġa biex jintlaħqu l-għanijiet ta' l-Istitut.

4. L-Istitut ikollu Direttur u Staff:

(a) id-Direttur, mahtur mill-Kunsill ta' l-Università, għal tliet snin wara sejha għall-applikazzjonijiet;

(b) membri akkademiċi oħrajn, mahtura mill-Kunsill ta' l-Università b'rak-komandazzjonijiet tal-Bord;

(ċ) staff amministrattiv u klerikali skond kif jaħtar il-Bord.

5. L-Uffiċjal Finanzjarju ta' l-Università jkun it-Teżorier ta' l-Istitut. Id-Direttur ihejji l-estimi ta' kull sena ta' l-Istitut u jissottomettih lill-Bord għall-approvazzjoni. Id-Direttur jissottometti wkoll stqarrija finanzjarja u rapport ta' kull sena fuq il-hidmiet ta' l-Istitut.

6. Emendi għal dan l-Istatut jistgħu jkunu proposti mill-Bord għall-approvazzjoni tal-Kunsill ta' l-Università.

Statut 15 — ĊENTRU GHAT-TAGHLIM MILL-BOGHOD

1. Hawn qiegħed jitwaqqaf Ċentru għat-Tagħlim mill-Boghod fl-Università ta' Malta.
 2. L-għanijiet taċ-Ċentru ikunu:
 - (a) li jitmexxew 'il quddiem diversi proġetti tat-Tagħlim mill-Boghod li għandhom ighinu biex jilqgħu d-domanda li qiegħda tikber għal edukazzjoni oghla użà li ma tistax tinkiseb bil-korsijiet tradizzjonali fl-Università;
 - (b) li jithaddmu r-riżorsi akkademiċi u l-kompetenzi tekniċi biex, flimkien ma' ċentri u universitatjiet oħrajn tat-Tagħlim mill-Boghod, jinstabu metodi ġodda li jagħtu studju sistematiku xieraq f'suġġetti u f'dixxiplini diversi;
 - (ċ) li jingħataw opportunitajiet għall-kisba ta' hiliet li jhallu l-qligħ lil nies li l-impenji tax-xogħol jew tal-familja tagħhom ma jhalluhomx isegwu korsijiet konvenzjonali ta' filgħodu jew ta' filgħaxija;
 - (d) li jiġu żviluppatti programmi strutturati li jistgħu jwasslu għall-ġhoti ta' Diploma jew Grad ta' l-Università ta' Malta.;
 3. Iċ-Ċentru jkun immexxi minn Bord.
 - (a) Il-Bord ikun magħmul minn dawn li ġejjin:

Chairperson: ir-Rettur jew deputat tiegħu,
Viċi-Chairperson: id-Direttur taċ-Ċentru,
 Persuna mahtura mill-Kunsill ta' l-Università għal tliet snin,
 Żewġ persuni mahtura mis-Senat ta' l-Università għal liett snin,
 Erba' studjużi magħrufa mahtura billi jkunu ko-optjati.
 - (b) Id-dmirijiet tal-Bord ikunu dawn li ġejjin:
 - (i) li jiddetermina l-politika taċ-Ċentru dwar l-għanijiet imsemmija hawn fuq;
 - (ii) li jara mill-qrib it-tmexxija finanzjarja taċ-Ċentru;
 - (iii) li jassigura l-kollaborazzjoni ma' korpi oħrajn, lokali u barranin, li hi meħtieġa biex jintlahqu l-għanijiet ta' l-Istitut.
 4. Iċ-Ċentru jkollu Direttur u Staff:
 - (a) id-Direttur, mahtur mill-Kunsill ta' l-Università, għal tliet snin wara sejha għall-applikazzjonijiet;
 - (b) membri akkademiċi oħrajn, mahtura mill-Kunsill ta' l-Università b'rakkomandazzjonijiet tal-Bord;
 - (ċ) staff amministrattiv u klerikali skond kif jahtar il-Bord.

5. L-Uffiċjal Finanzjarju ta' l-Università jkun it-Teżorier ta' l-Istitut. Id-Direttur ihejji l-estimi ta' kull sena ta' l-Istitut u jissottomettih lill-Bord għall-approvazzjoni. Id-Direttur jissottometti wkoll stqarrija finanzjarja u rapport ta' kull sena fuq il-hidmiet taċ-Ċentru.

6. Emendi għal dan l-Istatut jistgħu jkunu proposti mill-Bord għall-approvazzjoni tal-Kunsill ta' l-Università.

B — REGULAMENTI U ORDINAMENTI

RO1 — REGULAMENTI GHAD-DHUL

1.1 Dhul fl-Università

Id-dhul fl-Università jithalla biss jekk isir skond l-istatuti u r-regulamenti rilevanti.

1.2 Kwalifiki għad-Dhul fil-Korsijiet Diversi

1. Ir-Regulamenti għal kors jistgħu jinkludu Kwalifiki Speċjali għad-Dhul li għandhom jinkisbu qabel ma wiehed jidhol f'dak il-kors.

2. Kwalifiki għad-Dhul għall-1988 u għall-1989

Minkejja l-Kwalifiki għad-Dhul fir-Regulamenti għad-diversi korsijiet, il-kwalifiki għad-Dhul f'Korsijiet ta' Grad u Diploma u l-“Foundation Studies Course” li jibdew f'Ottubru 1988 u f'Ottubru 1989 ikunu kif hemm fid-dokumenti:

Kwalifiki mehtieġa għal Ottubru 1988 (*Requirements for October 1988*)
Dhul għal korsijiet ta' Grad (*Entry to Degree Courses*)
u *The Foundation Studies Course*

Kwalifiki mehtieġa għal Ottubru 1989 (*Requirements for October 1989*)
Dhul għal Korsijiet ta' Grad (*Entry to Degree Courses*)
u *The Foundation Studies Course*

RO2 — L-EŻAMIJET TA' L-UNIVERSITA

2.1 Provvedimenti Ġenerali

1. Is-suġġetti ta' l-eżamijiet ikunu dawk li hemm preskritti fir-regulamenti rilevanti.

2. Jekk ma jingħadx mod ieħor fir-regulamenti għal kors partikulari:

(i) l-eżamijiet isiru f'żewġ sessjonijiet: normalment f'Ġunju u f'Settembru;

(ii) l-istudenti jkunu mistennija li jagħmlu l-eżamijiet tagħhom għas-sena akkademika partikulari f'dawn iż-żewġ sessjonijiet;

(iii) jekk kandidat ikun nieqes f'suġġett jew f'aktar minn suġġett wiehed f'sessjoni oħra barra sessjoni ta' Ġunju għal raġuni li titqies mis-Senat bħala valida u 'l fuq mill-kontroll tiegħu, u ma jkunx hemm sessjoni regolari ta' l-istess eżami fit-tmax-il xahar ta' wara, huwa jithalla jagħmel l-eżami f'dak is-suġġett jew f'dawk is-suġġetti f'sessjoni speċjali.

(Ara wkoll Provvedimenti Transitorji isfel).

2.2. Il-Bordijiet ta' l-Eżaminaturi

1. Ikun hemm bord ta' l-Eżaminaturi għal kull suġġett ta' l-eżami.

2. (a) Il-Bord ta' l-Eżaminaturi jkun normalment magħmul mill-kap tad-dipartiment, jew mill-ko-ordinatur tal-qasam ta' studji li jipprovdi l-parti ewlenija tat-tagħlim, bħala chairman, u minn żewġ eżaminaturi oħra; bil-kundizzjoni li s-Senat, skond il-parir tal-Bord tal-Fakulta' kkonċernata, jista' jirrikmanda lill-kunsill li jżid l-għadd ta' l-eżaminaturi f'suġġett partikulari.

(b) Meta s-Senat iqis li dan hu xieraq, Eżaminaturi Addizzjonali jinhatru għal taqsimiet speċifiċi ta' l-eżami. Dawn l-Eżaminaturi Addizzjonali jieħdu sehem fid-deliberazzjonijiet tal-Bord ta' l-Eżaminaturi iżda biss sakemm dawn jikkonċernaw lil dawk it-taqsimiet ta' l-eżami li huma mdaħħlin fihom huma.

(c) Eżaminaturi Barranin, meta jkunu mahtura, ikunu addizzjonali għall-formazzjoni normali tal-Bord ta' l-Eżaminaturi.

(d) Għalliem li m'hux membru tal-Bord ta' l-Eżaminaturi jista' jkun mistenni mill-Bord li jgħinhom f'xi taqsima ta' l-eżami fis-suġġett li hu jgħallem.

(e) Meta hu xieraq, Bord tal-Fakulta' jista' jahtar moderatur ta' l-eżamijiet, meghjun minn sottom-komitati, biex isahhah ir-riżultati f'suġġetti differenti.

3. (a) Membru ta' Bord ta' l-Eżaminaturi jkun skwalifikat milli jeżamina:

(i) jekk hu qarib tal-kandidat b'konsangwinità jew b'affinità sat-tielet grad inkluż;

(ii) jekk huwa, f'xi żmien matul is-sena akkademika li l-eżami jirreferi għaliha, kien kustodju ta' kandidat jew ta lezzjonijiet privati fis-suġġett ta' l-eżami.

(b) Ir-Rettur, wara konsultazzjoni mad-Dekan tal-Fakultà kkonċernata, jahtar eżaminatur ieħor minflok il-membru li hu skwalifikat b'dan il-mod.

4. Jekk, qabel jew matul il-kors ta' l-eżami, ir-Rettur hu sodisfatt li membru tal-Bord ta' l-Eżaminaturi ma jistax jaqdi jew ikompli jaqdi d-dmirijiet tiegħu, huwa, wara konsultazzjoni mad-Dekan tal-Fakultà kkonċernata, jahtar eżaminatur ieħor minflok dak il-membru.

5. Fejn l-eżaminatur li hu mbiddel skond it-termini tal-paragrafi 3 jew 4 imsemmija huwa *ex-chairman* tal-Bord ta' l-Eżaminaturi, ir-Rettur jahtar *chairman* ġdid li jrid ikun il-kap ta' dipartiment ieħor fi hdan l-istess Fakultà jew Lettur mid-dipartiment ikkonċernat, u eżaminaturi sostituti oħra kif ikun meħtieġ.

2.3. Proċeduri għall-Bordijiet ta' l-Eżaminaturi.

1. Suġġett għall-provvedimenti ta' dawn ir-regulamenti u għal linji ta' gwida magħmulin mis-Senat, il-Bord ta' l-Eżaminaturi jiddetermina l-proċeduri li għandhom jittieħdu għat-tmexxija ta' l-eżami:

Iżda kull membru tal-Bord jieħu sehem għallinqas f'parti mill-eżami ta' kull kandidat.

2. Il-Bord ta' l-Eżaminaturi, meta jiġġudika l-merti tal-kandidati, jista' jqis mhux biss x'għamlu matul l-eżami iżda wkoll ix-xogħol tagħhom fis-suġġett matul il-kors.

3. Id-deċiżjonijiet tal-Bord ta' l-Eżaminaturi jsiru b'maġġoranza ta' voti. Ebda eżaminatur ma jista' jastjeni fil-votazzjoni. Fil-każ ta' voti ndaq, iċ-chairman ikollu u jagħti t-tieni vot:

Iżda jkun sewwa ghaċ-*chairman* li jikkonsidra l-materja bhala li giet deciża mill-Bord jekk il-kunsens ġenerali fost il-membri jidher li jkun favur deciżjoni bhal din u ebda vot ma jkun mitlub:

Iżda jekk Eżaminatur Barrani ma jstax jiehu sehem fid-deliberazzjonijiet finali tal-Bord għaliex ikun imsiefer, ikun skond il-liġi għall-membri l-oħra tal-Bord li jieħdu deciżjonijiet fin-nuqqas tiegħu sakemm xi fehmiet li hu jkun fisser bil-kitba jiġu kkunsidrati u d-deciżjoni finali hi aċċettabbli għalih.

4. Il-membri tal-Bordijiet ta' l-Eżaminaturi jqisu bhala kunfidenzjali kull haġa marbuta ma' dawn il-proċedimenti.

2.4 Eżamijiet li jinvolvu aktar minn suġġett wiehed.

Meta r-regulamenti ta' kors jitolbu li r-riżultati ta' Eżami li jinvolvi aktar minn suġġett wiehed jiġu ppubblikati bhala haġa waħda, il-proċedimenti adottati biex jinkiseb dan ir-riżultat għandhom jikkunsidraw il-linji ta' gwida mahruġa mis-Senat għal dan il-ghan.

2.5 Dhul mill-Ġdid għall-korsijiet u Eżami mill-Ġdid:

Provvedimenti Transitorji

(japplikaw biss għal korsijiet li bdew f'Ottubru 1987 jew qabel, minbarra l-korsijiet tal-B.A. u tal-B.Sc.)

1. Kandidat li kien eżaminat b'mod sodisfaċenti fix-xogħol tal-kors tiegħu jithalla mill-Bord tal-Fakultà li jirrepeti l-eżami li jehel fih jew li jirrepeti s-sena li wehel fiha. Skond dan il-provvediment kandidat jista' joqgħod għall-eżami mill-ġdid darba biss f'sena u jirrepeti sena biss.

2. Il-valutazzjoni li ssir f'sena tikkunsidra x-xogħol tal-kors (inkluż xogħol fil-laboratorju) u l-marki miksuba fit-testijiet/eżamijiet.

RO3 — L-EŻAMI TAL-MATRIKOLA

Regulamenti għall-1988 u l-1989

Ir-regulamenti għas-sessjonijiet ta' l-Eżami tal-Matrikola li se jsiru fl-1988 u fl-1989 ikunu ordinamenti ppubblikati diġa' għall-1988 u għall-1989 b'dawn il-bidliet fil-kliem:

(i) dahhal "Regulamenti" minflok "ordinamenti" fis-sottu-titlu ewlieni u fil-paragrafu 1.3;

(ii) dahhal "regulamenti" minflok "reguli" fil-paragrafu 7.2 (b);

(iii) nehhi "magħmulin skond it-termini ta' l-Istatut 2.III" mis-sotto-titlu.

(NOTA: Is-sillabi jibqgħu kif ġew ippubblikati).

RO5 — L-EŻAMI TA' TMIEM L-ISKOLA FIT-TAGHLIM RELIĠJUŻ**Regulamenti għall-1988 u għall-1989**

Ir-regulamenti għas-sessjonijiet ta' l-Eżami ta' Tmiem l-Iskola fit-Tagħlim Reliġuż li se jsiru fl-1988 u fl-1989 ikunu l-ordinamenti ppubblikati diġa' għall-1988 u għall-1989 b'dawn il-bidliet fil-kliem:

(i) dahhal "Regulamenti" minflok "ordinamenti" fis-sotto-titlu ewlieni u fil-paragrafi 1.3 u 3.2;

(ii) dahhal "regulamenti" minflok "reguli" fil-paragrafu 8.2 (6);

(iii) nehhi 'skond it-termini ta' l-ISTATUT 2. IV' mis-sottu-titlu.

(NOTA: Is-sillabi jibqgħu kif ġew ippubblikati).

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 135 tas-27 ta' Lulju, 1988.

JIMMY FARRUGIA
Speaker

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

PAUL XUEREB
Acting President

9th August, 1988

ACT No. XXIV of 1988

AN ACT to consolidate and reform the law relating to Education in Malta.

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:—

PART I

General Provisions

- | | |
|--|--|
| <p>1. It is the right of every citizen of the Republic of Malta to receive education and instruction without any distinction of age, sex, belief or economic means.</p> | <p>Right to
Education and
Instruction.</p> |
| <p>2. It is the duty of the State:</p> <p style="padding-left: 20px;">(a) to promote education and instruction;</p> <p style="padding-left: 20px;">(b) to ensure the existence of a system of schools and institutions accessible to all Maltese citizens catering for the full development of the whole personality including the ability of every person to work; and</p> <p style="padding-left: 20px;">(c) to provide for such schools and institutions where these do not exist.</p> | <p>Obligations
of the State.</p> |
| <p>3. It shall be the duty of every parent of a minor to cause him:</p> <p style="padding-left: 20px;">(a) to be registered in a school for the first scholastic year starting when he is of compulsory school age;</p> <p style="padding-left: 20px;">(b) to continue to attend school up to the end of the scholastic year during which the minor ceases to be of compulsory</p> | <p>Duties
of parents.</p> |

school age, or up to the end of such further period as the Minister may prescribe by regulations; and

(c) to attend school regularly on each scholastic day, unless the minor has a good and sufficient cause to be absent from school.

Right of
Choice of
Parents.

4. It is the right of every parent of a minor to give his decision with regard to any matter concerning the education which the minor is to receive.

Right of
the State
to regulate
Education.

5. It shall be the right of the State:

(a) to establish a national minimum *curriculum* of studies for all schools;

(b) to establish the national minimum conditions for all schools; and

(c) to secure compliance with the national minimum *curriculum* of studies and the national minimum conditions for all schools.

Licences to
establish
schools.

6. (1) Any person shall have the right to apply to the Minister for the grant of a licence to establish a school.

(2) The Minister shall grant the licence mentioned in subsection (1) of this section where:

(a) the applicant is the Catholic Church or any other voluntary society, religious or otherwise, of a non-profit making character; and

(b) the school conforms with the national minimum conditions:

Provided that an application for a licence under this section shall not be deemed to have been submitted by the Catholic Church if such application is not signed by the Bishops in Ordinary of these Islands or authorized by them in writing.

(3) In the case of any other application for a licence under this section, being an application not falling under the provisions of subsection (2) of this section, the Minister may grant the licence if he deems this to be in the public interest.

(4) The applicant for a licence under this section who intends to establish a school which is to be a body corporate with a separate statute shall make a declaration to that effect in his application, which shall be accompanied by a copy of the statute, and the grant of a licence to the applicant who makes such a declaration will be deemed conclusive evidence that the school is a body corporate.

(5) Any licence granted under the provisions of this section shall be in the name of the Head of School in his personal capacity

or in representation of a body of persons, as the case may be, and for this purpose the applicant for a licence shall indicate in the application the particulars of the Head of School and whether the licence is to be granted in the name of that Head of School in his personal capacity or in representation of a body of persons:

Provided that the Head of School in whose name a licence is granted shall be personally responsible to ensure that all the obligations attached to that licence are observed at all times whether that licence has been granted in his name personally or in representation of a body of persons.

(6) The decision of the Minister to grant or to refuse an application for a licence shall be notified in writing to the applicant within three months from the date the application was received by the Minister.

(7) Where the Head of School in whose name there is a licence under the provisions of this section ceases to be the Head of School for any reason whatsoever the following provisions of this subsection shall apply:

(a) where the licence is in the name of that Head of School in his personal capacity, a fresh application for a licence shall be made in accordance with the provisions of this section;

(b) where the licence is in the name of that Head of School in representation of a body of persons, that body shall without delay give notice in writing to the Minister of the change in that office and submit the particulars of the person who has assumed that office and thereafter the licence shall be deemed to be in the name of that person in representation of that body of persons.

(8) Where no application as required by paragraph (a) of subsection (7) of this section or no notice as required by paragraph (b) of that subsection is made or given within three months from the date on which the Head of School in whose name is the licence ceases to hold that office that licence shall be deemed to have been cancelled on the date of the lapse of that period of three months.

(9) The applicant for a licence under subsection (2) of this section may appeal to the Scholastic Tribunal where:

(a) his application has been refused; or

(b) he has not been notified in writing of the decision of the Minister as provided in subsection (6) of this section.

(10) An appeal under subsection (9) of this section shall be made in writing within two months from the date on which the decision refusing the application was notified to the applicant or from the date of the lapse of the period of three months mentioned in subsection (6) of this section, as the case may be.

7. The Minister, for the purposes of this Act, shall have the right to inspect every school and shall have the right to supervise the administration of every school.

Minister's
right to
supervise
Schools.

Minister to represent State.

8. Wherever under the provisions of this Act a right or a duty is vested in or imposed on the State, that right or duty shall be exercised or fulfilled by the Minister.

PART II

Teachers' Warrants

Permanent Warrant.

9. (1) No person may exercise the profession of teacher in a school and receive remuneration therefor without a warrant from the Minister.

(2) A person shall qualify for a permanent warrant under this section if:

- (a) he is a citizen of Malta;
- (b) he is of good conduct; and
- (c) he qualifies under subsection (3) of this section.

(3) A person shall qualify for a permanent warrant under this subsection if he has:

(a) graduated as a Bachelor of Education or obtained a doctor's or master's degree from the University; or

(b) followed a full course at the former St. Michael's Training College or at the former Mater Admirabilis Training College or a similar course at the Malta College of Arts, Science and Technology (known as the Polytechnic); or

(c) completed a course of study in Malta or in a University or recognised Institute outside Malta being a course which in the opinion of the Minister is equivalent to any course mentioned in paragraphs (a) and (b) of this subsection; or

(d) taught in schools in Malta or outside Malta for a period of not less than fifteen years, and is in the opinion of the Minister of the required academic ability.

For the purposes of paragraph (a) of this subsection "University" includes the institutions which used to be known under the names of The Old University, The New University, The Royal University of Malta as well as the University existing immediately before the coming into force of section 26 of this Act.

Temporary warrant.

10. Notwithstanding the provisions of section 9 of this Act, the Minister may grant a temporary warrant valid for one year to any person who, in the discretion of the Minister, has the required ability to teach in Malta.

Refusal, suspension or cancellation of warrant.

11. (1) The Minister may suspend any warrant granted under the provisions of this Act when the holder of the warrant is guilty of a breach of the Code of Behaviour provided for by regulations under this Act.

(2) The Minister may cancel any warrant granted under the provisions of this Act when the holder of the warrant:

(a) is found guilty by a Court of criminal jurisdiction of a crime not being a crime committed through imprudence, carelessness, unskillfulness in an art or profession, or non observance of regulations;

(b) is found guilty by a competent tribunal of having abused the trust of students or of having used physical violence on them.

(3) The decision of the Minister refusing an application for a warrant or suspending or cancelling a warrant, shall be notified in writing to the applicant or to the holder of the warrant, as the case may be, and to the Head of School which employs him where such is the case.

(4) Any person who feels aggrieved by a decision of the Minister refusing an application for a warrant or suspending or cancelling a warrant under the foregoing provisions of this section may appeal in writing to the Scholastic Tribunal within one month from the date on which the applicant for the warrant or the holder of the warrant, as the case may be, is notified with the decision of the Minister as required by subsection (3) of this section.

(5) Notwithstanding any appeal made in accordance with the provisions of this section the warrant shall be deemed suspended or cancelled, as the case may be, pending the final decision of the Scholastic Tribunal.

12. The Minister may, in his discretion, revoke his decision suspending or cancelling a warrant after the lapse of two months from the date of the decision suspending the warrant or after the lapse of one year from the date of the decision cancelling the warrant, as the case may be.

Right of Minister to revoke suspension or cancellation of warrant.

13. The Minister shall cause to be kept a register of all warrants granted under the provisions of this Act and shall cause to be noted therein all suspensions, cancellations and reinstatements of those warrants.

Register.

PART III *State Schools*

14. (1) It shall be the duty of the State to provide for the Primary Education of the children of Maltese citizens being children of compulsory school age who do not have special educational needs, or who have not qualified for Secondary Education.

Primary Education.

(2) For the purpose mentioned in subsection (1) of this section, the Minister shall wherever possible maintain a school in every town or village and shall provide transport for pupils who reside in areas which are distant from the school.

(3) The State may provide schools for infants who are under compulsory school age.

Secondary Education.

15. It shall be the duty of the State to provide for the Secondary Education of the children of Maltese citizens being children who have completed their primary education and who do not have special educational needs.

Special Schools.

16. (1) It shall be the duty of the State to provide special schools for the children of Maltese citizens being minor children having special educational needs.

(2) A minor shall be deemed to have special educational needs when that minor has special difficulties of a physical, mental or psychological nature.

Right of Action.

17. Any person may, if he deems himself aggrieved by the failure of the State to comply with the duties imposed upon it by sections 14, 15 and 16 of this Act, bring an action against the Minister for a declaration of such grievance.

Minister's right to establish curriculum.

18. (1) Subject to the provisions of subsection (2) of this section, it shall be the duty of the Minister to establish the *curriculum* for State Schools and he may establish different *curricula* for different State Schools.

(2) It shall be the duty of the Minister to provide for the education and teaching of the Catholic Religion in State Schools and to establish the *curriculum* for the education and teaching of that religion in those schools according to the dispositions in this regard of the Bishops in Ordinary of these Islands.

(3) A School Council may request the Minister to include in the *curriculum* of that school courses of studies additional to those established by the Minister and the Minister may grant that request.

(4) The parents of any minor will have the right to opt that the minor should not receive instruction in the Catholic Religion.

Duty of the State to prepare citizens for work.

19. It shall be the duty of the State, having provided for the education of Maltese citizens to enable them to form their own independent judgement, to establish such scholastic facilities which the State may deem necessary to provide those citizens with the opportunity to qualify in trades, skills, artisan or technical or commercial activities, and in the professions in order to prepare, instruct and instil discipline in those citizens for work in the community.

PART IV

Schools as Bodies Corporate

Schools deemed Bodies Corporate.

20. A school in Schedule II of this Act shall be deemed a body corporate and may not be suppressed while that school is so included in that schedule.

21. (1) Without prejudice to the provisions of section 7 of this Act, a scheduled school shall be administered by a School Council. School Council.

(2) The School Council shall be composed as follows:

(a) a president appointed by the Minister;

(b) the Head of School, who shall be the secretary and treasurer;

(c) three members elected by and from among the teaching staff of the school; and

(d) three other members elected by the parents of the students who have not attained their sixteenth year of age as well as by the students who have attained that age and from among those parents and the students last mentioned.

(3) In the case of schools in the post secondary level, in addition to the members mentioned in subsection (2) of this section, there shall be appointed by the Minister three other members to represent general interest in a field of study.

22. Without prejudice to the provisions of section 7 of this Act the School Council shall have the following functions: Functions of School Council.

(a) to meet at least once a month and to keep minutes of its meetings which shall be prepared and signed by the secretary;

(b) to administer the funds and all other assets of the school; and

(c) to submit to the Minister in the month of July of each year a report on the administration and financial management of the school.

23. Notwithstanding anything contained in section 21 and section 22 of this Act the Head and teaching staff of a scheduled school shall be responsible for teaching and the maintenance of discipline in the school and shall be accountable therefor to the Minister. Responsibility for teaching and discipline.

24. Elections to the School Council shall be held in the second week of the month of October of every year in accordance with regulations made by the Minister. Elections.

25. Every applicant who is granted a licence to establish a school in accordance with the provisions of section 6 of this Act shall endeavour to adopt the system of administration by a School Council as provided in this Part of the Act but shall not be under a legal obligation to adopt that system. Pattern of administration for non State Schools.

PART V

The University of Studies of Malta

26. The University of Studies of Malta is, by means of the present Act, being refounded under the name of University of Malta with the following functions and powers: Refounding, aims, functions and powers of the University of Studies.

(a) to provide for instruction in such branches of learning and to make such provisions for research and the advancement and dissemination of knowledge as it may from time to time determine;

(b) to determine the conditions for admission into the University and into any course of study provided by it;

(c) to provide appropriate procedures to determine the persons who have attained the necessary proficiency in the various branches of study;

(d) to confer degrees and grant diplomas, certificates or other academic distinctions;

(e) to constitute faculties, departments and other academic sections of the University;

(f) to institute academic and non-academic posts as required from time to time, and to make appointments thereto;

(g) to set up and properly maintain libraries, laboratories and other facilities required for teaching, research, experimentation, or diffusion of knowledge and science;

(h) to establish entities with their own statutes and to monitor the administration of such entities as well as of other entities already existing or which may be created by others in the field of Higher Education;

(i) to administer the funds voted by the House of Representatives for the implementation of its programmes and any other funds it may receive from other sources;

(j) to evaluate foreign degrees and academic distinctions;

(k) to make statutes, regulations and byelaws in accordance with the provisions of this Act; and

(l) to act in any other way conducive to the attainment of its aims.

27. (1) The Government shall allocate annually to the University such a sum of money as is voted by the House of Representatives in the General Estimates to enable the University to attain the aims for which it was founded and refounded and to carry out its activities according to the needs of the country as perceived by the Government.

(2) The sum voted in accordance with subsection (1) of this section shall be paid to the University in equal instalments in advance but the Government may at the same time impose a gradual rate of spending and may also indicate the limits of future recurrent expenditure in the two following years.

(3) The Government shall also allocate to the University such capital sums as are voted by the House of Representatives for the implementation of particular projects:

Provided that in the approval of a particular project the Government may phase the payment of capital sums by yearly amounts

but such phasing shall not of itself bind the Government to allocate the sum indicated for later years.

(4) The University shall provide each year detailed estimates with its proposals for expenditure for the following year as well as a detailed statement of expenditure for the last completed financial year.

(5) Without prejudice to the right of the University to administer, in the freest possible manner, money and property received from sources other than the Government, the Minister of Finance may instruct auditors to examine the books and accounts of the University and submit a report to him.

28. (1) The following shall be the governing bodies of the University: Governing bodies and officers of the University.

- (a) the Council;
- (b) the Senate;
- (c) the Faculty Boards.

(2) The following shall be the Principal Officers of the University:

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Rector;
- (d) the Pro-Rector;
- (e) the Secretary;
- (f) the Deans of the Faculties.

(3) The Chancellor shall be appointed for a term of seven years by the President of Malta acting in accordance with the advice of the Prime Minister given after he has consulted the Leader of the Opposition.

(4) The Chancellor shall be the highest officer of the University and shall be responsible to ensure that it conforms with the law.

(5) The Chancellor promulgates the statutes, regulations and bye-laws of the governing bodies of the University and may refer back once to the governing body concerned any such statutes, regulations or bye-laws which in his opinion are not in accordance with the law; the Chancellor, in special circumstances, shall also have the power to summon the Council, Senate and Faculty Boards.

(6) The Pro-Chancellor shall be appointed by the Chancellor after the Minister's approval for a term not exceeding five years.

(7) Whenever the office of Chancellor is temporarily vacant, and until a new Chancellor is appointed and whenever the holder of

that 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 Pro-Chancellor who shall continue to perform those functions notwithstanding the expiration of his term of office.

(8) The Pro-Chancellor shall also perform the functions of Chancellor whenever required to do so in writing by the Chancellor.

(9) The Pro-Chancellor shall be the *ex-officio* president of the Council.

(10) The Rector shall be elected by the Council for a term of five years and shall be the principal academic and administrative officer of the University.

(11) The Rector shall be responsible for the day to day administration of the University, shall be the president *ex-officio* of the Senate and Faculty Boards, and shall be vested with the legal representation of the University.

(12) The Pro-Rector shall be appointed by the Rector for a term of one year and shall perform the functions of the Rector for the same reasons and in the same circumstances that the Pro-Chancellor would perform the functions of Chancellor under the provisions of subsection (7) and subsection (8) of this section.

(13) The Secretary shall be the second highest administrative officer of the University and shall be appointed by the Council for a term of five years.

(14) The Dean of a Faculty shall be elected for a term of two years by the academic staff of that faculty and from among the Heads of Departments of that faculty and shall be the president *ex-officio* of the Faculty Board in the absence of the Rector.

Subsidiary
Legislation.

29. (1) The University 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 Council and shall bind the whole University as well as the entities created by it.

(3) Regulations shall be made by the Senate and shall provide for matters of an academic nature and shall bind the whole University.

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

(5) No statute providing for a matter of an academic nature may be made or, when made, may be amended or revoked by the Council, unless the Council requests the advice of the Senate on that statute or on that amendment or revocation but if such advice is not tendered within the term established by the Council, which term shall in no case be less than twenty-one days from the date of the said request, then 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 University in accordance with the provisions of this Part of this Act shall be without effect unless promulgated by the Chancellor and published in the Government Gazette but when those statutes, regulations or bye-laws have been so promulgated and published they shall have the force of law; provided that the subsidiary legislation herein mentioned shall as soon as may be after it is made, be laid on the Table of the House of Representatives.

(7) Any power given by this Act for the making of statutes, regulations or bye-laws by the competent governing body of the University 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.

30. The Council of the University shall be composed as follows: Composition of the Council of the University.

- (a) the Pro-Chancellor, who shall be *ex-officio* president;
- (b) the Rector, who shall be *ex-officio* vice-president;
- (c) four members representing the Senate;
- (d) Two members elected by the academic staff from those amongst them who are not members of the Senate;
- (e) two members elected by and from among the non-academic staff;
- (f) two members elected by and from among the University students;
- (g) one member appointed by the Minister;
- (h) a number of members appointed by the Prime Minister to represent the general interest of the country, such number never to exceed the number of members mentioned in paragraphs (c), (d), (e), (f) and (g) of this section.

31. The Council shall be the supreme governing body of the University and shall have the following functions: Functions of the Council.

- (a) to administer and control all the property, moveable and immoveable, of the University;
- (b) to establish and abolish posts of an academic nature or otherwise;
- (c) to establish, administer and abolish institutes and other entities;
- (d) to make statutes in accordance with the provisions of this Act;
- (e) to make appointments to posts, of an academic nature or otherwise, in accordance with procedures established by statutes;

(f) to pay the wages or salaries of all members of the academic and non-academic staff in accordance with scales determined by it with the approval of the Minister;

(g) to establish faculties, departments and institutes for the proper organisation of academic work and inter-disciplinary collaboration, taking into account any directions given by the Minister in accordance with the provisions of this Act;

(h) to appoint heads of departments for periods not exceeding four years after considering the recommendations of the departments concerned;

(i) to appoint and provide for the payment of Maltese or foreign examiners in accordance with statutes and predetermined procedures;

(j) to do all other acts or things not vested in any other governing body of the University.

Composition of the Senate.

32. The Senate of the University shall be composed as follows:

- (a) the Rector, who shall be *ex-officio* president;
- (b) the Pro-Rector, who shall be *ex-officio* vice-president;
- (c) the Deans of all the faculties;
- (d) a representative of each faculty elected by and from among the academic staff of that faculty;
- (e) four members elected by and from among the University students;
- (f) two representatives of the Minister appointed by him from among graduates of the University;
- (g) two members appointed by the directors of the institutes and other entities established by the University;
- (h) the Librarian.

Functions of the Senate.

33. The Senate shall have the general direction of the academic matters of the University and shall have the following functions:

- (a) to regulate studies, research, documentation and examinations in the University by means of regulations;
- (b) to make regulations in accordance with the provisions of this Act;
- (c) to decide on whom should be conferred academic degrees, diplomas and other distinctions;
- (d) to establish by regulations the conditions for admission into the University;

(e) to give recognition to the degrees, diplomas, certificates and distinctions of foreign universities or institutes of Higher Education;

(f) to advise the Council on matters of an academic nature even if of such a nature only in part;

(g) to advise the Government on all matters in the fields of learning, science and technology referred to it by the Government;

(h) to deal with any other matter of an academic nature arising in the administration of the University.

34. The Board of each Faculty shall be composed as follows:

Composition of
the Faculty
Boards.

(a) the Rector, who shall be *ex-officio* president;

(b) the Dean of the Faculty, who shall be *ex-officio* vice-president;

(c) the Heads of all the departments in the Faculty;

(d) a representative of each department of the Faculty elected by and from among the academic staff of the department;

(e) two members elected by and from among the students of the Faculty;

(f) two members appointed by the Minister to represent the interests outside the Faculty and who, in the opinion of the Minister, can give an effective contribution towards the good administration of the Faculty.

35. (1) The Faculty Board shall have the following functions:

Functions of
Faculty Boards.

(a) to direct the academic tasks of the Faculty in a unitary manner and in consultation;

(b) to determine the studies, teaching and research within the Faculty and to provide for the administration, publication and diffusion of the academic work of the Faculty and to distribute tasks within the said activities;

(c) to make bye-laws concerning the Faculty in accordance with the provisions of this Act;

(d) to prepare plans for the development of the Faculty and to present those plans for approval by the Senate and the Council.

(2) Bye-laws made by the Faculty Board shall be referred to the Senate for its approval and shall not be submitted to the Chancellor for promulgation unless they have been so approved by the Senate.

36. (1) The Rector, without prejudice to the powers vested in the governing bodies of the University by the provisions of this Act, shall have all the powers necessary for the day to day administration of the University and shall have the power to decide upon any urgent matter, of an academic nature or otherwise, provided that such decision which impinges upon a power or function vested by this Act in a governing body of the University shall be registered by the Secretary and brought before that body at its first meeting following that decision.

(2) The Rector, as the officer vested with the immediate government of the University, shall exercise authority over the teaching staff, the examiners, the students, the candidates for examinations and all the employees of the University, and shall enforce discipline and the strict observance of the provisions of this Act and of the statutes, regulations and bye-laws.

(3) The Rector shall confer University degrees, diplomas, certificates and other distinctions.

(4) The Rector shall have the power to summon the Council, Senate and Faculty Boards.

(5) The Rector shall ensure that any elections required by the provisions of this Act are in fact held without undue delay and shall be responsible to provide for the procedures of those elections.

(6) The Rector shall be responsible for the planning and coordination of the work of the various bodies and institutions of Higher Education and for the implementation of the decisions of the competent authorities of the University.

37. (1) Any person holding office on a governing body of the University shall, unless otherwise specifically provided elsewhere in this Act, hold that office for a period of two years.

(2) The *quorum* for the meetings of any governing body of the University shall be that of one more than one third of the members of that body; provided that the *quorum* for the Council shall be eight.

(3) Any governing body of the University may act notwithstanding any vacancy in its membership and *quorum* shall be computed as if there was no such vacancy.

(4) Any question proposed for decision at any meeting of any governing body of the University 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 member presiding shall have and exercise a casting vote.

PART VI

Miscellaneous

38. The Minister shall appoint a Registrar of Examinations who shall be responsible for:

(a) the conduct of examinations in all schools and in all institutions of learning of the State except the University;

(b) the conduct of examinations for induction into the service of the State, public corporations and commercial partnerships in which the State has effective control;

(c) the monitoring of examinations held and conducted by the University.

For the purposes of paragraph (b) of this section, the State shall be deemed to have effective control of a commercial partnership where in that partnership more than fifty per cent of the capital or voting power is owned or controlled, directly or indirectly, by the State.

39. (1) In State Schools and the University all teaching shall be given to Maltese citizens without any fee being charged. So as to ensure the full exercise of choice of school by parents, the State shall, through agreements of subvention of non State Schools, when such are of a non profit-making character, in accordance with the availability of public funds, provide gradually for the same gratuity of teaching in such schools as is afforded to students in State Schools.

Gratuity of Teaching and subsidy in certain cases.

(2) The Minister may by regulations prescribe the fees to be charged for examinations and special courses outside regular hours and the fees to be paid by students who are not Maltese citizens; provided that the Minister may exempt any person from the payment of those fees.

(3) The Minister may determine rates of stipends payable to students receiving further education after having completed their Secondary Education and may impose conditions for the payment of such stipends.

(4) The Minister may by regulations order that no fees shall be charged for the teaching of Maltese citizens in schools other than State Schools and of a non profit-making character provided that in such a case the Minister shall before making such an order ensure that the schools to which the order applies shall be in a position to continue to provide their services and shall supplement from public funds the financial means of those schools where, following investigations conducted together with those schools, such necessity arises.

(5) Without prejudice to subsection (4) of this section, the Minister may by regulations determine the maximum fees which may be charged for the teaching of Maltese citizens in schools other than State Schools and the maximum fees so determined may be different for different schools or for different levels or sectors of schools other than State Schools; provided that in making such regulations the Minister shall ensure on the basis of an objective assessment of the schools to which the regulations apply that these shall be in a position to continue to provide their services and for this purpose the Minister

shall, if necessary, supplement the financial means of those schools through public funds.

Scholastic
Tribunal.

40. (1) There shall be a Tribunal, to be known as the Scholastic Tribunal, to hear and determine appeals made to it in accordance with the provisions of subsection (9) of section 6 and of subsection (4) of section 11 of this Act.

(2) The Scholastic Tribunal shall be composed as follows:

(a) a president, who shall be a judge or magistrate appointed by the President of Malta acting in accordance with the advice of the Prime Minister;

(b) one member representing the University and all State Schools and elected by and from among the Rector of the University and all the Heads of the said State Schools;

(c) one member representing all schools licenced under this Act and elected by and from among all the Heads of these schools;

(d) one member appointed by the trade union which represents the majority of the teachers.

(3) The president and members of the Scholastic Tribunal shall be appointed or elected, as the case may be, for a period of five years.

(4) For the determination of appeals under subsection (9) of section 6 of this Act, the Scholastic Tribunal shall consist of the president and the members mentioned in paragraphs (b) and (c) of subsection (2) of this section.

(5) For the determination of appeals under subsection (4) of section 11 of this Act, the Scholastic Tribunal shall consist of the president and members mentioned in paragraphs (b) and (d) of subsection (2) of this section.

(6) The proceedings before the Scholastic Tribunal shall be conducted in conformity with the principles of natural justice but shall otherwise be such as the Scholastic Tribunal considers appropriate.

(7) Any member of the Scholastic Tribunal may be challenged or shall abstain in the same circumstances as a judge of the Superior Courts and in any such case:

(a) if the member challenged or who abstains is the president of the Scholastic Tribunal, the President of Malta acting in accordance with the advice of the Prime Minister shall substitute for that member another judge or magistrate to be president of the Scholastic Tribunal for the particular case or cases in respect of which the member has been challenged or has abstained.

(b) if the member challenged or who abstains is not the president of the Scholastic Tribunal:

(i) the parties to the appeal may agree on a person to substitute that member on the Scholastic Tribunal in which case the person so agreed upon shall substitute on the Scholastic Tribunal the member challenged or who has abstained for the particular case or cases in respect of which that member has been challenged or has abstained; or

(ii) failing agreement as provided in subparagraph (i) of this paragraph, there shall be substituted for the member challenged or who abstained and for the particular case or cases in respect of which that member has been challenged or has abstained a member of the Scholastic Tribunal appointed by the President of Malta acting in accordance with the advice of the Prime Minister.

(8) Whenever an election of the members of the Scholastic Tribunal, or of any one or more of such members, is required to be held, the Prime Minister shall appoint a person as returning officer whose function shall be to hold, conduct and supervise such an election which, subject to the provisions of this Act and of any regulations made thereunder shall be held at such time or times and shall be conducted in such manner as that person shall deem appropriate:

Provided that the Prime Minister may make regulations for the holding of such elections and for the conduct and supervision thereof.

41. (1) No person may employ a minor of compulsory school age or otherwise bound to regularly attend school under the provisions of this Act without the written permission of the Minister. Employment of minors.

(2) The Minister may give his permission under subsection (1) of this section when, having made the necessary investigations, he is of the opinion that there are sufficient reasons to justify the exemption of the parents of the minor from their duty to ensure the regular attendance of the minor at school and when the Minister is also of the opinion that the employment of the minor would not be of harm to the health or normal development of that minor.

(3) The Minister may approve apprenticeship indentures and training schemes which, when so approved, shall not be deemed to constitute employment for the purposes of this section.

42. (1) Any parent of a minor who:

Offences and Penalties.

(a) fails to register that minor in a State School, or in a school licenced under this Act, for the first scholastic year starting when he is of compulsory school age or fails to ensure that the minor is so registered at all times for every scholastic year during the whole period that the minor is of compulsory school age or fails to cause that minor to continue to be so registered up to the end of the scholastic year during which the minor ceases to be of compulsory school age or up to the end of such further period as the Minister may by regulations prescribe; or

(b) fails to ensure, without a good and sufficient cause, that the minor attends school regularly on each scholastic day during such period that the minor is of compulsory school age and up to the end of the scholastic year during which the minor ceases to be of compulsory school age and up to the end of such further period as the Minister may by regulations prescribe;

shall be guilty of an offence and shall, on conviction be liable to the punishments established for contraventions and to a fine (*ammenda*) not exceeding one lira for each day during which the offence continues in the case of a continuing offence:

Provided that no criminal proceedings for an offence under paragraph (b) of this subsection shall be taken unless the parent, within three days from the date he receives a notice from the Director of Education requesting him to explain the absence of the minor from school, fails to give a good and sufficient explanation.

(2) Any person who opens or keeps a school without a licence from the Minister shall be guilty of an offence and shall, on conviction, be liable to the punishments established for contraventions and to a fine (*ammenda*) not exceeding fifty liri for each day during which the offence continues in the case of a continuing offence.

(3) Any person who, against remuneration, exercises the profession of teacher in a school without being in possession of a warrant from the Minister shall be guilty of an offence and shall, on conviction, be liable to the punishments established for contraventions and to a fine (*ammenda*) not exceeding ten liri for each day during which the offence continues in the case of a continuing offence.

(4) Any person who contravenes the provisions of subsection (1) of section 41 of this Act shall be guilty of an offence and shall, on conviction, be liable to the punishments established for contraventions and to a fine (*ammenda*) of ten liri for every day of employment of the minor.

(5) Any person in possession of a licence to establish and keep a school and who does not ensure that the school conforms at all times with all the national minimum conditions as they may be applicable to that school from time to time shall be guilty of an offence and shall, on conviction, be liable to the punishments established for contraventions and to a fine (*ammenda*) not exceeding ten liri for every day during which the offence continues in the case of a continuing offence.

(6) In the case of a second or subsequent conviction for an offence against the provisions of this section, committed by a person in possession of a licence under this Act, it shall be lawful for the Court, at the request of the Minister, to cancel the licence, or to suspend the same for any time, in its discretion:

Provided that, notwithstanding the provisions of any other law, the suspension or cancellation of any warrant granted under the

provisions of this Act may only be ordered by the Minister in accordance with the provisions of this Act.

43. (1) In the case of a second or subsequent conviction for an offence committed by any parent against the provisions of subsection (1) of section 42 of this Act, the Second Hall of the Civil Court may, upon an application by the Director of Education, deprive that parent of his authority, whether "*de jure*" or "*de facto*", over the minor and may appoint a tutor for that minor.

Penalties following second or subsequent convictions.

(2) In the case of a second or subsequent conviction for an offence committed by any person against the provisions of subsection (2) of section 42 of this Act, the Court may authorise the Minister, at his request, to take possession of the premises opened or kept as a school without a licence and this for such time as the Court may deem necessary to prevent that person from committing a further offence against the provisions of that subsection.

44. (1) There shall be a Council for Education which shall be composed as follows:

Council for Education.

(a) a president, who shall be the Rector of the University;

(b) a representative of each school administered by a School Council as provided by sections 21 and 25 of this Act;

(c) other members, not more than the number of members mentioned in paragraph (b) of this subsection, appointed by the Minister and who in the opinion of the Minister are representative of the general public not otherwise represented on the Council established by this section, among them members to represent the schools of the Catholic Church in Malta and the other schools not being State Schools.

(2) The Council for Education shall have the following functions:

(a) to advise the Minister upon any matter connected with education as it may deem appropriate and upon any such matter referred to it by the Minister;

(b) to prepare plans for the development of education and for the better integration of educational services in Malta and to submit those plans to the Minister for his approval and for implementation by him;

(c) to advise the Minister on any proposed amendments to the provisions of this Act or any proposed law repealing this Act.

(3) The Minister, before proposing to the House of Representatives any amendments to the provisions of this Act or before proposing to that House the repeal of this Act, shall refer any bill

proposing any such amendments or repeal to the Council for Education which shall give its advice in writing and in public within the term laid down by the Minister for that purpose which term shall not be less than one week; but if such advice is not tendered within the said term, then the Minister may propose the said amendments or repeal to the House of Representatives.

Power to make regulations.

45. The Minister may make regulations to give effect to any of the foregoing provisions of this Act and in particular, but without prejudice to the generality of the foregoing, for any of the following purposes:

(a) to make provision for the appointment, conditions of employment, duties and powers of teachers, School Attendance Officers, School Medical Officers and School Dental Officers, including provisions for empowering any of the officers aforesaid to visit children at home and to examine them or make other enquires;

(b) to require parents to furnish to the Minister, to the Director of Education and to any of the officers aforesaid such information concerning their children as he may deem necessary for the proper execution of their functions and duties, including such information as may be specified in the regulations;

(c) to determine a national *curriculum* of studies without prejudice to the specific religious nature of any school;

(d) to determine the qualifications of the teaching staff, the *curricula*, the school terms, days and hours and any other matter connected with or incidental to the functioning and administration of State Schools and to the discipline to be kept therein;

(e) to determine the national minimum conditions and any other matter connected with or incidental to the functioning and administration of all schools and to the discipline to be kept therein;

(f) to require periodical and other reports and returns to be sent to the Minister or to the Director of Education by the Heads of Schools and by such other officers and persons connected with education as the Minister may deem appropriate, and in such manner and form and on such subjects as he may specify in the regulations or in any requirements thereunder;

(g) to require Heads of Schools and such other officers or persons connected with education as the Minister may deem appropriate to give to the Minister or to the Director of Education such information as they may require or as may be prescribed;

(h) to prescribe any matter which is to be or may be prescribed under this Act and to make any further provision in respect of such matter as he may deem appropriate;

(i) to provide for any incidental or supplementary matter including the power of entry and inspection of any premises or

place, which he may deem expedient for the purpose of enforcing or giving further effect to any provision of this Act and of any regulation made thereunder;

(j) to establish the punishment for any contravention to, or violation of, any provision of any regulation made under this Act, or for any non-compliance with any such provision or with any requirement made thereunder:

Provided that such penalties shall not exceed the sum of two hundred liri in respect of any offence and of an additional ten liri for each day during which an offence continues in the case of a continuing offence;

and regulations made under this section may make different provisions for different purposes or circumstances for different classes or kinds of schools or for different classes of children.

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

Interpretation.

“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;

“Code of Behaviour” means the Code of Behaviour provided for by regulations under section 11 of this Act;

“compulsory school age” means any age from five years to fifteen years, both inclusive, and accordingly a person shall be deemed to be of compulsory school age if he has attained the age of five years and has not attained the age of sixteen years;

“Council” means the governing body of the University established by section 30 of this Act;

“Council for Education” means the Council established by section 44 of this Act:

“Director of Education” includes, to the extent of any authority given, any officer of the Department of Education duly authorised by the Director of Education in that behalf;

“employment” includes employment in 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” should be construed accordingly;

“Faculty Board” means the governing body of the University established by section 34 of this Act;

“General Estimates” means the estimates presented to the House of Representatives in respect of any financial year, of the expenditure for the service of that financial year and includes any supplementary estimates of expenditure for which it may be necessary to provide after those estimates have been presented to the House of Representatives and in this context “financial year” has the same meaning as it has for the purpose of the Constitution of Malta;

“Government” means the Government of Malta;

“Head of School” includes any person holding the office of Head of School or temporarily acting in that capacity;

“Minister” means the Minister responsible for education and, to the extent of any authority given, includes any person authorised by the said Minister in that behalf;

“national minimum conditions” means the national minimum conditions for all schools mentioned in section 5 of this Act;

“national minimum *curriculum*” means the national minimum *curriculum* of studies for all schools mentioned in section 5 of this Act;

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

“permanent warrant” means a warrant granted under section 9 of this Act;

“prescribed” means prescribed by any regulation, statute, rule or bye-law;

“Rector” means the Rector of the University elected under section 28 of this Act and any person temporarily acting in that capacity;

“remuneration” includes compensation in any form whether in money or in kind;

“scheduled school” means a school included in Schedule II of this Act;

“scholastic day” means every day during a scholastic year not being a public holiday;

“Scholastic Tribunal” means the Scholastic Tribunal established by section 40 of this Act;

“scholastic year” means that period determined as the scholastic year in the national minimum conditions;

“school” means an institution the resources of which, both of persons and of things, are ordained towards the promotion of the education of other persons through the dissemination of knowledge and the furtherance of learning whether by direct personal contact or through correspondence but does not include an institution for the promotion of instruction and knowledge of an exclusively or almost exclusively religious character;

“school council” means any school council established in terms of section 21 or section 25 of this Act;

“Senate” means the governing body of the University established by section 32 of this Act;

“special educational needs” shall have the meaning assigned to it by subsection (2) of section 16 of this Act;

“State School” means any school maintained by the Minister in pursuance of Part III of this Act;

“temporary warrant” means a warrant granted under section 10 of this Act;

“University” means the University of Studies of Malta established by section 26 of this Act;

“warrant” means any warrant granted under section 9 or section 10 of this Act.

47. (1) Without prejudice to anything done or omitted to be done thereunder and, in particular, to any proceedings taken or that may be taken thereunder or in respect of offences committed against any of their provisions, the enactments included in Schedule I of this Act are hereby repealed. Repeal and Saving.

(2) Without prejudice to anything done or omitted to be done thereunder and, in particular, to any proceedings taken or that may be taken thereunder or in respect of offences committed against their provisions, the regulations, statutes, rules or byelaws made under any of the enactments repealed by this Act are hereby repealed.

48. (1) The University shall succeed to the property, rights and obligations of the University existing immediately before the coming into force of section 26 of this Act as well as to the property, rights and obligations of the institutions which used to be known as The Old University, The New University and The Royal University of Malta. Transitory.

(2) All those persons who before the coming into force of this Act were employed by the institution known under the name of The University of Malta shall, on the coming into force of this Act, be deemed to have always been employed and shall continue to be so employed by the University:

Provided that in respect of those persons whose service, on the date of the coming into force of this section, was deemed, for the

purposes of the Pensions Ordinance and the Widows and Orphans Pensions Act, to be service with the Government, the service of such persons with the University shall, for the purposes of the said Ordinance and of the said Act, continue to be deemed to be service with the Government within the meanings thereof respectively.

(3) The statutes, regulations and bye-laws included in Schedule III of this Act shall come into force and have the force of law on the coming into force of section 26 of this Act and shall so remain in force until such time as they are amended or repealed by the competent governing bodies of the University in accordance with the provisions of this Act.

(4) The person who held the office of Rector of the institution known as The Old University before the enactment of Act XII of 1980 which amended the Education Act, 1974 repealed by this Act, shall be the Rector of the University on the coming into force of section 26 of this Act.

(5) All appointments of Heads of Departments and all appointments and elections to the Council, the Senate and the Faculty Boards of the University shall be made as soon as practicable after the date of commencement of the relevant provisions of this Act and in any case not later than three months from such date; but, notwithstanding the provisions of sections 26 to 37 (both inclusive) of this Act and subject to the provisions of subsection (6) of this section, until the said appointments of Heads of Departments are so made and until the said Council, Senate and Boards are so reconstituted or, in either case, until the expiration of the said period of three months, whichever is the earlier date in either case, the Heads of Departments, the Council, the Senate and the Faculty Boards of the University which existed immediately before the date of the coming into force of section 26 of this Act, shall be the Council, Senate and Faculty Boards of the University for the purposes of this Act.

(6) Notwithstanding the provisions of subsection (5) of this section, the Rector designated in subsection (4) of this section shall be a member and *ex-officio* vice-president of the Council and a member and *ex-officio* president of the Senate and Faculty Boards on the coming into force of section 26 of this Act.

Citation and commencement.

49. (1) This Act may be cited as the Education Act, 1988.

(2) The foregoing provisions of this Act shall come into force on such date as the Minister may by notice in the Government Gazette appoint, and different dates may be so appointed for different provisions or for different purposes of this Act.

SCHEDULE I

(Section 47)

Education Act, 1974	—	(Act XXXIX of 1974)
Infant-School Ordinance	—	(Cap. 32)

SCHEDULE II

(Section 20)

<i>Name of School</i>	<i>Locality</i>
Agius de Soldanis	Victoria, Gozo
Kan Pawl Pullicino	Rabat
Carlo Diacono	Żejtun
Dun Guzepp Zammit	Hamrun
Dun Gwann Mamo Trade School	Marsa
Fellenberg School of Electronics	Paola
Gan Frangisk Abela	Msida
Gorg Grognet de Vassé Technical Institute	Naxxar
Guzeppi Despott	Cospicua
Maria Assumpta	Hamrun
Maria Goretti	Tarxien
Maria Regina	Blata-l-Bajda
Mikielang Sapiano Technical Institute	Paola
Mikiel Anton Vassalli	Tal-Handaq
Ninu Cremona Complex	Victoria, Gozo
Salvatore Dimech School for Craftsmen	Mosta
Santa Tereza	Mriehel
Sir Adrian Dingli	St. Andrews
Umberto Calosso Trade School	Sta Vennera

SCHEDULE III
STATUTES, REGULATIONS AND BYE-LAWS

(Section 48)

A - STATUTES

Statute 1 — GENERAL

1.1 Official Languages

Maltese and English shall be the official languages of the University. The University administration may use either language for official purposes.

1.2 Compulsory Subjects for Admission

Maltese and English shall be compulsory subjects for admission to the degree and diploma courses of the University:

Provided that the Senate may by regulations allow candidates in special circumstances to offer other subjects instead.

1.3 Entry Requirements: Period of Notice

The University shall give adequate notice (normally two years) before any amendments to regulations which may affect the entry requirements to any course of studies come into effect.

1.4 Official and Academic Dress

The dress appropriate for the Principal Officers of the University, for the Academic Staff, for graduates, for undergraduates, and for other members of the University shall be prescribed by regulations made by the Senate.

1.5 Scholarships and Prizes

1. Scholarships and prizes to be awarded by the University shall be established by regulations made for the purpose.

2. The award of scholarships and prizes shall also be governed by regulations.

Statute 2 — FACULTIES

The University shall have nine Faculties, namely:

- The Faculty of Architecture and Civil Engineering
- The Faculty of Arts
- The Faculty of Dental Surgery
- The Faculty of Economics, Management and Accountancy
- The Faculty of Education
- The Faculty of Laws
- The Faculty of Mechanical and Electrical Engineering
- The Faculty of Medicine and Surgery
- The Faculty of Science

Statute 3 — COURSES OF STUDIES, DEGREES AND DISTINCTIONS**3.1 Courses of Studies for Degrees, Diplomas and Certificates**

1. The University shall have the power to award the following degrees, diplomas and certificates on candidates who fulfil the prescribed conditions after following the requisite courses of studies:

Doctor of Philosophy – Ph.D.
Master of Philosophy – M.Phil.

Faculty of Architecture and Civil Engineering

Bachelor of Engineering and Architecture – B.E.&A.
Bachelor of Engineering and Architecture (Honours) – B.E.&A. (Hons.)

Faculty of Arts

Bachelor of Arts – B.A.
Bachelor of Arts (Honours) – B.A. (Hons.)
Master of Arts – M.A.
Diploma in Applied Social Studies

Faculty of Dental Surgery

Bachelor of Dental Surgery – B.Ch.D.
Bachelor of Dental Surgery (Honours) – B.Ch.D. (Hons.)

Faculty of Economics, Management and Accountancy

Bachelor of Arts – B.A.
Bachelor of Arts (Honours) in Accountancy – B.A. (Hons.) Accountancy
Bachelor of Arts (Honours) in Business Management – B.A. (Hons.) Business Management
Bachelor of Arts (Honours) in Public Administration – B.A. (Hons.) Public Administration
Diploma in Labour Studies

Faculty of Education

Bachelor of Education – B.Ed.
Bachelor of Education (Honours) – B.Ed. (Hons.)
Master of Education – M.Ed.
Diploma in Guidance and Counselling
Diploma in Educational Administration and Management
Diploma in Education

Faculty of Laws

Doctor of Laws – LL.D.
Diploma of Notary Public – N.P.
Diploma of Legal Procurator – L.P.

Faculty of Mechanical and Electrical Engineering

Bachelor of Engineering (Honours) – B.Eng. (Hons.)
Bachelor of Electrical Engineering (Honours) – B.Elec.Eng. (Hons.)
Bachelor of Mechanical Engineering (Honours) – B.Mech.Eng. (Hons.)

Faculty of Medicine and Surgery

Doctor of Medicine and Surgery – M.D.
Bachelor of Pharmacy – B.Pharm.
Bachelor of Pharmacy (Honours) – B.Pharm. (Hons.)

Faculty of Science

Bachelor of Science – B.Sc.
Bachelor of Science (Technology) – B.Sc. (Tech.)

Institute of Health Care

Bachelor of Science in Nursing Studies – B.Sc. (Nursing Studies)
Bachelor of Science in Medical Technology – B.Sc. (Medical Technology)

Interdisciplinary

Certificate in Foundation Studies.

2. Courses of studies shall start as the Council shall determine.

3.2 Award of Degrees and Diplomas

1. Degrees and Diplomas shall be awarded at a public ceremony or, with the consent of the Senate, at a private ceremony or *in absentia*.

2. A candidate shall be eligible for the award of a degree or diploma only after certification by the Rector that all the conditions prescribed by statutes, regulations and bye-laws relevant to that degree or diploma have been fulfilled.

3. No person may be described as holding a degree or diploma of the University unless such degree or diploma has been conferred as prescribed in paragraph 1 of this section.

3.3 Degrees *Honoris Causa*

1. The University shall also have the power to confer the following degrees *honoris causa*:

Doctor of Laws – LL.D.
Doctor of Medicine and Surgery – M.D.
Doctor of Literature – D. Litt.
Doctor of Engineering – D.Eng.
Doctor of Science – D.Sc.

2. On the recommendation of the Senate, the Council may in its discretion order the conferment of a degree *honoris causa* on any person whom it may deem worthy of such a distinction.

3. The names of the holders of degrees *honoris causa* shall be included in the University Calendar.

Statute 4 — THE MATRICULATION EXAMINATION**4.1 General**

1. There shall be a Matriculation Examination, normally held at two levels: Ordinary (M) and Advanced (AM).
2. In each year there shall be two sessions of the Matriculation Examination.
3. The Matriculation Examination shall be under the control of a Matriculation Board appointed by the Senate.

4.2 The Matriculation Board

1. The functions of the Matriculation Board shall be:
 - (i) to make recommendations to the Senate for the provision of regulations required for the proper conduct of the examination;
 - (ii) to make recommendations to the Senate for the appointment of Boards of Examiners and for the setting of syllabuses;
 - (iii) to submit to the Senate a general report on the examinations held during the year;
 - (iv) to report and to make recommendations on matters referred to it by the Senate; and
 - (v) to conduct the Matriculation Examination in accordance with the Regulations made by the Senate.
2. (a) the Matriculation Board shall consist of eleven members as follows:
 - (i) a Chairman;
 - (ii) two members nominated by the Senate;
 - (iii) two members nominated by the Faculty Board of Arts;
 - (iv) two members nominated by the Faculty Board of Science;
 - (v) one member nominated by the Faculty Board of Education;
 - (vi) one member nominated by the Faculty Board of Management Studies;
 - (vii) two members nominated by the Ministry of Education, one in the Arts and one in the Science fields.
- (b) The number of members required to form a quorum shall be six.
- (c) Members shall be appointed for a term of up to three years. An out-going member may be re-appointed.

4.3 Regulations and Syllabuses

Regulations made by Senate for the Matriculation Examination, and the syllabuses for each subject, shall normally be published two years before the date of the examination to which they refer.

Statute 5 — SCHOOL LEAVING EXAMINATION IN RELIGIOUS KNOWLEDGE

5.1 General

1. There shall be a School Leaving Examination in Religious Knowledge, held at two levels: Ordinary and Advanced.

2. In each year there shall be two sessions of the Examination.

3. The Examination shall be under the control of a Committee appointed by the Senate for the purpose.

5.2 School Leaving Religious Knowledge Examination Committee

1. The School Leaving Religious Knowledge Examination Committee shall consist of five members as follows:

- (a) a Chairman, appointed by the Senate, and
- (b) one member nominated by each of the following:
 - (i) the Board of the Faculty of Theology;
 - (ii) the Episcopal Conference;
 - (iii) the Government Department of Education;
 - (iv) the Private Schools Association.

2. The number of members required to form a quorum shall be three.

3. The functions of the Examination Committee shall be:

(a) to conduct the examination in accordance with the Regulations made by the Senate;

(b) to make recommendations to the Senate regarding Regulations required for the proper conduct of the examination;

(c) to make recommendations to the Senate for the appointment of Boards of Examiners;

(d) to submit to the Senate, by the end of March, a general report on the two sessions of the Examination held during the previous twelve months.

5.3 Regulations and Syllabuses

Regulations made by the Senate for the School Leaving Examination in Religious Knowledge and the syllabuses shall normally be published two years before the date of the examination to which they refer.

Statute 6 — THE PRINCIPAL AND OTHER OFFICERS OF THE UNIVERSITY**6.1 The Principal Officers**

1. The Principal Officers of the University are:

- the Chancellor
- the Pro-Chancellor
- the Rector
- the Pro-Rector
- the Secretary
- the Deans of the Faculties

2. **The Chancellor**

(as in section 28 subsections (3)-(5) of the Education Act, 1988)

3. **The Pro-Chancellor**

(as in section 28 subsections (6)-(9))

4. **The Rector**

(as in section 28 subsections (10)-(11) and section 36)

5. **The Pro-Rector**

(as in section 28 subsection (12))

6. **The Secretary**

(as in section 28 subsection (13))

The Secretary shall:

- (a) keep the University seal;
- (b) countersign the University's awards, certificates and diplomas;
- (c) act as secretary to Council;
- (d) assist the Rector in the discharge of his duties and execute his instructions;
- (e) administer and manage, under the direction of the Rector, the day to day affairs of the University, its personnel and its movable, immovable and other assets;
- (f) attend meetings of the Senate, Faculty Boards and other Committees of governing bodies of the University and of the institutes and other entities established by it;
- (g) execute, under the direction of the Rector, decisions taken by the Council, Senate and Faculty Boards, and, where applicable, those of institutes and other entities established by the University;
- (h) carry out such other duties as may be called for by the exigencies of the University.

7. **The Dean of a Faculty**

(as in section 28 subsection (14))

6.2 The Other Officers of the University

1. There shall be a Registrar, Finance Officer, Librarian and such other officers as the Council may from time to time determine. Such officers shall be responsible to the Rector for the day to day administration of their respective functions.

2. The Registrar

The Registrar shall:

- (a) assist the Rector in the day to day academic administration of the University, and be responsible for the execution of his instruction, reporting through the Secretary;
- (b) keep a complete record of the diplomas and certificates issued by the University;
- (c) act as secretary to the Senate and, directly or through a delegate, to the Boards of the Faculties;
- (d) be responsible for the records of all examinations held by the University and for the proper safekeeping of such records, and for keeping up-to-date copies of the Statutes, Regulations and Bye-Laws;
- (e) keep the rolls of the members of the Council, of the Senate, of the Faculty Boards, of teachers, of examiners, and of students;
- (f) keep a record of the academic activities of each student;
- (g) be responsible, after consultation with the Deans of the Faculties, for the proper arrangements of the time-tables;
- (h) carry out such other duties as may be called for by the exigencies of the University;
- (i) in the absence of the Secretary, carry out all or part of the duties of the Secretary when instructed to do so by the Rector.

3. The Librarian

The Librarian shall be entrusted with the administration of the Library and shall be answerable to the Library Committee for the observance of its Rules and Regulations.

The Librarian shall:

- (a) be responsible for the proper cataloguing of books, both by author and by subject, for their maintenance and safe-keeping, and for the return of books issued on loan;
- (b) assist students in their research work;
- (c) undertake all correspondence concerning the Library;
- (d) keep a list of all visual and other aids available for teaching purposes and control the loan of such material in accordance with the relevant regulations;
- (e) present a report to the Library Committee on the working of the Library at the end of each academic year.

4. **The Finance Officer**

The Finance Officer shall assist the Rector in the day to day financial management of the University, reporting through the Secretary.

In particular, the Finance Officer shall:

- (a) prepare
 - (i) the annual estimates of revenue and expenditure;
 - (ii) the annual comparative statement of revenue and expenditure;
 - (iii) the annual balance sheet and statement of accounts;
- (b) be responsible for the collection of revenue and moneys due to the University;
- (c) exercise immediate control over expenditure out of approved provisions;
- (d) maintain adequate accounting systems embracing the whole of the financial operations of the University;
- (e) be responsible for all ordering and purchasing and for the control of stores and inventories;
- (f) carry out such internal auditing and control as he deems necessary;
- (g) in conjunction with the Rector or the Secretary, countersign bills of exchange, cheques, bank drafts, letters of credit and all other banking, financial and commercial documents, subject to any restrictions made by the Council;
- (h) discharge such other duties as may be called for by the exigencies of the University.

5. **Other Appointments: The Auditor**

(1) The Council shall from time to time appoint a fit and proper person, in the active practice of his profession, to be an auditor who shall hold office for a specified time but who may be re-appointed.

(2) Acceptance of office by an auditor shall be deemed to carry with it an undertaking to the Council that, in any accounts passed and every certificate issued by him, he has satisfied himself, by every reasonable means within his power, as to the facts and circumstances of each given case, and that after the exercise on his part of due professional skill, the statements in the certificates are true and accurate and any accounts certified or passed are complete, true and accurate, in each case to the best of his belief.

(3) The auditor shall make in person, or cause to be made by competent persons duly authorised by him in writing and in respect of whom he shall assume responsibility, surprise visits and inspections at any time chosen by himself, and shall forthwith report the result thereof in writing to the Council through the Rector. He shall likewise submit a report annually, or as directed by the Council from time to time.

Statute 7 — ACADEMIC APPOINTMENTS AND PROMOTIONS

7.1 Appointments to academic posts

1. Appointments to academic posts shall be made in the grades of professor, associate professor, senior lecturer or lecturer, or in any other grades approved by Council on the recommendation of Senate, according to the qualifications of the persons being appointed.

2. Posts may be advertised for appointments within specified grades.

3. An appointment to an academic post shall be made by Council on the recommendation of a Selection Board composed as follows:

the Rector, who shall be chairman;

three academic members appointed by Senate, normally including the head of department concerned (or, in the case of a post specifically intended only for an institute, the director of that institute) and another head of department from outside the Faculty;

one member of Council not in the employment of the University appointed annually by the Council to be a member of all Selection Boards for posts in the Faculty concerned.

7.2 Promotion of Academic Staff

1. Once a year, normally during March/April, applications from academic staff for promotion shall be considered by a Promotions Board consisting of:

the Rector, who shall be chairman;

three members appointed annually by Senate normally from amongst the Deans and the Heads of Departments;

one member of Council not in the employment of the University appointed annually by Council.

2. The Rector may propose any member of the staff for consideration by the Promotions Board at its annual meeting or, in exceptional circumstances, at any other time during the year.

7.3 General

1. In making its recommendations to Council a Selection/Promotions Board shall keep the following considerations in view:

(a) lecturers should have qualifications at doctoral level;

(b) senior lecturers should have at least five years experience as lecturers during which they have creditably carried out all aspects of their duties;

(c) associate professors should have distinguished themselves by solid contributions to knowledge and to university affairs in general;

(d) professors should have an established reputation amongst their peers as authorities in their field of learning.

2. Before recommending any person for appointment or promotion to the grade of professor, a Selection Board or a Promotions Board, as the case may be, shall seek the expert advice of two independent academics in the same field of learning.

3. No academic member of staff may be a member of a Selection Board or a Promotions Board which is considering appointments or promotions to grades above the member's own.

Statute 8 — NON-ACADEMIC APPOINTMENTS AND PROMOTIONS

1. Appointments to non-academic posts shall be made by Council on the recommendation of Selection Boards appointed by Council.

2. Each Selection Board shall be composed as follows:

the Rector, or his delegate, who shall be chairman;

three members appointed by Council, of whom one shall be an academic member on Council and one a senior officer in the administration;

one member of Council not in the employment of the University, appointed by Council.

3. Candidates for appointment to particular posts may be required to take written and/or practical tests and to attend for an interview as appropriate. Information about such tests and interviews shall be included in the call for applications.

Statute 9 — APPOINTMENT OF EXAMINERS

1. Examiners shall be appointed by the Council after considering the recommendations of the Senate.

2. Examiners shall normally be appointed for one academic year.

3. Out-going examiners may be re-appointed.

Statute 10 — OFFICIAL PUBLICATIONS

1. The official publications of the University shall be:

The University Calendar
The University Gazette

and such other publications as the Council may from time to time determine.

2. The Calendar shall be published each year. The Calendar shall include:

(a) the statutes, the regulations, and such other subsidiary legislation as are of general application; and

(b) lists of: the principal and other officers of the University; the members of the Council, the Senate, the Faculty Boards and any other statutory Boards; members of the academic staff, Emeritus Professors and honorary graduates; the persons who received degrees or diplomas during the preceeding academic year.

3. The University Gazette shall be published at least four times a year. Supplements to the Gazette may be published either at the same time as the Gazette or separately.

4. Any new statutes, regulations or other subsidiary legislation, and any amendment thereof, shall be published in a supplement to the Gazette not later than one month after they come into force.

Statute II — INSTITUTE FOR ENERGY TECHNOLOGY

1. There is hereby established an Institute for Energy Technology at the University of Malta.

2. The aims of the Institute shall be:

(a) to assist in the development of national energy plans through studies in the use of new or renewable energy sources and methods of energy conservation;

(b) to originate and participate in teaching programmes and research projects in the field of energy technology;

(c) to disseminate appropriate methods and techniques relevant to the Institute's area of interest;

(d) to design equipment adapted to local conditions.

3. The Institute shall be governed by a Board.

(a) The Board will consist of the following:

Chairperson: Rector or his deputy.

Vice-Chairperson: Director of the Institute.

A person appointed by the Council of the University for three years.

Two persons appointed by the Senate of the University for three years.

Four scholars of repute to be appointed by co-option.

(b) The functions of the Board shall be the following:

(i) determining the policy of the Institute with regard to the objectives stated above;

(ii) overseeing the financial administration of the Institute;

(iii) ensuring the collaboration with other bodies, local and foreign, necessary for achieving the aims of the Institute.

4. The Institute will have a Director and Staff:

- (a) the Director, appointed by the Council of the University, for a period of three years following a call for applications;
- (b) other academic members, appointed by the Council of the University on the recommendations of the Board;
- (c) administrative and clerical staff as the Board may appoint.

5. The Finance Officer of the University will be the Treasurer of the Institute. The Director will prepare the annual budget of the Institute and submit it to the Board for approval. The Director will also submit a financial statement and an annual report on the activities of the Institute.

6. Amendments to this Statute may be proposed by the Board for the approval of the Council of the University.

Statute I2 — INSTITUTE FOR ANGLO-ITALIAN STUDIES

1: There is hereby established an Institute for Anglo-Italian Studies at the University of Malta.

2. The aims of the Institute shall be:

- (a) the conduct of research in the field of Anglo-Italian cultural relations, with special reference to literature and language;
- (b) the holding of international conferences, seminars and similar meetings on topics in the area of interest of the Institute;
- (c) the organising of diploma and degree courses in Anglo-Italian studies, subject to the Statutes and Regulations of the University;
- (d) the issuing of a journal and other publications.

3. The Institute shall be governed by a Board.

(a) The Board will consist of the following:

Chairperson: Rector or his deputy,
 Vice-Chairperson: Director of the Institute,
 A person appointed by the Council of the University for three years,
 Two persons appointed by the Senate of the University for three years,
 Four scholars of repute to be appointed by co-option.

(b) The functions of the Board shall be the following:

- (i) determining the policy of the Institute with regard to the objectives stated above;
- (ii) overseeing the financial administration of the Institute;

(iii) ensuring the collaboration with other bodies, local and foreign, necessary for achieving the aims of the Institute.

4. The Institute will have a Director and Staff:

(a) the Director, appointed by the Council of the University, for a period of three years following a call for applications;

(b) other academic members, appointed by the Council of the University on the recommendations of the Board;

(c) administrative and clerical staff as the Board may appoint.

5. The Finance Officer of the University will be the Treasurer of the Institute. The Director will prepare the annual budget of the Institute and submit it to the Board for approval. The Director will also submit a financial statement and an annual report on the activities of the Institute.

6. Amendments to this Statute may be proposed by the Board for the approval of the Council of the University.

Statute I3 — INSTITUTE OF HEALTH CARE

1. The Institute of Health Care is hereby appointed as an inter-Faculty institution within the University of Malta.

2. The aims of the Institute shall be:

(a) to provide degree and diploma courses in Health Care Sciences (such as in Nursing, Medical Technology, Speech Therapy) and allied areas, subject to the Statutes and Regulations of the University;

(b) to certify courses in Health Care provided by other Institutions if the standards attained are acceptable to it;

(c) to conduct research of both mono-disciplinary and a multi-disciplinary kind, with a focus on health care.

3. The Institute shall be governed by a Board.

(a) The Board will consist of the following:

Chairperson: Rector or his deputy;

Vice-Chairperson: Director of the Institute;

The Co-ordinators for each Programme of Studies;

The Research Co-ordinator (whose task is to co-ordinate the various research projects of the Institute);

Two members elected by and from the academic staff;

Two members elected by and from the students;

One member appointed by Council and one member appointed by Senate;

Two additional members may be co-opted by the Board.

(b) The Board shall have the power to:

(i) propose to the Senate Regulations, and to make and revoke Bye-Laws;

(ii) supervise the general direction of all academic matters, including programmes of study courses, qualifications for admission of students, examinations and grades;

(iii) propose the institution, suspension and abolition of academic and non-academic posts;

(iv) nominate the chairman chosen for submission to the Council;

(v) nominate Boards of Examiners;

(vi) nominate Co-ordinators to ensure the co-ordination of Programmes of Study.

4. The Institute will have a Director and Staff:

(a) the Director, appointed by the Council of the University, for a period of three years following a call for applications;

(b) other academic members, appointed by the Council of the University on the recommendations of the Board;

(c) administrative and clerical staff as the Board may appoint.

5. The Finance Officer of the University will be the Treasurer of the Institute. The Director will prepare the annual budget of the Institute and submit it to the Board for approval. The Director will also submit a financial statement and an annual report on the activities of the Institute.

6. Amendments to this Statute may be proposed by the Board for the approval of the Council of the University.

Statute I4 — INSTITUTE OF LINGUISTICS

1. There is hereby established an Institute of Linguistics at the University of Malta.

2. The aims of the Institute shall be:

(a) to promote and coordinate research in Linguistics, in the description of particular languages (especially those represented by Departments in the Faculty of Arts), and in applied linguistics (including especially relevant activities in the Faculty of Education);

(b) to develop contacts and cooperation with interested local bodies outside the University working within the field of language and speech impairment;

(c) to promote the use of the Language Laboratory as an aid in the teaching of foreign languages both to the University and non-University students;

(d) to develop international contacts with similar University institutions abroad, especially those with an interest in the Mediterranean heritage;

(e) to run degree and diploma courses in Linguistics subject to the Statutes and Regulations of the University.

3. The Institute shall be governed by a Board:

(a) The Board will consist of the following:

Chairperson: Rector or his deputy,
Vice-Chairperson: Director of the Institute,
A person appointed by the Council of the University for three years,
Two persons appointed by the Senate of the University for three years,
Four scholars of repute to be appointed by co-option.

(b) The functions of the Board shall be the following:

(i) determining the policy of the Institute with regard to the objectives stated above;

(ii) overseeing the financial administration of the Institute;

(iii) ensuring the collaboration with other bodies, local and foreign, necessary for achieving the aims of the Institute.

4. The Institute will have a Director and Staff:

(a) the Director, appointed by the Council of the University, for a period of three years following a call for applications;

(b) other academic members, appointed by the Council of the University on the recommendations of the Board;

(c) administrative and clerical staff as the Board may appoint.

5. The Finance Officer of the University will be the Treasurer of the Institute. The Director will prepare the annual budget of the Institute and submit it to the Board for approval. The Director will also submit a financial statement and an annual report on the activities of the Institute.

6. Amendments to this Statute may be proposed by the Board for the approval of the Council of the University.

Statute 15 — CENTRE FOR DISTANCE LEARNING

1. There is hereby established a Centre for Distance Learning at the University of Malta.

2. The aims of the Centre shall be:

(a) the promotion of several Distance Learning projects that should help to satisfy the growing demand for wider higher educational access that cannot be met by traditional on-campus courses;

- (b) utilizing academic resources and technical expertise so that, together with other Distance Learning centres and universities, it will research innovative methods to foster adequate systematic study of various subjects and disciplines;
- (c) providing opportunities for the acquisition of marketable skills for people whose work or family commitments prevent them from following conventional day or evening courses;
- (d) developing structured programmes that may lead to the granting of a Diploma or Degree of the University of Malta.

3. The Centre shall be governed by a Board.

- (a) the Board will consist of the following:

Chairperson: Rector or his deputy,
 Vice-chairperson: Director of the Centre,
 A person appointed by the Council of the University for three years,
 Two persons appointed by the Senate of the University for three years,
 Four scholars of repute to be appointed by co-option.

- (b) The functions of the Board shall be the following:

- (i) determining the policy of the Centre with regard to the objectives stated above;
- (ii) overseeing the financial administration of the Centre;
- (iii) ensuring the collaboration with other bodies, local and foreign, necessary for achieving the aims of the Centre.

4. The Centre will have a Director and Staff:

- (a) the Director, appointed by the Council of the University, for a period of three years following a call for applications;
- (b) other academic members, appointed by the Council of the University on the recommendations of the Board;
- (c) administrative and clerical staff as the Board may appoint.

5. The Finance Officer of the University will be the Treasurer of the Centre. The Director will prepare the annual budget of the Centre and submit it to the Board for approval. The Director will also submit a financial statement and an annual report on the activities of the Centre.

6. Amendments to this Statute may be proposed by the Board for the approval of the Council of the University.

B — REGULATIONS AND BYE-LAWS

ROI — ADMISSION REGULATIONS

1.1 Admission to the University

Admission to the University shall be allowed only in accordance with the relevant statutes and regulations.

1.2 Entry Requirements for the Various Courses

1. Regulations for a course may include special Entry Requirements which have to be satisfied before admission to that course.

2. *Entry Requirements for 1988 and 1989*

Notwithstanding the Entry Requirements in the Regulations for the various courses, the requirements for Entry to Degree and Diploma Courses and the Foundation Studies Courses starting in October 1988 and October 1989 shall be as in the documents:

Requirements for October 1988
Entry to Degree Courses and
The Foundation Studies Course

Requirements for October 1989
Entry to Degree Courses and
The Foundation Studies Course

RO2 — UNIVERSITY EXAMINATIONS

2.1 General Provisions

1. The subjects of the examinations shall be those prescribed in the relevant regulations.

2. Unless otherwise provided in the regulations for a particular course:

(i) examinations shall be held in two sessions: normally in June and in September;

(ii) candidates shall be required to complete their examinations for the particular academic year in these two sessions;

(iii) if a candidate is absent in one or more subjects in any session other than a June session for a reason considered by the Senate to be valid and beyond his control, and there is no regular session of the same examination within the next twelve months, he shall be allowed instead to sit for such subject or subjects at a special session.

(See also Transitory Provisions below).

2.2 Boards of Examiners

1. There shall be a Board of Examiners for each subject of examination.
2. (a) The Board of Examiners shall normally be composed of the head of the department, or the co-ordinator of the area of studies which provides the main part of the tuition, as chairman, and of two other examiners; provided that the Senate, on the advice of the Faculty Board concerned, may recommend to Council to increase the number of examiners in any particular subject.

(b) Where the Senate considers it appropriate, Additional Examiners shall be appointed for specific parts of the examination. Such Additional Examiners shall participate in the deliberations of the Board of Examiners but only insofar as they concern those parts of the examination in which they were involved.

(c) External Examiners, where appointed, shall be additional to the normal complement of the Board of Examiners.

(d) A teacher who is not a member of the Board of Examiners may be required by the Board to assist them in any part of the examination in the subject he teaches.

(e) Where appropriate a Faculty Board may appoint a moderator of examinations, assisted by a sub-committee, to consolidate the results in different subjects.
3. (a) A member of a Board of Examiners shall be disqualified from examining:
 - (i) if he is related to a candidate by consanguinity or by affinity to the third degree inclusive;
 - (ii) if he has been, at any time during the academic year to which the examination refers, a guardian of a candidate or has given private tuition in the subject of examination.
(b) The Rector, after consultation with the Dean of the Faculty concerned, shall appoint another examiner in place of the member who is so disqualified.
4. If, prior to the commencement or during the course of an examination, the Rector is satisfied that a member of a Board of Examiners is unable to perform or to continue to perform his duties, he shall, after consultation with the Dean of the Faculty concerned, appoint another examiner in place of that member.

5. Where the examiner who is replaced in terms of paragraphs 3 or 4 above is the chairman of the Board of Examiners, the Rector shall appoint a new chairman who must be the head of another department within the same Faculty or a lecturer from the Department concerned, and such substitute examiners as may be necessary.

2.3 Procedures for Boards of Examiners

1. Subject to the provisions of these regulations and to any guidelines made by the Senate, the Board of Examiners shall determine the procedures to be adopted for the conduct of the examination:

Provided that each member of the Board shall participate in at least a part of the examination of every candidate.

2. The Board of Examiners, in judging the merits of candidates, may take into account not only their performance during the examination but also their work in the subject during the course.

3. Decisions of the Board of Examiners shall be made by a majority of votes. No examiner shall be at liberty to abstain from voting. In the case of an equality of votes the chairman shall have and shall cast a second vote:

Provided that it shall be in order for the chairman to consider a matter as having been decided by the Board if the general consensus among the members appears to be in favour of such decision and no vote is asked for:

Provided also that if an External Examiner is unable to take part in the final deliberations of the Board because of his being abroad it shall be lawful for the other members of the Board to make decisions in his absence so long as any views he may have expressed in writing are taken into consideration and the final decision is acceptable to him.

4. The members of Boards of Examiners shall treat as confidential everything connected with their proceedings.

2.4 Examinations involving more than one subject

When the regulations of a course require that the results of an Examination involving more than one subject be published as a whole, the procedures adopted for arriving at such a result shall take into account any guidelines issued by the Senate for this purpose.

2.5 Re-Admission to Courses and Re-Sits: Transitory Provisions

(applicable only to courses which started in or before October 1987 other than B.A. and B.Sc. courses)

1. A candidate who has been satisfactorily assessed in his course-work shall be allowed by the Faculty Board to repeat an examination in which he fails or to repeat the year in which he fails. Under this provision a candidate may have only one re-sit examination per year and one repeat year.

2. Assessment carried out in any year will take consideration of course-work (including laboratory work) and marks obtained in tests/examinations.

RO3 — THE MATRICULATION EXAMINATION

Regulations for 1988 and 1989

The regulations for the sessions of the Matriculation Examination to be held in 1988 and 1989 shall be the bye-laws already published for 1988 and 1989 with the following verbal changes:

- (i) replace "Bye-Laws" by "Regulations" in the main sub-heading and in paragraph 1.3;
- (ii) replace "rules" by "regulations" in paragraph 7.2(b);
- (iii) delete "made in terms of Statute 2.III" from the sub-heading.

[NOTE: The syllabuses remain as published.]

RO5 — SCHOOL LEAVING EXAMINATION IN RELIGIOUS KNOWLEDGE

Regulations for 1988 and 1989

The regulations for the sessions of the School Leaving Examination in Religious Knowledge to be held in 1988 and 1989 shall be the bye-laws already published for 1988 and 1989 with the following verbal changes:

- (i) replace "Bye-Laws" by "Regulations" in the main sub-heading and in paragraphs 1.3 and 3.2;
- (ii) replace "rules" by "regulations" in paragraph 8.2(6);
- (iii) delete "in terms of STATUTE 2.IV" from the sub-heading.

(NOTE: The syllabuses remain as published).

Passed by the House of Representatives at Sitting No. 135 of the 27th July, 1988.

JIMMY FARRUGIA
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives