

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,565, 29 ta' April, 2016

Taqsima C

Nru. 150

29. 04. 2016

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Carmelo Abela, M.P., Ministru għall-Intern u s-Sigurtà Nazzjonali, u moqri għall-Ewwel darba fis-Seduta tat-12 ta' April, 2016.

A BILL introduced by the Honourable Carmelo Abela, M.P., Minister for Home Affairs and National Security, and read the First time at the Sitting of the 12th April, 2016.

ATT biex jipprovdi għat-twaqqif ta' Akkademja li tkun magħrufa bħala l-Akkademja għat-Taħriġ tal-Membri tal-Forzi Dixxiplinati biex tipprovdi prinċipalment taħriġ lill-uffiċjali tal-ingaġġ u l-membri tal-Forzi Armati ta' Malta, il-membri tal-Korp tal-Pulizija ta' Malta, l-Uffiċjali tal-Ħabs u l-Uffiċjali tal-Protezzjoni Ċivili, u għal hwejjeg konsegwenzjali u ancillari għal dan.

AN ACT to provide for the establishment of an Academy to be known as the Academy for Training of Members of Disciplined Forces to mainly provide training to recruiting officers and members of the Armed Forces of Malta, members of the Malta Police Force, the Prisons Officers and the Civil Protection Officers, and to provide for matters consequential or incidental thereto.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jipprovdi għat-twaqqif ta' Akkademja li tkun magħrufa bħala l-Akkademja għat-Taħriġ tal-Membri tal-Forzi Dixxiplinati biex tippovdi prinċipalment taħriġ lill-uffiċjali tal-ingaġġ u l-membri tal-Forzi Armati ta' Malta, il-membri tal-Korp tal-Pulizija ta' Malta, l-Uffiċjali tal-Habs u l-Uffiċjali tal-Protezzjoni Ċivili, u għal ħwejjeg konsegwenzjali u ancillari għal dan.

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

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Taqsim I Preliminari

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2016 dwar l-Akkademja għal Korpi Dixxiplinati. Titolu fil-qosor u bidu fis-sehh.

(2) Dan l-Att għandu jidhol fis-sehh f'dik id-data li l-Ministru jista' b'avviż fil-Gazzetta jistabbilixxi, u dati differenti jistgħu jiġu

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hekk stabbiliti għal dispożizzjonijiet differenti ta' dan l-Att.

Tifsir.

2. F'dan l-Att, kemm-il darba r-rabta tal-kliem ma teħtieġ xorta oħra -

"Akkademja" tfisser l-Akkademja għal Korpi Dixxiplinati stabbilita bl-artikolu 3;

"Bord" tfisser il-Bord tal-Akkademja għal Korpi Dixxiplinati stabbilit bl-artikolu 5;

"Bord tal-Validazzjoni tal-Kwalità tal-Programm (VKP) tfisser il-bord li jissorvelja t-tħaddim effettiv ta programmi akkademici tal-Akkademja permezz ta' validazzjoni;

Kap. 411.

"Dipartiment tal-Protezzjoni Ċivili" tfisser il-Forza tal-Għajnuna u Salvataġġ stabbilita bl-artikolu 8 tal-Att dwar il-Protezzjoni Ċivili;

"edukatur" tfisser kwalunkwe persuna involuta direttament fil-forniment tat-tagħlim, istruzzjoni u t-tagħlim, lill-uffiċjali tal-ingaġġ, lill-membri tal-Forzi Armati ta' Malta, lill-Korp tal-Pulizija ta' Malta, lill-Uffiċjali tal-habs u lill-Uffiċjali tal-Protezzjoni Ċivili, jew kwalunkwe forza oħra li tista' tiġi indikata mill-Ministru;

Kap. 220.

"Forzi Armati ta' Malta" għandha l-istess tifsira mogħtija lilha skont l-artikolu 2 tal-Att dwar il-Forzi Armati ta' Malta;

"Gazzetta" tfisser il-Gazzetta tal-Gvern ta' Malta;

Kap. 164.

"Korp tal-Pulizija" tfisser il-Korp tal-Pulizija ta' Malta mwaqqaf bl-artikolu 3 tal-Att dwar il-Pulizija;

"korpi dixxiplinati" tfisser kwalunkwe membru tal-Forzi Armati ta' Malta, kwalunkwe membru tal-Korp tal-Pulizija ta' Malta, Uffiċjali tal-Habs, Uffiċjali tal-Protezzjoni Ċivili u kwalunkwe forza oħra kif jista' jiġi indikat mill-Ministru;

Kap. 327.

"kwalifika" għandha t-tifsira assenjata lilha bl-artikolu 63 tal-Att dwar l-Edukazzjoni;

"Malta" għandha l-istess tifsira kif mogħti lilha bl-artikolu 124 tal-Kostituzzjoni ta' Malta;

"Ministru" tfisser il-Ministru għall-Affarijiet Interni u tinkludi kull persuna jew awtorità awtorizzata mill-imsemmi Ministru għal dan il-għan jew hekk kif jista' jiġi preskritt;

"programm" għandha t-tifsira assenjata lilha fl-artikolu 63 tal-Att dwar l-Edukazzjoni;

Kap. 327.

"Qafas tal-Kwalifiki ta' Malta" għandha tinftiehem fil-kuntest tal-qafas nazzjonali għat-tagħlim tul il-ħajja u għandha l-istess tifsira mogħtija lilha bl-artikolu 63 tal-Att dwar l-Edukazzjoni;

Kap. 327.

"*trainee* tal-korpi dixxiplinati" kull membru ta' korp dixxiplinat li qed jiehu taħriġ, kemm jekk bhala uffiċjal tal-ingaġġ jew xort'ohra, jew kwalunkwe persuna ohra eliġibbli għal taħriġ mill-Akkademja skont id-dispożizzjonijiet ta' dan l-Att;

"Uffiċjal tal-Habs" għandha l-istess tifsira mogħtija lilha skont l-artikolu 2 tal-Att dwar il-Habs.

Kap. 260.

Taqsim II

Stabbiliment u Għanijiet tal-Akkademja

3. Għandu jkun hemm Akkademja, li għandha tkun magħrufa bhala "l-Akkademja għal Korpi Dixxiplinati", li għandha tkun awtonoma u li għandha tmexxi l-funzjonijiet relatati mal-impjegati tal-forzi dixxiplinati u mal-iżvilupp professjonali, kontinwu u t-taħriġ tat-*trainees* tal-korpi dixxiplinati.

Stabbiliment tal-Akkademja.

4. Il-funzjonijiet u d-dmirijiet tal-Akkademja għandhom jinkludu:

Funzjonijiet tal-Akkademja.

(a) il-provvediment ta' taħriġ ta' kwalità għolja relatat mal-formazzjoni professjonali u t-titjib tal-ħiliet, attitudnijiet u prattiċi li ser jiġu utilizati fil-ħajja professjonali ta' kuljum tal-korpi dixxiplinati u l-kuntesti tagħhom u jiġu kkunsidrati l-kuntesti differenti li jeżistu;

(b) l-implimentazzjoni ta' attivitajiet kontinwi ta' żvilupp professjonali konsistenti jew li jappoġġjaw il-politika tal-Gvern u l-oqsfa ta' taħriġ u formazzjoni edukattiva;

(ċ) il-ġestjoni, id-direzzjoni, l-organizzazzjoni u s-supervizjoni tal-edukaturi fit-twettiq tas-servizzi ta' taħriġ u formazzjoni tagħhom lill-korpi dixxiplinati li mbagħad jippreparaw u jipprovdu rapport lill-Bord tal-Akkademja għal Korpi Dixxiplinati, fuq is-servizzi ta' taħriġ u formazzjoni pprovdata mill-edukaturi;

(d) is-supervizjoni tal-edukaturi u l-irċevuta perjodika tar-rapporti bil-miktub dwar *trainees* tal-korpi dixxiplinati mill-edukaturi;

(e) il-provvediment ta' korsijiet u programmi ta'

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tagħlim, fosthom esperjenza ta' xogħol, li jwasslu għal kwalifiki rikonoxxuti skont il-Qafas tal-Kwalifiki ta' Malta fil-hiliet u professjonijiet li jistgħu jkunu meħtieġa għall-korpi dixxiplinati;

(f) it-twertiq ta' kull funzjoni oħra li hija relatata ma' jew anċillari għall-funzjonijiet msemmija hawn fuq u li jistgħu jiġu assenjati mill-Ministru minn żmien għal żmien.

Taqsim III

Kompożizzjoni, Funzjonijiet u Operat tal-Bord

Stabbiliment
tal-Bord.

5. (1) Għandu jkun hemm Bord li jkun magħruf bħala "il-Bord tal-Akkademja tal-Korpi Dixxiplinati" li jkun l-oghla korp governattiv tal-Akkademja. Il-Bord għandu jaqdi l-funzjonijiet mogħtija lilu taħt dan l-Att u funzjonijiet oħra kif jista' jiġi preskritt b'regolamenti magħmula taħt dan l-Att, jew skont xi ligi oħra, u għal dan l-iskop għandu jkun rappreżentat minn *Chairperson* li għandu jaġixxi f'ismu.

(2) Il-Bord għandu jkun magħmul minn disa' membri kif ġej:

(a) *Chairperson* li għandu jiġi appuntat mill-Ministru minn fost id-disa' membri;

(b) rappreżentant tal-Forzi Armati ta' Malta;

(c) rappreżentant tal-Korp tal-Pulizija;

(d) rappreżentant tal-Uffiċjali tal-Protezzjoni Civili;

(e) rappreżentant tal-Facilità Korrettiva ta' Kordin;

(f) rappreżentant tal-Università ta' Malta;

(g) rappreżentant tal-Kulleġġ tal-Arti, Xjenza u Teknoloġija (MCAST); u

(h) żewġ (2) membri appuntati mill-Ministru;

(3) Wieħed mill-membri tal-Bord għandu jservi bħala l-Viċi President tal-Bord skont l-hatra tal-Ministru. Meta l-President ikun imsiefer jew għal xi raġuni oħra, għal perjodu temporanju, ma jkunx jista' jaqdi l-funzjonijiet tiegħu, il-Viċi President għandu jaġixxi bħala President u għandu jwettaq il-poteri u d-dmirijiet tal-President.

(4) Il-membri tal-Bord għandhom jiġu appuntati mill-Ministru għal perjodu ta' tliet snin, iżda l-membri hekk maħtura għandhom

ikunu eligibbli għall-ħatra mill-ġdid fl-għeluq tal-perjodu tal-kariga tagħhom. Il-membri tal-Bord għandhom iservu fil-kapaċità personali tagħhom.

(5) Persuna ma tkunx kwalifikata li jkollha kariga ta' membru tal-Bord jekk dik il-persuna:

(a) tkun membru tal-Kamra tad-Deputati jew tal-Parlament Ewropew; jew

(b) tkun Imħallef jew Magistrat; jew

(ċ) tkun legalment interdetta jew inabilitata; jew

(d) tkun ħatja ta' reat kontra l-fiduċja pubblika, jew ta' serq jew frodi, jew tkun xjentement irċeviet proprjetà miksuba b'serq jew frodi, jew ta' korruzzjoni jew ta' ħasil tal-flus, jew tkun b'xi mod ieħor ġiet ikkundannata għal piena ta' prigunerija; jew

(e) tkun soġġetta għal skwalifika taht l-artikolu 320 tal-Att dwar il-Kumpanniji;

Kap. 386.

(f) ikollha xi interess finanzjarju jew interess ieħor f'xi impriza jew attività li x'aktarx taffettwa t-twertiq tal-funzjonijiet tagħha bħala membru tal-Bord:

Izda l-Ministru jista' jirrinunzja għall-iskwalifika taht dan il-paragrafu jekk din il-persuna tiddikjara l-interess, u dik id-dikjarazzjoni u r-rinunzja jiġu ppubblikati fil-Gazzetta.

(6) Bla ħsara għad-dispożizzjonijiet ta' dan l-artikolu, il-kariga ta' membru tal-Bord għandha ssir vakanti:

(a) meta jiskadi ż-żmien tal-kariga tal-membri;

(b) jekk il-membri jirreżenja; jew

(ċ) jekk jimmaterjalizza wiehed mix-xenarji msemmijin fis-subartikolu (4).

(7) Membru tal-Bord jista' jitneħħa mill-kariga mill-Ministru jekk, fl-opinjoni tal-Ministru, dak il-membri ma jkunx tajjeb biex ikompli f'dik il-kariga jew ikun sar inkapaċi li jwettaq sew dmirijietu bħala membru.

(8) Jekk membru jirriżenja jew jekk il-kariga ta' membru tal-Bord tkun mod ieħor vakanti jew jekk membru għal xi raġuni ma

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jkunx jista' jaqdi l-funzjonijiet tal-kariga tiegħu, il-Ministru jista' jahtar persuna li tkun kwalifikata li tkun mahtura biex tkun membru temporanju tal-Bord; u kull persuna hekk mahtura għandha, bla ħsara għad-dispożizzjonijiet tas-subartikoli (5) u (6), tiegħaf milli tkun membru meta persuna tkun giet mahtura biex timla l-vakanza jew, skont kif ikun il-każ, meta l-membri li ma setax jaqdi l-funzjonijiet tal-kariga tiegħu jkompli jwettaq dawk il-funzjonijiet.

Laqgħat tal-Bord.

6. (1) Il-Bord għandu jiltaqa' mill-inqas darba fix-xahar fil-post li jista' jiġi stabbilit għal dawn il-laqgħat.

(2) Il-*quorum* fil-laqgħat kollha tal-Bord għandu jkun hames membri tal-Bord inkluż l-uffiċjal li jipresjedi.

(3) Bla ħsara għad-dispożizzjonijiet ta' dan l-Att, il-Bord jista' jirregola l-proċedura tiegħu stess u jista' jappunta kumitati *ad hoc*.

(4) Bla ħsara għad-dispożizzjonijiet ta' qabel ta' dan l-artikolu, att jew proċediment tal-Bord għandu jkun validu minkejja kull vakanza fost il-membri tiegħu.

(5) Id-deċiżjonijiet tal-Bord għandhom jittieħdu b'maġġoranza tal-voti tal-membri preżenti u li jivvotaw. Fil-każ ta' voti ndaq, iċ-*Chairperson* jew id-*Deputy Chairperson* għandu jkollu vot deċiżiv.

(7) Ir-registratur tal-Akkademja jiġi mahtur segretarju *ex officio* sabiex iżomm il-minuti u rekords tal-laqgħat u tad-deċiżjonijiet.

Funzjonijiet u dmirijiet tal-Bord.

7. (1) Il-funzjonijiet u d-dmirijiet tal-Bord għandhom ikunu li:

(a) jiżviluppa d-direzzjoni, l-istrategija u l-immagni tal-Akkademja;

(b) jamministra u jikkontrolla r-rizorsi, faċilitajiet u proprjetà kemm mobbli u kif ukoll immobbli tal-Akkademja inkluż l-akkwist u l-użu ta' rizorsi għat-tmexxija tal-Akkademja;

(c) jassisti u jagħti parir lill-Kmandant biex jinkiseb livell ta' eċċellenza fl-*istandards* ta' korsijiet u programmi tal-Akkademja;

(d) jgħin lid-Direttur tal-Istudji sabiex jiżgura li l-Akkademja timxi mar-rekwiziti tal-Kummissjoni Nazzjonali għall-Edukazzjoni Għolja u tal-Kunsill Malti għall-Kwalifiki,

kif previst f'dan l-Att jew f'xi regolament magħmul taħtu u mal-politika u strategiji nazzjonali fl-edukazzjoni u s-sigurtà nazzjonali kif adottati mill-Gvern minn żmien għal żmien;

(e) jistabilixxi korsijiet u programmi b'konsultazzjoni mal-Kumitat tal-Akkademja;

(f) jiddetermina, b'mod konformi mar-rekwiżiti tal-Qafas tal-Kwalifiki ta' Malta, il-kundizzjonijiet għall-ammissjoni fil-programm jew kors provdut mill-Akkademja;

(g) jistabilixxi proċeduri xierqa għall-valutazzjoni u ċ-certifikazzjoni tal-ghalliema;

(h) johroġ linji gwida u jistabilixxi proċeduri li jikkonċernaw il-prestazzjoni u l-imġiba tal-istudenti, edukaturi u persuni oħra li ġew fdati sabiex jirrendu kull servizz fl-Akkademja, kemm jekk jaħdmu permezz ta' kuntratt indefinit jew kuntratt definit ta' servizz, jew kuntratt ta' servizz, jew jekk sekondati jew mislufin lill-Akkademja mill-gvern, entitajiet pubbliċi jew privati;

(i) johroġ linji gwida sabiex jistabilixxi regoli relatati ma' kwalunkwe kors jew programm provdut mill-Akkademja;

(j) jiżgura li l-livelli xierqa akkademiċi u ta' taħriġ xierqa huma miżmuma u żviluppati;

(k) jistabilixxi skemi interni tal-assigurazzjoni ta' kwalità kif meħtieġ skont dan l-Att jew b'xi regolament magħmul taħtu u proċeduri ta' verifika meħtieġa għall-operazzjonijiet tal-Akkademja; u

(l) jwettaq kwalunkwe funzjoni oħra assenjata lilu mill-Ministru minn żmien għal żmien.

(2) Il-Bord għandu wkoll japprova l-*curricula* u sillabi sottomessi mill-Kumitat tal-Akkademja u fejn jidhirlu xieraq, jerga jibgħat lura l-istess lill-Kumitat tal-Akkademja flimkien mal-parir tiegħu dwar kull emenda proposta.

(3) Il-Bord għandu jiżgura li ċ-certifikati tal-Akkademja huma rikonoxxuti kemm fuq livell nazzjonali u kif ukoll fuq livell internazzjonali, u li, fejn applikabbli, huma relatati mal-*standards* stabbiliti fil-Qafas tal-Kwalifiki ta' Malta.

(4) Il-Ministru jista' jagħmel regolamenti dwar il-proċeduri li għandhom jiġu adottati mill-Bord matul l-operat tiegħu.

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Il-Kumitat
Akkademiku.

8. (1) Il-Ministru għandu jahtar Kumitat Akkademiku magħmul minn *Chairperson* u erba' membri. Id-Direttur tal-Istudji jkun *ex officio* *Chairperson* tal-Kumitat Akkademiku. Membru wiehed għandu jkun elett minn fost il-persunal akkademiku fl-Akkademja, żewġ membri mahtura mill-Bord u membru wiehed mahtur mill-Ministru. Ir-Registatur tal-Akkademja jkun *ex officio* Segretarju tal-Kumitat Akkademiku.

(2) Il-Kumitat Akkademiku għandu jkun responsabbli għad-direzzjoni ġenerali tal-provvediment ta' programmi u korsijiet tal-Akkademja, u għandu jkollu l-funzjonijiet li ġejjin:

(a) li jipproponi lill-Bord, il-programmi u korsijiet li għandhom jiġu pprovduti mill-Akkademja, wara konsultazzjoni mal-partijiet interessati, dwar il-kurrikulu ta' tali programmi u korsijiet;

(b) biex jipproponi linji gwida tal-Bord dwar il-programmi u korsijiet ipprovduti mill-Akkademja, dokumentazzjoni u eżamijiet fl-Akkademja u biex jistabbilixxi dawk iċ-ċertiikati u distinzjonijiet għal dawk il-kandidati li jissodisfaw il-kundizzjonijiet applikabbli fi tmiem il-programmi u korsijiet;

(c) li jiddeċiedi dwar l-persuni li għandhom jingħataw iċ-ċertifikati u distinzjonijiet oħrajn;

(d) li jivverifika l-proċeduri ta' stima użati mill-Akkademja jkunu f'konformità mal-politika akkademika approvata tal-Akkademja;

(e) biex jistabbilixxi, bla ħsara għad-dispożizzjonijiet ta' dan l-Att u ta' kull regolament magħmul tahtu, il-kundizzjonijiet tad-dhul għall-programmi u korsijiet tal-Akkademja;

(f) li jinnomina eżaminaturi Maltin jew barranin skont il-linji gwida u proċeduri stabbiliti minn qabel, u jissottomettihom lill-Bord għall-approvazzjoni tiegħu;

(g) li jirrikonoxxi, fuq rakkomandazzjoni tal-awtoritajiet kompetenti, skont l-Att, dawk il-kwalifiki, ċertifikati u distinzjonijiet ta' fornituri tal-edukazzjoni oħrajn għall-iskop ta' aċċess fi programm jew kors fl-Akkademja; u

(h) sabiex jittratta dwar kull materja oħra li tirreferi għall-edukazzjoni u t-taħriġ u li tista' tinqala fl-amministrazzjoni tal-Akkademja.

(3) Il-Kumitat Akkademiku għandu jiltaqa' mill-inqas darba kull sitt ġimgħat u l-*quorum* għall-laqgħat għandu jkun ta' mhux inqas minn nofs in-numru tal-membri tal-Kumitat u wiehed.

Taqsimha IV

Uffiċjali u Impjegati tal-Akkademja

9. (1) Għandu jkun hemm Kmandant responsabbli għat- Kmandant. tmexxija kwotidjana tal-Akkademja.

(2) Il-Kmandant għandu jinħatar mill-Ministru wara konsultazzjoni mal-Bord għal perijodu ta' tliet snin u għandu jkun eliġibbli li jerġa' jinħatar fuq l-iskadenza tal-perjodu tal-kariga tiegħu skont l-istruzzjonijiet tal-Bord.

(3) Il-Kmandant għandu jipprovdi għall-ingaġġ ta' persunal akkademiku, klerikali u persunal ieħor tal-Akkademja.

(4) Il-Kmandant għandu jkollu d-dritt li jattendi l-laqgħat tal-Bord, mingħajr ma jkollu d-dritt għall-vot, bil-kundizzjoni li huwa għandu jirtira minn kull laqgħa fejn ikunu ser jiġu diskussi fatti li jikkonċernawh personalment.

10. (1) Għandu jkun hemm Direttur tal-Istudji li għandu Direttur tal-Istudji. jkun responsabbli għat-twaqqif tal-korsijiet, kurrikulum u l-aspetti akkademici kollha tal-Akkademja u għall-implimentazzjoni tal-funzjonijiet tal-Akkademja. Mingħajr preġudizzju għall-ġeneralità ta' dak imsemmi qabel, id-Direttur tal-Istudji għandu jiżviluppa dawn l-strategiji, politika u r-regolamenti meħtieġa għall-implimentazzjoni tal-għanijiet tal-Akkademja, jipprovdi informazzjoni u jaġħti pariri lill-Bord dwar kwalunkwe materja u jwettaq dmirijiet oħra kif jistgħu jiġu assenjati lill-Bord minn żmien għal żmien mill-Bord.

(2) Id-Direttur tal-Istudji għandu jinħatar mill-Ministru wara li jkun ikkonsulta lill-Bord skont dawk it-termini u kondizzjonijiet li l-Ministru u l-Bord jistgħu jstabbilixxu. Id-Direttur għandu jżomm il-kariga għal perjodu ta' tliet snin mill-1 ta' Jannar tas-sena li għaliha hu jkun appuntat u jista' jerġa' jiġi appuntat għal perjodi oħrajn.

(3) Id-Direttur tal-Istudji għandu jirrapporta lill-Bord u għandu jattendi l-laqgħat tal-Bord kull meta materji akkademici jkun diskussi jew kull meta jiġi mitlub li jaġħmel dan.

(4) L-affarijiet amministrattivi u eżekuttivi, l-organizzazzjoni tal-Akkademja u l-kontroll amministrattiv tal-impjegati tagħha, għandhom jaqgħu taħt ir-responsabbiltà tad-Direttur tal-Istudji kif previst f'dan l-Att u għandu jkun suġġett għas-supervizjoni tal-Bord.

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(5) Jekk il-kariga ta' Direttur tal-Istudji ssir vakanti matul il-perjodu tal-kariga minhabba mewt, rizenja, jew għal xi raġuni oħra, il-Bord għandu jinforma lill-Ministru malajr kemm jista' jkun prattikabbli u l-Ministru għandu jappunta persuna oħra biex timla' l-post vakanti u l-persuna hekk appuntata għandha tibqa' fil-kariga għall-bqija tal-perjodu tal-kariga tal-predeċessor tagħha:

Izda l-Akkademja, l-impjegati tagħha, u l-Bord għandhom jkomplu jaġixxu minkejja kull vakanza bħal din.

Kumitat
eżekuttiv ta'
ġestjoni.

11. (1) Għandu jkun hemm Kumitat Eżekuttiv ta' Ġestjoni tal-Akkademja li għandu jkun magħmul mill-persuni li ġejjin *ex officio*:

- (a) Il-kmandant;
- (b) id-Direttur tal-Istudji; u
- (ċ) il-Kap tal-Amministrazzjoni.

(2) Mingħajr preġudizzju għall-funzjonijiet u r-responsabbiltajiet tal-membri tal-Kumitat Eżekuttiv ta' Ġestjoni kif previst f'dan l-Att, il-Kumitat Eżekuttiv ta' Ġestjoni għandu jaħdem taht id-direzzjoni tal-Kmandant u għandu jkollu l-funzjonijiet li ġejjin:

(a) jikkonsulta mal-Kumitat Akkademiku biex jiżviluppa u jipproponi perjodikament lill-Bord il-pjan tal-iżvilupp tal-Akkademja;

(b) jiżgura li jkun hemm dialoġu u komunikazzjoni xierqa mal-Akkademja;

(ċ) jiżgura li l-politika, l-istrategġija u d-deċiżjonijiet adottati mill-Bord u mill-Kumitat Akkademiku jiġu implimentati;

(d) jiżgura li jkun kemm l-koordinazzjoni u l-funzjonament effettiv u effiċjenti tal-istrutturi, l-uffiċjali tad-dipartiment u l-impjegati tal-Akkademja;

(e) jiżgura li jiġu applikati l-miżuri kollha neċessarji, inklużi proċeduri dixxiplinarji u l-proċess ta' verifika u assigurazzjoni tal-kwalità tal-operazzjonijiet kollha fi ħdan l-Akkademja; u

(f) jwettaq kull funzjoni oħra li tista' tiġi assenjata mill-Kmandant lill-Kumitat Eżekuttiv ta' Ġestjoni.

(3) Il-Kumitat Eżekuttiv ta' Ġestjoni għandu jkollu l-laqgħat bil-minuti fuq bażi regolari kif indikat mill-Bord skont ir-rekwiżiti ta' kuljum tal-Akkademja.

12. (1) Iċ-*Chairperson* tal-Bord, wara konsultazzjoni mad-Direttur tal-Istudji, għandu jipprovdi għall-ingaġġ tal-edukaturi tal-Akkademja. Edukaturi.

(2) L-edukaturi għandhom:

(a) jipprovdu taħriġ ta' kwalità għolja relatata mal-formazzjoni professjonali u t-titjib tal-hiliet, attitudnijiet u l-prattiċi li ser jiġu utilizzati fil-hajja professjonali ta' kuljum tal-korpi dixxiplinati u l-kuntesti tagħhom b'konsiderazzjoni tal-kuntesti differenti li jeżistu;

(b) jippreparaw u jipprovdu rapporti perjodiċi lill-Akkademja fuq is-servizzi ta' taħriġ u formazzjoni pprovduti lit-*trainees* tal-korpi dixxiplinati;

(ċ) jippreparaw u jipprovdu rapporti perjodiċi lill-Akkademja fuq l-imġiba, il-kondotta u l-progress edukattiv u akkademiku u l-livell tat-*trainees* tal-korpi dixxiplinati;

(d) jirrapportaw kwalunkwe kondotta mhux xierqa jew mhux mixtieqa u, jew l-imġiba tat-*trainees* tal-korpi dixxiplinati lill-Akkademja; u

(e) iwettqu kwalunkwe funzjoni oħra li hija relatata ma' jew anċillari għall-funzjonijiet imsemmija hawn fuq u kif jista' jiġi assenjat mill-Akkademja minn żmien għal żmien.

Taqsim V

Setgħa għall-għemil ta' Regolamenti

13. Il-Ministru jista' jagħmel regolamenti sabiex jagħti effett lid-dispożizzjonijiet ta' dan l-Att u għall-ahjar twettiq ta' kull wahda mill-funzjonijiet taħt dan l-Att. Setgħa għall-għemil ta' regolamenti.

Taqsim VI

Thassir

14. It-Taqsim VI tal-Att dwar il-Pulizija hi b'dan mhassra, mingħajr ħsara għal dak kollu li sar jew li naqas milli jsir tatha. Thassir tat-Taqsim VI tal-Att dwar il-Pulizija. Kap. 164.

Ghanijiet u Raġunijiet

L-għanijiet ta' dan l-Abbozz ta' Ligi huma sabiex jipprovdi għat-twaqqif ta' Akkademja li tkun magħrufa bħala l-Akkademja għat-Taħriġ tal-Membri tal-Forzi Dixxiplinati biex jipprovdu taħriġ lill-uffiċjali tal-ingaġġ, il-membri tal-Forzi Armati ta' Malta, il-membri tal-Korp tal-Pulizija ta' Malta, l-Uffiċjali tal-Ħabs u l-Uffiċjali tal-Protezzjoni Ċivili.

**A BILL
entitled**

AN ACT to provide for the establishment of an Academy to be known as the Academy for Training of Members of Disciplined Forces to mainly provide training to recruiting officers and members of the Armed Forces of Malta, members of the Malta Police Force, the Prisons Officers and the Civil Protection Officers, and to provide for matters consequential or incidental thereto.

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

ARRANGEMENT OF THE ACT

		Articles
Part I	Preliminary	1 - 2
Part II	Establishment and Objectives of the Academy	3 - 4
Part III	Composition, Functions and Operations of the Board and Academy Committee	5 - 8
Part IV	Officers and employees of the Academy	9 - 12
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Part I
Preliminary

1. (1) The short title of this Act is the Academy for Disciplined Forces Act, 2016. Short title and commencement.

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

2. In this Act, unless the context otherwise requires - Interpretation.

"Academy" means the Academy for Disciplined Forces

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established by article 3;

Cap. 220. "Armed Forces of Malta" shall have the same meaning assigned to it under article 2 of the Malta Armed Forces Act;

"Board" means the Academy for Disciplined Forces Board established by article 5;

Cap. 411. "Department of Civil Protection" means the Rescue and Assistance Force established by article 8 of the Civil Protection Act;

"disciplined forces" means any member of the Armed Forces of Malta, any member of the Malta Police Force, Prisons Officers, Civil Protection Officers or any other force as may be indicated by the Minister;

"disciplined forces trainee" means any member of a disciplined force who is undergoing training, whether as recruiting officer or otherwise, or any other person eligible for training by the Academy in accordance with the provisions of this Act;

"educator" means any person directly involved in the provision of teaching, instruction and learning, to recruiting officers, members of the Armed Forces of Malta, the Malta Police Force, Prisons Officers and Civil Protection Officers or any other force as may be indicated by the Minister;

"Gazette" means the Malta Government Gazette;

"Malta" has the same meaning as is assigned to it by article 124 of the Constitution of Malta;

Cap. 327. "Malta Qualifications Framework" shall be construed within the context of the national framework for lifelong learning and has the same meaning assigned to it by article 63 of the Education Act;

"Minister" means the Minister responsible for Home Affairs and includes any person or authority authorised by the said Minister in that behalf or as may be prescribed;

Cap. 164. "Police Force" means the Malta Police Force established under article 3 of the Police Act;

Cap. 260. "Prisons Officer" shall have the same meaning assigned to it under article 2 of the Prisons Act;

Cap. 327. "programme" has the meaning assigned to it by article 63 of the Education Act;

"Programme Quality Validation Board (PQVP)" means the board to oversee the effective operation of the Academy's academic programmes through validation;

"qualification" has the same meaning assigned to it by article 63 of the Education Act.

Cap. 327.

Part II

Establishment and Objectives of the Academy

3. There shall be an Academy, to be known as the "Academy for Disciplined Forces", which shall be autonomous and which shall carry out functions related to employees of disciplined forces and to continuous professional development and training of disciplined forces trainees.

Establishment of the Academy.

4. The functions and duties of the Academy shall include:

Functions of the Academy.

(a) the provision of high quality training related to the professional formation and enhancement of skills, attitudes and practices that will be utilised in the daily professional lives of the disciplined forces and their contexts taking into account the diverse contexts that exist;

(b) the implementation of continuous professional development activities consistent with or in support of the Government policies and training and educational formation frameworks;

(c) the management, direction, organisation and supervision of educators in the discharge of their training and formation services to the disciplined forces who will then prepare and provide reports to the Academy for Disciplined Forces Board upon the training and formation services provided by the educators;

(d) the supervision of educators and the periodical receipt of written reports on disciplined forces trainees from the educators;

(e) the provision of courses and programmes of learning including work experience that lead to recognised qualifications in accordance with the Malta Qualifications Framework in skills and professions as may be necessary for the disciplined forces; and

(f) the carrying out of any other function which is related to or ancillary to the above and as may be assigned by

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the Minister from time to time.

Part III

Composition, Functions and Operations of the Board

Establishment
of the Board.

5. (1) There shall be a Board to be known as the "Academy for Disciplined Forces Board" which shall be the highest governing body of the Academy. The Board shall discharge the functions conferred to it by this Act and such other functions as may be prescribed by regulations made under this Act, or by or under any other law, and for this purpose shall be represented by the Chairperson who shall act on its behalf.

(2) The Board shall be composed of nine members as follows:

(a) a Chairperson who shall be appointed by the Minister from amongst the nine members;

(b) a representative of the Armed Forces of Malta;

(c) a representative of the Police Force;

(d) a representative of the Civil Protection Officers;

(e) a representative of the Corradino Correctional Facility;

(f) a representative of the University of Malta;

(g) a representative of the Malta College of Arts, Science and Technology (MCAST); and

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

(3) One of the Members of the Board shall serve as the Deputy Chairperson of the Board pursuant to the Minister's appointment. When the Chairperson is abroad or for any other reason, for a temporary period, is unable to perform his functions, the Deputy Chairperson shall act as Chairperson and shall perform the powers and duties of the Chairperson.

(4) The members of the Board shall be appointed by the Minister for a term of three years, but the members so appointed shall be eligible for re-appointment on the expiration of their term of office. The members of the Board shall serve in their personal capacity.

(5) A person shall not be qualified to hold office as a member

of the Board if that person:

(a) is a member of the House of Representatives or of the European Parliament; or

(b) is a Judge or Magistrate; or

(c) is legally interdicted or incapacitated; or

(d) is convicted of an offence affecting public trust, or of theft or fraud, or of knowingly receiving property obtained by theft or fraud, or of bribery or of money laundering, or has otherwise been sentenced to a term of imprisonment; or

(e) is subject to disqualification under article 320 of the Companies Act; or

Cap. 386.

(f) has a financial or other interest in any enterprise or activity which is likely to affect the discharge of his functions as a member of the Board:

Provided that the Minister may waive the disqualification of a person under this paragraph if such person declares the interest, and such declaration and waiver are published in the Gazette.

(6) Subject to the provisions of this article, the office of a member of the Board shall become vacant -

(a) on the expiration of the member's term of office;

(b) if the member resigns; or

(c) if one of the scenarios mentioned in sub-article (4) materialises.

(7) A member of the Board may be removed from office by the Minister if, in the opinion of the Minister, such member is unfit to continue in office or has become incapable of properly performing his duties as a member.

(8) If a member resigns or if the office of a member of the Board is otherwise vacant or if a member is for any reason unable to perform the functions of his office, the Minister may appoint a person who is qualified to be appointed to be a temporary member of the Board; and any person so appointed shall, subject to the provisions of sub-articles (5) and (6), cease to be such a member when a person has been appointed to fill the vacancy or, as the case may be, when the

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member who was unable to perform the functions of his office resumes those functions.

Meetings of the Board.

6. (1) The Board shall meet at least once a month at the place that may be established for such meetings.

(2) The quorum at all meetings of the Board shall be five including the presiding officer.

(3) Subject to the provisions of this Act, the Board may regulate its own procedure and may appoint *ad hoc* committees.

(4) Subject to the foregoing provisions of this article, an act or proceeding of the Board shall be valid notwithstanding any vacancy among its members.

(5) The decisions of the Board shall be taken by a majority of the votes of the members present and voting. In the case of equal votes, the Chairperson or Deputy Chairperson shall have a casting vote.

(6) The Registrar of the Academy will be appointed secretary *ex officio* to keep minutes and records of the meetings and of its decisions.

Functions and duties of the Board.

7. (1) The functions and duties of the Board shall be to:

(a) develop the direction, strategy and image of the Academy;

(b) administer and control the resources, facilities and property, both movable and immovable, of the Academy including the procurement and utilization of resources for the running of the Academy;

(c) assist and advise the Commander in achieving a level of excellence in the standards of the Academy's courses and programmes;

(d) assist the Director of Studies in ensuring that the Academy adheres to the requirements of the National Commission for Higher Education and the Malta Qualifications Council, as provided in this Act or to any regulation made thereunder and to national policies and strategies in education and national security as adopted by Government from time to time;

(e) establish courses and programmes in consultation

with the Academic Committee;

(f) determine, in accordance with the requirements of the Malta Qualifications Framework, the conditions for admission into a programme or course provided by the Academy;

(g) provide appropriate procedures for the assessment and certification of learners;

(h) issue guidelines and establish procedures concerning the performance and the conduct of students, educators and other persons entrusted with rendering any service at the Academy, whether engaged by an indefinite or a definite contract of service, or by a contract for service, or if seconded or on loan to the Academy by government, public or private entities;

(i) issue guidelines to establish rules relating to any programme or course provided by the Academy;

(j) ensure that proper academic and training levels are retained and improved upon;

(k) establish internal quality assurance schemes as required by this Act or by any regulation made thereunder and required auditing procedures for the operations of the Academy; and

(l) undertake any other function assigned to it by the Minister from time to time.

(2) The Board shall also approve the curricula and syllabi submitted by the Academic Committee and, where it deems it so necessary, to revert the same to such Academic Committee together with its advice about any proposed amendments.

(3) The Board shall ensure that the awards of the Academy are recognised both at a national and at an international level, and that, wherever applicable, are related to the standards established in the Malta Qualifications Framework.

(4) The Minister may make regulations regarding the procedures to be adopted by the Board in the course of its operations.

8. (1) The Minister shall appoint an Academic Committee composed of a Chairperson and four members. The Director of Studies shall be *ex-officio* Chairperson of the Academic Committee.

Academic
Committee.

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One member shall be elected from amongst academic staff at the Academy, two members appointed by the Board and one member appointed by the Minister. The Academy Registrar shall be *ex-officio* Secretary of the Academic Committee.

(2) The Academic Committee shall be responsible for the general direction of the provision of programmes and courses of the Academy, and shall have the following functions:

(a) to propose to the Board the programmes and courses to be provided by the Academy, following consultation with interested stakeholders, regarding the curriculum of such programmes and courses;

(b) to propose to the Board guidelines regarding programmes and courses provided by the Academy, documentation and examinations at the Academy and to establish such awards and distinctions for such candidates satisfying the applicable conditions on completion of the programmes and courses;

(c) to decide about the persons to whom the awards and other distinctions shall be awarded;

(d) to verify the assessment procedures used by the Academy are in conformity with the approved academic policies of the Academy;

(e) to establish, subject to the provisions of this Act and of any regulations made thereunder, the entry conditions to programmes and courses of the Academy;

(f) to nominate Maltese or foreign examiners according to pre-established guidelines and procedures to the Board for its approval;

(g) to recognise, following a recommendation by the competent authorities, according to the Act, such qualifications, awards and distinctions of other education providers for the purpose of access into a programme or course at the Academy; and

(h) to deal with any other matter which refers to education and training and as may arise in the administration of the Academy.

(3) The Academic Committee shall meet at least every six weeks and the quorum for the meetings shall be of not less than one-

half of the number of members of the Committee plus one.

Part IV

Officers and Employees of the Academy

9. (1) There shall be a Commandant responsible for the day-to-day management of the Academy. Commandant.

(2) The Commandant shall be appointed by the Minister after consultation with the Board for a term of three years and shall be eligible for re-appointment on the expiration of his term of office in accordance with the instructions of the Board.

(3) The Commandant shall provide for the engagement of academic, clerical, and other personnel of the Academy.

(4) The Commandant shall have a right to attend the meetings of the Board. without having a right to vote, provided that he shall withdraw from each meeting where matters concerning him personally are discussed.

10. (1) There shall be a Director of Studies who shall be responsible for the setting up of the courses, curriculum and all academic aspects of the Academy and for the implementation of the functions of the Academy. Without prejudice to the generality of the aforesaid, the Director of Studies shall develop such strategies, policy and regulations required for the implementation of the purposes of the Academy, provide information and give advice to the Board on any matter and perform such other duties as may be assigned to him from time to time by the Board. Director of Studies.

(2) The Director of Studies shall be appointed by the Minister after consulting the Board under such terms and conditions as the Minister and the Board may establish. The Director shall hold office for a period of three years from the 1st January of the year for which he is appointed and may be re-appointed for other terms.

(3) The Director of Studies shall report to the Board and shall attend the Board's meetings whenever academic studies are discussed or whenever requested to do so.

(4) The executive and administrative affairs, the organisation of the Academy and the administrative control of its employees, shall fall within the responsibility of the Director of Studies as provided for in this Act, subject to the supervision of the Board.

(5) If the post of Director of Studies becomes vacant during the term of office on account of death, resignation, or for any other

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cause, the Board shall inform the Minister as soon as practicable and the Minister shall appoint another person to fill the vacancy and the person so appointed shall remain in office for the remainder of the term of office of his predecessor:

Provided that the Academy, its employees, and the Board shall continue to act notwithstanding any such vacancy.

Executive
Management
Committee.

11. (1) There shall be an Executive Management Committee of the Academy which shall be constituted of the following persons *ex-officio*:

- (a) the Commandant;
- (b) the Director of Studies;
- (c) the Head of Administration.

(2) Without prejudice to the functions and responsibilities of the members of the Executive Management Committee as provided in this Act, the Executive Management Committee shall operate under the direction of the Commandant and shall have the following functions:

(a) upon consultation with the Academic Committee to develop and propose periodically to the Board, the development plan of the Academy;

(b) to ensure proper dialogue and communication with the Academy;

(c) to ensure that policies, strategy and decisions adopted by the Board and by the Academic Committee are implemented;

(d) to ensure coordination and the effective and efficient functioning of the structures, departments officers and employees of the Academy;

(e) to ensure that all necessary measures are applied, including disciplinary procedures and the auditing and quality assurance processes of all operations within the Academy; and

(f) to perform any other function as may be assigned to the Executive Management Committee by the Commandant.

(3) The Executive Management Committee shall hold minuted meetings on a regular basis as directed by the Board in accordance

with the daily requirements of the Academy.

12. (1) The Chairperson of the Board, after consultation with the Director of Studies, shall provide for the engagement of educators of the Academy. Educators.

(2) The educators shall:

(a) provide high quality training related to the professional formation and enhancement of skills, attitudes and practices that will be utilized in the daily professional lives of the disciplined forces and their contexts taking into account the diverse contexts that exist;

(b) prepare and provide periodical reports to the Academy upon the training and formation services provided to the disciplined forces trainees;

(c) prepare and provide periodical reports to the Academy upon the conduct, behaviour and educational and academic progress and level of the Disciplined Forces trainees;

(d) report any adverse or undesirable conduct and, or behaviour of the disciplinary forces trainees to the Academy;

(e) carry out any other function which is related to or ancillary to the above and as may be assigned by the Academy from time to time.

Part V

Power to make Regulations

13. The Minister may make regulations to give better effect to the provisions of this Act and for the better performance of any of the functions under this Act. Power to make regulations.

Part VI

Repeal

14. Part VI of the Police Act is hereby repealed, without prejudice to anything done or omitted to be done thereunder. Repeal of Part VI of the Police Act. Cap. 164.

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Objects and Reasons

The objects of this Bill are to provide for the establishment of an Academy to be known as the Academy for Training of Members of Disciplined Forces to mainly provide training to recruiting officers, members of the Armed Forces of Malta, members of the Malta Police Force, Prisons Officers and the Civil Protection Officers.

