Legislation and Official Documents

Constitution of the Republic of Malta

- Constitution of Malta (1964) [1]

The Malta Independence order, 1964, and as subsequently amended.

Compulsory Education

- Act No. XIII of 2012 [3] (An Act to amend the law related to Education)

This act provided the legal framework for the amalgamation of the Malta Qualifications Council (MQC) and the National Commission for Higher Education (NCHE) to form the National Commission for Further and Higher Education (NCFHE).


The Code sets out key principles of good conduct and practice for teachers in Malta and Gozo. It is intended to guide teachers’ practice judgements and decisions and to inform parents and the community of these standards.


This Legal Notice established that the National Curriculum of studies for schools in Malta to be the document entitled “Creating the Future Together”.


This Legal Notice establishes the national minimum conditions for all schools regulations.


Legislation that regulates the functioning of School Councils in State schools.


This Act consolidated and reformed the law relating to Education in Malta and set out a number of principles and expressed a philosophy for the educational system.
Amendments to Article 2 (Cap. 327) Education Act [9]

The definition of compulsory school age in Article 2 of Cap. 327 was amended. The new definition excludes students who have completed compulsory school but not yet attained the age of sixteen years from being included as of compulsory school age.

Amendments to Article 23 (Cap. 327) Education Act [10]

This proviso was included at the end of Article 23:

“Provided further that a teacher in possession of a Degree of Bachelor in Education in Early Childhood Education and Care teaching at kindergarten level shall be considered as a teacher for all intents and purposes of the law.”

This is an effect of the requirement for Kindergarten Assistant to have a Degree of Bachelor in Education in Early Childhood and Care. Persons working in Kindergarten and in possession of this qualification are to be considered as teachers and not Kindergarten Assistants.


These regulations set out teachers’ responsibilities towards the pupils in their care, their colleagues at the workplace and the pupils’ parents.

Compulsory Attendance Act 1924 (Act XXII of 1924)

This Act enforced school attendance of registered students until the age of 12 (later raised to 14 years in 1928).

Compulsory Education Ordinance 1946 (Ordinance 11 of 1946)

This Act established that all children between the ages of 6 and 14 had to attend school.

Education Amendment Act, 1978 (Act XXX of 1979)

An Act further to amend the Education Act of 1974 (a temporary Act) which provided the legal basis of the setting up of the New University and the student worker scheme.

Pre-Primary Education

Registration of Childcare Facilities as Educational Establishments Regulations, 2008 [12] (Legal Notice 54 of 2008)

Regulations establishing the process to be followed when registering an establishment to be used for child day care services for children under three years of age.


Subsidiary legislation to the Education Act of 1988 to be effective in all local pre-primary schools (at Kindergarten level).

Primary Education

Subsidiary legislation to the education Act of 1988 applicable to all local primary schools operating in the territory of Malta.

Secondary Education


Legal Notice that regulates the organisation and implementation of the Secondary Education Certificate examinations that complete the secondary education cycle and that are used for entry into Level 3 MQF/EQF post-secondary requirements.

- **Statute for the Matriculation and Secondary Education Certificate Examinations** [16] (Legal Notice 349 of 2014)

This Legal Notice sets out the functions of the Matriculation and Secondary Education Certificate Examinations Board.


Subsidiary legislation to the Education Act of 1988 applicable to all local secondary schools.

Post-Secondary Education

- **Students Maintenance Grants Regulations, 2005** [18] (Legal Notice 372 of 2005)

A Legal Notice setting out the parameters for students to be eligible for the granting of a maintenance grant as support during the times of their studies.

- **Matriculation examination regulations** [19] (Legal Notice 133 of 2013 as amended by Legal Notice 330 of 2013 and 316 of 2014)

This subsidiary legislation regulates the Matriculation Certificate which is the basic entry requirement for first cycle degrees awarded by the University of Malta.


This Legal Notice amends the original Student Maintenance Grants Regulations.


These regulations regulate and provide for matters relation to the Institution of Tourism Studies as an entity established in the Education Act

- **Students Maintenance Grants Regulations, 2005** [18] (Legal Notice 372 of 2005)

A Legal Notice setting out the parameters for students to be eligible for the granting of a maintenance grant as support during the times of their studies.

- **Gan Franglisk Abela Junior College Regulations** [22] (Legal Notice 123 of 1995)

This legal notice regulates the administration of the University Junior College which is the post-secondary educational institution that prepares students for entry into the University of Malta.

Subsidiary legislation to the education Act of 1988 and that is binding to all local post-secondary schools, whether operated by the State, the Independent, the Private or the Church sectors.

**Tertiary Education**

- **student discipline regulations** [24] (2016)

Subsidiary legislation regarding university student code of behaviour.


Regulates all the assessment that contribute towards any award of the University of Malta.

- **University postgraduate awards general regulations** [26] (2008)

Subsidiary legislation to regulate the awarding of second cycle degrees.

- **Education Ordinance, 1946** (Ordinance III of 1946)

This Ordinance provided for the management and the control of the Royal University of Malta and of the Educational Establishment.

- **Bye-Laws of 2014 to amend the Bye-Laws of 2006 in terms of the General Regulations for University Undergraduate Awards, 2004 for the Degree of Bachelor of Education (Honours), 2014** [27] (Legal Notice 94 of 2014)

Additional bye-laws amending the General Regulations for University Undergraduate Awards for the Degree of Bachelor of Education (Honours).

- **Students maintenance grants regulations** [28] (Legal Notice 372 of 2005, as amended by Legal Notices 424 of 2007, and 347 and 431 of 2012; and Act XXVII of 2016)

Regulations regarding the granting of stipends applicable to students joining full-time post-secondary courses, including University first cycle degrees.


Subsidiary legislation that regulates the award of first cycle degrees by the University of Malta.


Regulates the fees that have to be paid by non-Maltese nationals to enrol in University of Malta courses.
• **Certificate in Foundation Studies Course Regulations, 2014** [31] (Legal Notice 352 of 2014)

A Legal Notice setting out the regulations applicable to courses at Certificate in Foundation Studies Level.

• **Statute for the Centre for the Liberal Arts and Sciences, 2014** [32] (Legal Notice 245 of 2014)

This Statute established the Centre for the Liberal Arts and Sciences as an institution of the University of Malta.

• **Statute 11 - Quality Assurance and Academic Audit** [33] (Legal Notice 178 of 1979)

Statute setting out that the University of Malta will have the authority to regularly review policies on academic standards. A Quality Assurance Committee and an Academic Audit Unit will also be set up to ensure that these quality standards are met.

**Further and Higher Education**

• **Further and Higher Education (Licensing, Accreditation and Quality Assurance) Regulations**, 2012 (Legal Notice 296 of 2012 as amended by Legal Notice 150 of 2015) [34]

Provides for the regulation of institutions providing further and higher education and establishing the National Commission for Further and Higher Education as the competent authority for licensing, accrediting and quality assurance for providers and programmes through the establishment of a Quality Assurance Committee.

• **Regulations amending Further and Higher Education** [35] (Licensing, Accreditation and Quality Assurance) Regulations (Legal Notice 150 of 2015 Education Act (Cap. 327) 2015)

This Legal Notice widened the parameters of regulation of Further Education Provision. It also made pluralism in tertiary education possible.


This Act relates to the mutual recognition of qualifications and shall apply to a restricted list of professions and professional activities as listed in an accompanying Schedule.

• **National Commission for Further and Higher Education** [37] (Legal Notice 261 of 2013)

This Notice sets out the functions of the National Commission for Further and Higher Education.

• **Malta Qualifications Framework for Lifelong Learning Regulations, 2012** [38] (Legal Notice 294 of 2012) [39]

These regulations determine the regulatory framework for the classification of qualifications and awards provided through formal, non-formal and informal learning and are based on the Malta Qualifications Framework level descriptors.

• **Validation of Non-formal and Informal Learning Regulations**, 2012 (Legal Notice 295 of 2012 as amended by Legal Notice 194 of 2014) [39]
These regulations provide a regulatory framework for the validation of non-formal and informal learning and for the granting of validation awards within the Malta Qualifications Framework.

- **Mutual Recognition of Higher Education Qualifications in the European Region Regulations** [40] (Legal Notice 280 of 2006 [not yet in force])

This Legal Notice enables persons holding any qualification, issued by a recognised institution of higher education of one of the Party States to have adequate access to a coherent, transparent and reliable assessment of qualifications upon request to the appropriate body. The role of the Malta Qualifications Recognition Centre and that of institutes of higher education within Malta in this assessment process is also outlined in this Legal Notice.

**Education and Training**

- **Council for the Teaching of English Language 2015 Regulations** [41] (Legal Notice 221 of 2015 Education Act (Cap. 327))

This Legal Notice, which is updating previous regulations and bringing these in line with today’s requirements, provides a regulatory framework for the advancement and monitoring of the English Language teaching profession, schools, English Language teachers, non-academic services and ancillary services that together constitute the stay of English Language students who are speaker of other languages.

- **Institute for Education (Establishment) Order** [42] (Legal Notice 140 of 2015, Education Act (Cap. 327))

The Institute for Education was established to develop, organise and deliver continuous development training to persons involved in the delivery of education and educational leadership. Furthermore the Institute will act as a hub for the sharing of positive experiences and act as an educational policy forum.

- **Youth Work Profession Act** [43] (not yet in force) (Act XX of 2014)

This legislation provides for the provisions for the regulation of the youth work professions and related matters.

- **Employment and Training Services Act** [44] (Act XXVII of 1990, Chapter 343 of the Laws of Malta)

An Act for the setting up of a National Employment Authority, for the establishment of an Employment and Training Corporation and for the regulation of employment and training services and matters related to them.

- **Technician Apprentice Scheme, 1990** [45] (Legal Notice 82 of 1990)

This legislation applies in respect of persons who would have entered into an apprenticeship in any of a number of listed trades on or after 1st January, 1990.

- **Extended Skill Training Regulations** [46] (Legal Notice No 73 of 1998 and as subsequently amended)

Legislation regulating apprenticeship schemes.
Adult Learning

- **Fees (Evening Tuition Courses) Regulations** [47] (Legal Notice 116 of 1993)

This Legal Notice regulates the fees payable by persons following evening courses organised by the Directorate for Lifelong Learning.

Initial Teacher Education

- **Postgraduate Certificate in Education – PGCE – Course (Amendment) Regulations, 2007** [48] (Legal Notice 247 of 2007)

Regulations made by the Senate of the University of Malta defining such factors as eligibility criteria, admission requirements and the course of studies.


This Legal Notice provides for the mutual recognition of indicated professional education and training provided by educational institutions of Member States of the European Union.

- **Postgraduate Certificate in Inclusion and Special Educational Needs Course Regulations, 2000** [50] (Legal Notice 178 of 2000)

Regulations defining requirements to follow this course, its duration and what course of studies will be followed, modes of assessment and related information.

Other Legislation

- **Data Protection Act (Cap. 440) Processing of Personal Data (Education Sector) Regulations** [51] (Legal Notice 19 of 2015)

These regulations were set up to regularise data collection in schools especially when data is collected for research purposes. These regulations try to strike a balance between the collection of data and the protection of students’ personal data.

- **European Union Programmes Agency** [52] (Education Act [Cap. 327] Regulations, 2015)

The revised EUPA Legal Notice presents amendments that reflect institutional changes within the Public Administration as well as the new Regulation EU 1288/2013 establishing Erasmus+ in the field of education, training, youth and sport.

- **National Literacy Agency (Establishment) Order, 2014** [53] (Legal Notice 192 of 2014)

This Legal Notice established the National Literacy Agency, an autonomous entity, to carry out functions ensuring the promotion of different aspects of the National Literacy Strategy for All in Malta and Gozo.


Subsidiary legislation regulating educational grants applicable to single parents.

- **Service Management Code** [55], 2014
The Public Service Management Code brings together all standing regulations, circulars and policies on Human Resource Management in the Public Service. Its provisions are aimed to uphold the core values of the Public Service as announced in the Public Administration Act.

- **Maltese Language Act** [56] (Act V of 2004, as amended by Legal Notice 79 of 2011 and Act X of 2013)

This act establishes the National Council for the Maltese Language to promote the National Language of Malta and to provide the necessary means to achieve this aim.

- **National Agency for Examinations (Establishment) Order, 2012** [57] (Legal Notice 324 of 2012)

A Legal Notice establishing the National Agency for Examinations responsible for carrying out functions related to the provision of examinations in Malta.

- **Statute for the Centre for Literacy, 2012** [58] (Legal Notice 19 of 2010, as amended by Legal Notice 199 of 2012)

This Legal Notice established the Centre for Literacy as an institution within the University of Malta. It also outlined its aims as the promotion of literacy by maintaining a strong partnership with schools and other educational agencies.

- **Public Administration Act, 2009** [59] (Chapter 497 of the Laws of Malta)

This Act affirms the values of the public administration as an instrument for the common good, to provide for the application of those values throughout the public sector and to provide for the organisation and management thereof.

- **Employment and Industrial Relations Act, 2002** [60] (Act XX11 of 2002, Chapter 452 of the Laws of Malta)

This Act consolidated the Conditions of Employment (Regulations) Act (Cap. 135) and the Industrial Relations Act (Cap. 266).

- **Equal Opportunities Act** [61] (Chapter 413 of the Laws of Malta, 2000)

Legislation enacted to safeguard equal opportunities for persons with disabilities.


The Legal Notice established an Institute for Child and Parent Learning Support as an educational structure to take initiatives in support of preventive and remedial strategies against illiteracy and failure in schools.

- **Ecclesiastical Entities (Properties) Act** [63] (Enacted by Act IV of 1992)

This Act provides for the implementation of the Agreement signed on the 28 November, 1991, between the Holy See and Malta relative to the transfer to the State of such immovable property in Malta as is not required by the Catholic Church for pastoral purposes.

- **Agreement on Church Schools** [64] (Agreement of 16 November, 1989)
This Agreement entered into between the Republic of Malta and the Holy See establishes the modes of regulation on Catholic religious instruction and education in state schools, guarantees the existence of Church Schools and binds the State to fund Church schools by covering teacher’s salaries and a part of their recurrent expenditure. Through a related agreement, the Church passed immobile property to the State.