

NATIONAL ACTION PLAN FOR RECOGNITION

MALTA

Malta Qualifications Recognition Information Centre (ENIC/NARIC Malta)

Ministry of Education, Youth and Employment

1. Legislation

1.1 *Lisbon Recognition Convention*

The Lisbon Recognition Convention was ratified by Malta on the 16th November 2005 coming into force on the 1st of January 2006. The Notification of Ratification was deposited with the Secretary General of the Council of Europe in accordance with Article XL.9 of the Convention. The dispositions of the Convention were transposed into the national legislation on 21st November 2006 by means of Legal Notice 280 (2006). Mutual Recognition of Higher Education Qualifications in the European Region Regulations 2005 as an addendum to Act no XVIII, 2002, Mutual Recognition of Qualifications ACT. The principles and guidelines of the Lisbon and the preceding recognition conventions however had long been taken on board in the praxis of the relevant competent authorities prior to the ratification. Malta was party to the European Region Convention since 1983 and to the Mediterranean Convention since 1986. A de facto implementation was already in place prior to the enactment of Act XVIII of 2002 which established the Malta Qualification Recognition Information Centre (Malta QRIC), in accordance with the principles of the Convention.

1.2 *Review of national legislation relevant to recognition*

Considering the relative characteristic dependability of small island states on foreign awarding authorities despite the exceptionally long standing establishment of the University of Malta (1592), the frequent need of the national competent authorities to value foreign qualifications had generated experience and praxis which preceded legislation.

The Education Act (Cap 327) Section V art. 28 (j) (1988) empowered the University of Malta to value foreign qualifications and academic titles.

Act No. XVIII ‘An Act relating to the Mutual Recognition of Qualifications’ was enacted by Parliament in 2002. This Act establishes the structures for both academic and professional recognition as well as the means of appeal. The position of the Mutual Recognition Coordinator to coordinate professional recognition and to promote the uniform application of the law is also instituted by this Act.

Legal Notice 196 of 2004, subsidiary to the main Act XVIII elaborates further on the recognition structures. The Mutual Recognition of Qualifications Council is established to bring together the major further and higher learning institutions under the chairmanship of the Director, Malta QRIC to co-ordinate the activities related to the recognition and evaluation of qualifications of the various certificate awarding bodies. The Designated Authorities Council which is chaired by the Mutual Recognition Coordinator brings together the license and warrant awarding bodies designated for mutual recognition in relation to regulated professions. This Legal Notice also stipulates the functions of the two evaluation boards within the Malta Qualifications of the Recognition Information Centre, the Academic Credentials Evaluation Board and the Vocational Credentials Evaluating Boards as well as the Mutual Recognition of Qualifications Appeals Board.

Legal Notice 280 of 2006 also subsidiary to Act XVIII transposes the disposition of the Lisbon Convention into the national legislation and officially designates the Malta Recognition Information Centre as the body incorporating ENIC.

Legal Notice 347 of 2005 subsidiary legislation to the Employment and Training Act (Cap 343) establishes an eight level national qualifications framework which facilitates the recognition process.

Act No. XIII of 2006 ‘An Act to amend the Education Act, Cap.327) establishes the National Commission for Higher Education with the functions, *inter alia*, of formulating ‘policies related to the international dimension in further and higher education’, ‘recommend to the competent authority systems and policies for the evaluation, approval, accreditation, authorization and recognition of institutions and programmes that will ensure their quality’ as well as keep a register of authorized and accredited institutions and programmes available in Malta.

Sectoral and General System Legislation: Various laws that access into regulated professions as well as Legal Notice 271 and 212 of 2002 and Legal Notice 160 and 161 of 2004 regarding non-regulated professions.

1.3 Bilateral or regional recognition agreements

Malta is signatory to the following regional recognition conventions:

The European Region Convention (1979): Ratified on 24 March 1983

The Mediterranean Convention (1976): Ratified on 22 January 1986

2. Recognition practice

2.1 Criteria and procedures

a) An overview

Malta QRIC bases its assessments on the principles and criteria laid down by the Lisbon Convention and on the Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications and Periods of Study. Taking into consideration the smallness of scale of the national education system it is not always possible to compare a foreign qualification with a national one and consequently it is common practice to rely heavily on the recognition granted and information forwarded by the state authority of the country in which the qualification would have been conferred. The documentary evidence submitted by the client is taken into serious consideration and, when required the evaluating board consults with recognition counterparts in the ENIC network. On occasions the evaluation board forms *ad hoc* expert committees to advise on the comparative analyses of a qualification.

Learning institutions, regulatory authorities and employers have the right to make their own evaluations while the Malta QRIC provides them with information, support and evaluations or comparative analysis as required.

The Malta QRIC is the mandatory source of information and recognition for the Public Service as stipulated in the Public Service Management Code.

Information is supplied to prospective students as well as training agencies and scholarship sponsors regarding foreign programmes and qualifications.

Desk officers within Malta QRIC are designated to monitor recognition issues of a cluster of countries

The evaluation is based on the following criteria:

- a) Recognition by the state of the country of the award
- b) Admission requirements
- c) Date of award and duration
- d) Level, workload, quality, profile, learning outcomes

Malta QRIC charges no fees for its services.

The number of statements issued by Malta QRIC in the last three years are:

2004	2005	2006
661	627	839

The numbers above do not include verbal and informal consultation with Malta QRIC and evaluations made by learning institutions (Competent Authorities) and by warrant awarding bodies (Designated Authorities).

To facilitate the recognition processes the MaltaQRIC has built a data-base of all the statements it issued since its establishment and is building another data-base on the responses to various recognition issues on the ENIC list-serve.

The desk officers of Malta QRIC are offered opportunities for training and participation in conferences and seminars both locally and abroad, especially in the Thematic Study visits organized by the various NARIC centres.

b. Measures to improve recognition

- Following a Cabinet of Ministers decision a ‘Better Regulation Process’ has been initiated so as to streamline and simplify legislation regarding academic and professional recognition and to facilitate implementation, mobility and accessibility.
- Malta QRIC is planning to build a website that includes a data-base of international education and qualifications systems and recognised foreign institutions and programmes in order to facilitate the recognition processes of competent and designated authorities, employers and selection boards as well as empower prospective students and workers.
- The Malta QRIC will intensify its communication campaign through better use of the media in order to increase public awareness.

c. Overview of the time required to process applications for recognition and measures to improve this time.

The average duration from application to statement does not exceed 15 working days. However in some cases it may take considerably longer if the evaluation requires information from the authority of the awarding country.

2.2 Joint degrees

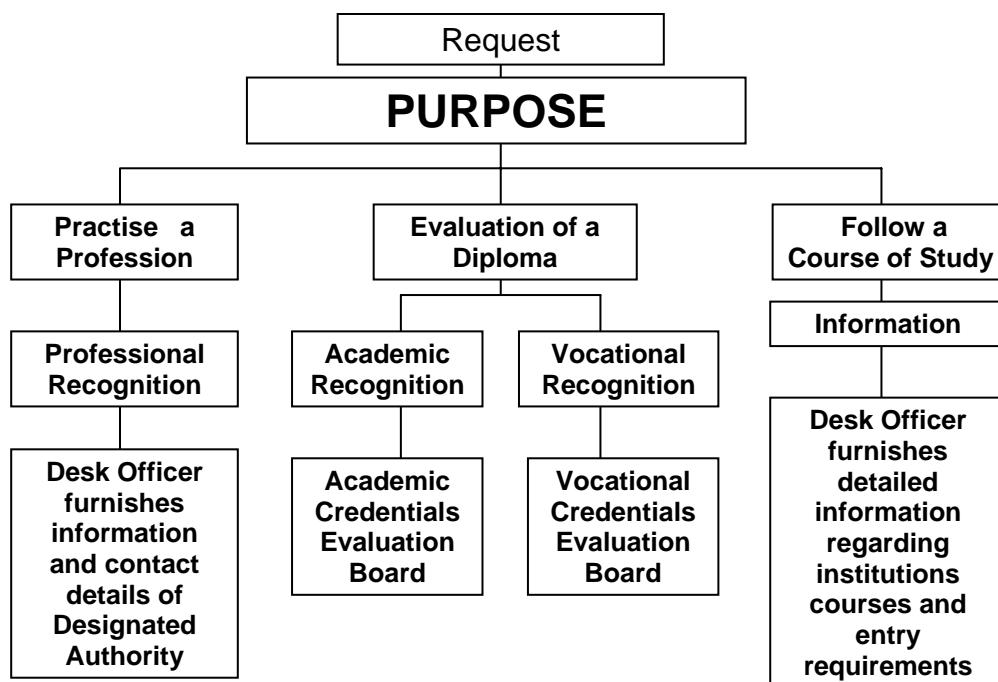
The recognition of joint and double degrees in Malta is subject to the same approach as that accorded to single institution foreign qualification in the sense that the joint degree will be mutually recognized if recognized by the states of the conferring countries. To date Malta QRIC has not encountered any such cases but it is envisaged that in the near future such qualifications recur increasingly.

The University of Malta is effectively participating in various joint programmes together with a number of partner foreign universities.

2.3 Overview of institutional practice

The functions of the Malta Qualifications Recognition Information Centre, as stipulated by Act XVIII and Legal Notice 196/04 are as follows:

- the evaluations of diplomas;
- the provision of assistance to designated authorities, learning institutions and individuals, counterpart bodies and other parties in the comparative analyses and evaluation of qualifications;
- the collection and dissemination of information related to professional and vocational qualifications;
- the promotion of Maltese qualifications abroad;
- the enforcement and facilitation of the applications of the articles of the law relating to comparability of higher education and professional and vocational qualifications;
- the facilitation of academic and work mobility;
- the promotion of transparency of qualifications;
- the Malta agency for NARIC, ENIC and MERIC



a) Whether higher education institutions and other competent authorities comply with the Lisbon Convention and national law

The individual further and higher education learning institutions have the right to make their own decisions regarding the general and specific conditions for access to their programmes. However such decisions need to be in conformity with Legal Notice 280/06 (Act XVIII of 2002) which enforces compliance to the Lisbon Convention. MaltaQRIC supports the evaluation process if so requested.

The Mutual Recognition of Qualifications Council, under the chairmanship of the Director of Malta QRIC brings together the major further and higher learning recognised institutions to co-

ordinate the activities related to the recognition and evaluation of qualifications of the various certificate awarding bodies.

b) what measures could be taken if institutions or authorities were shown consistently not to apply the convention and/or national laws?

Legal Notice 280/06 provides the right of appeal to aggrieved applicants. There has not been such a case to date with regards to access to H.E programmes of study.

2.4 Transparency tools for recognition

European Credit Transfer and Accumulation System (ECTS).

a) ECTS

The University of Malta has had a credit system based on workload in place since the 70's. By way of introducing ECTS, the UoM credit system which was equivalent to 2 ECTS was run concurrently entitling students following an Erasmus programme to automatic conversion of credits from one system to the other. The European Credit Transfer System superseded the preceding credit system through the enactment of Legal Notice 127 of 2004, subsidiary legislation to the Education Act Cap.327.

b) Diploma Supplement

The Diploma supplement is currently being put gradually in place by the University of Malta. The other Europass transparency instruments are also being developed by the relevant organisations which are coordinated by NEC Malta.

c) Other Transparency Tools

The National Qualification Framework for Lifelong Learning is being developed by the Malta Qualifications Council on the basis of the 8 level schedule in Legal Notice 347 of 2005. Apart from its essential function in the national educational context, it is also a very useful transparency tool for recognition.

2.5 Borderless/transnational education

The relative dependency of the education system on foreign awards has brought into existence a considerable number of licensed private providers of courses leading to foreign qualifications. The present regime is to mutually recognize those programmes and qualifications which are accredited and recognized by the official state authority of the country of the awarding body.

Legal Notice 280 regulation 7 (5) stipulates that 'The Minister responsible for education may make the recognition of higher education qualifications issued by foreign education institutions operating in Malta contingent upon specific requirements of national legislation or specific agreements concluded with the Party State of origin of such institutions.

The recently set up Commission for Higher Education (Act XIII of 2006) is reviewing the further and higher education provision in order to advise government on the development, planning and governance of H.E. institutions and to formulate policies related to the international dimensions of higher education.

3. Information provision

3.1 Provision of information on recognition

The Malta Qualification Recognition Information Centre continuously receives requests for information from individuals, learning institutions, employers, competent authorities, and other interested parties both locally and abroad. The requests are made in person, through the telephone, by email or post.

The Malta QRIC organises periodic national conferences on recognition and related issues. The most recent were:

December 2005 : National Consultation Conference on EQF

February 2006 : Recognition and Evaluation Issues

March 2007: National Consultation on ECVET

MaltaQRIC also participated with a stand in several national exhibitions with the intention of disseminating information on the recognition of qualifications. These included the Malta College of Arts Science and Technology Careers Fair, the Employment and Training Corporation Job Fair and the Europe Near to You Exhibition organised by the EU Representation in Malta. Officers from Malta QRIC are often invited as speakers in various dissemination and media events.

3.2 Information package for applicants

a) provision

The Malta QRIC periodically publishes manuals and other dissemination materials. Applicants are given an information manual for reference. The application form can be accessed on www.education.gov.mt/edu/assess_qualifications_form.pdf

The University of Malta course contents and general and specific conditions for access are published in the official Government Gazette. Furthermore through the University website applicants have access to the students' handbook, information about qualifications, regulations and bye-laws. The Students advisory service has put on line FAQs regarding conditions for access.

The State Learning Institutions publish their annual prospectuses which stipulate conditions for access. All institutions have information websites.

b) improvement

The MaltaQRIC plans to construct an up-dated qualifications website with on-line capability and links to pertinent information and legislation. Malta QRIC will also produce new up-dated guidelines and application form.

4. Structures

4.1 National information centre

The Malta Qualifications Recognition Information Centre was officially established with the publication of Act XVIII of 2002 as the official body entrusted by the state to evaluate, advise on, inform, promote, facilitate and enforce on matters regarding comparability of higher education, as well as professional and vocational qualifications.

Legal Notice 196 of 2004 stipulates the structure of the Malta Qualifications Recognition Information Centre. It lists a Director, an Assistant Director and four desk officers two of whom are designated chairpersons of the evaluation boards, the Academic Credentials Evaluation Board and the Vocational Credentials Evaluation Board.

The Mutual Recognition of Qualifications Council has been entrusted with these functions: to coordinate the activities related to the recognition and evaluation of qualifications of the various certificates awarding bodies; to ensure timely dissemination of information related to the issue of qualifications and the recognition of qualifications received from the EU, UNESCO, Council of Europe or similar organisations; to promote and facilitate, coordination in course structure, quality assurance and transparency of qualifications; assist the chairperson in establishing the criteria and policies on which to base the recognition, comparability and evaluation of academic and vocational recognition; promote and develop transparency instruments in qualifications and frameworks of course organisation.

The Council is composed as follows:

Chairman (ex officio) The Director of Malta QRIC

Member appointed by the Senate of the University of Malta

Member appointed by the Board of Governors, Malta College of Arts Science and Technology

Member appointed by the Malta Qualifications Council

A public officer responsible for non-state educational institutions

A representative of the Institute of Tourism Studies

The Assistant Director and Chairpersons of the two evaluation boards within Malta QRIC

The Mutual Recognition Coordinator is nominated by the responsible minister to coordinates the activities of the Designated authorities regulating professions and to promote uniform application of law. The Coordinator also convenes the annual Designated Authorities Conference.

Designated Authorities: Issues related to access to a regulated profession are the competence of the pertinent designated authority with the specific ministry. The designated authorities are empowered to make their own decisions regarding the *de jure* and *de facto* professional recognition in accordance to the relevant national sectoral legislation as well as other legislation pertinent to recognition. A number of designated authorities have their own appeals board.

The Mutual Recognition of Qualifications Appeals Board is composed of a chairperson and two members appointed by the Prime Minister. Persons aggrieved by decisions taken by Designated Authorities in connection with access to a profession may submit an appeal to this board subject to there being no other means of appeal.

The Board has three Divisions:

1. Recognition of higher education diplomas on completion of professional education and training of at least 3 years duration (Legal Notice 271, 2002, Part I)
2. Recognition of other post secondary level education and training courses and long or short secondary level of education courses, possibly complemented by professional training or experience (Legal Notice 271, 2002, Part 2)
3. Recognition of professional activities (Legal Notice 272, 2002)

4.2 Cooperation between recognition/quality assurance bodies

The Higher and Further Learning Institutions have developed their own quality assurance policies.

In June 2006 an Act to amend the Education Act Cap.327 was published on the official gazette setting up the Commission for Higher Education. Amongst its functions the Commission has been entrusted by the state to ‘65. (c) recommend to the competent authority systems and policies for the evaluation, approval, accreditation, authorization and recognition of institutions and programmes that will ensure their quality;’

The MaltaQRIC is keeping close contact with the Commission in connection with several of its functions not least the issue of quality assurance.

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