

SUBSIDIARY LEGISLATION 605.06**STUDENTS MAINTENANCE GRANTS
REGULATIONS**

20th September, 2016

LEGAL NOTICE 308 of 2016, as amended by Legal Notice 320 of 2021.

1. The title of these regulations is the Students Maintenance Grants Regulations. Citation.

2. In these regulations, unless the context otherwise requires - Interpretation.
"the Board" means the Students' Maintenance Grants Board set up in terms of Part III;

"educational institutions" means the institutions referred to in Parts I and II of the Schedule;

"educational level" means the Malta Qualification Framework level as determined by the National Commission for Further and Higher Education or any other authorised body;

"further and higher education" means courses followed in post secondary, vocational and tertiary institutions including apprenticeship courses;

"maintenance grants" means the financial benefits rewarded to full-time post secondary, vocational and tertiary students including students following an apprenticeship course, as outlined in the Schedule;

"the Minister" means the Minister responsible for Education.

3. (1) Save as provided hereunder, these regulations shall apply to full-time post secondary, vocational and tertiary courses including apprenticeship courses. Applicability.
*Amended by:
L.N. 320 of 2021.*

(2) Full-time students who follow a course of further and, or higher education in accordance with these regulations after finishing their obligatory secondary education and who progress in their level of studies in any educational institution shall be entitled to receive the students' maintenance grants as provided that they apply on their first year of studies at every institution or course for the students' maintenance grants and are considered to be eligible in accordance with these regulations:

Provided that the Students Maintenance Grants Board may issue guidelines on the application process.

Part I - Eligibility for the Students' Maintenance Grants by students following a higher educational course

Eligibility for the students' maintenance grants by students following a higher educational course.
Amended by:
L.N. 320 of 2021.

4. (1) The students' maintenance grants shall be awarded to full-time students who are registered and accepted to follow a full-time course as regular students for a day course in higher education institutions as approved by the Minister, after application on a yearly basis and acceptance, and comprising students admitted through the maturity clause in accordance with educational institutions' regulations, and who:

- (a) are Maltese citizens, or have at least one parent being a Maltese citizen; or are nationals of a European Union and, or European Economic Area State or a family member of such European Union and, or European Economic Area national (as defined in the Free Movement of European Union Nationals and their Family Members Order and in the Immigration Regulations, respectively for a European Union and European Economic Area nationals) (provided that such person has obtained permanent residence in Malta in accordance with the Free Movement of European Union Nationals and their Family Members Order and with the Immigration Regulations respectively for European Union and European Economic Area nationals); or be a national of a European Union and, or European Economic Area State who is in Malta exercising his Treaty rights as a worker, self-employed person or person retaining such status in accordance with the Free Movement of European Union Nationals and their Family Members Order; or be a third country national that has been granted refugee and, or long term residence status under the Status of Long-term Residents (Third Country Nationals) Regulations or a person having the same rights as a European Union national under the agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community; and

- (b) have resided in Malta for a period of not less than five consecutive years immediately prior to the commencement of the relative course of studies:

Provided that for the sole purpose of calculating the five consecutive years requirement under these regulations, any period of time during which the student would have been residing outside Malta due to medical treatment or any other purpose that the Board may consider acceptable shall not be considered as residing outside Malta:

Provided further that for any period of time for any other purpose not considered acceptable, the Board shall consider a trip outside Malta of more than six (6) months absence in a year or an aggregate of ten (10) months

S.L. 460.17

S.L. 217.04

S.L. 217.05

- absence in the whole five (5) years as having interrupted the five (5) year residency requirement; and
- (c) have completed their term of compulsory education; and
 - (d) are attending the higher education course regularly and making satisfactory progress; and
 - (e) are not in full-time employment or in part-time employment working more than twenty hours weekly; and
 - (f) are progressing in their level of studies.

Progression of level of studies shall be determined according to the Malta Qualification Framework levels as established by the National Commission for Further and Higher Education or any other competent body.

(2) Non-Maltese and, or Non-EU citizen students applying for maintenance grants shall, upon application for a programme or course of study within their institution, apply for an exemption of fees at the Ministry, following approval of which they may be considered eligible for the students' maintenance grants.

5. (1) Students who qualify and continue to be eligible for the students' maintenance grants under these regulations shall received the maintenance grant as prescribed in Part I of the Schedule. The yearly grant and the one time grant for degree courses shall be remunerated at the beginning of the scholastic year. There shall also be ten four weekly consecutive pays for each academic year which includes the Christmas and Easter recesses but excludes the Summer recess.

Rates of students' maintenance grants for higher educational courses.
Amended by:
L.N. 320 of 2021.

(2) Where the structure of a particular course so warrants, such as in the case of students following an apprenticeship course, or a course having a summer semester, the Board may approve the payment of the four (4) weekly students' maintenance grant, and where applicable, the supplementary grant, and, or the apprenticeship special stipend, during the summer recess.

6. (1) Students who qualify for the students' maintenance grants under regulation 4 and who, due to proven hardship and, or humanitarian situations, are deemed by the Board to qualify for the supplementary maintenance grant, shall receive an additional grant to the four weekly stipend in accordance with the rates indicated in Part I of the Schedule.

Supplementary grant.
Amended by:
L.N. 320 of 2021.

(2) The Board shall determine the eligibility of the application for the supplementary maintenance grants by means testing, on an academic yearly basis. Due consideration shall also be given to the number of persons in the same household who are still pursuing their education.

(3) The Board shall have the right to waive the means testing with respect to:

- (a) students with physical and, or intellectual disability, after ascertaining the level of disability through

documentation issued by authorised bodies; and, or

(b) students who are residing in residential care.

Prescribed courses.
Amended by:
L.N. 320 of 2021.

7. The Minister may, in concurrence with the Minister for Finance, determine those courses at Higher Education as prescribed courses and for which a special rate of students' maintenance grant is to be paid as published by the Board.

High priority courses.
Amended by:
L.N. 320 of 2021.

8. The Minister may, in concurrence with the Minister for Finance, determine which courses at higher education level are to be regarded as high priority courses and for which a special rate of students' maintenance grant is to be paid as published by the Board.

Single parents in receipt of social assistance.
Cap. 318.

9. A student who qualifies for the students' maintenance grants under regulation 4 and is a single parent in receipt of social assistance in accordance with the Social Security Act shall be also eligible for a grant in accordance with the rates established in Part IV of the Schedule.

Part II - General Provisions for Eligibility for the Students' Maintenance Grants and the forfeiture including reimbursement thereof

Employment.
Amended by:
L.N. 320 of 2021.

10. Students who are in full-time employment, part-time self-employed or part-time employment of more than twenty hours a week or on paid leave by their respective employer, or who accept an offer to enter into a contract with an employer whereby they bind themselves to work for that employer following the completion of their course, and who would therefore benefit from a pay or an agreed remuneration whilst following the course of studies, will not be considered eligible for the students' maintenance grants:

Provided that the Board may request students to present acceptable evidence for the above, such as a contract of work, a pay slip, a declaration from an employer or an affidavit.

Repeaters and students pursuing an extension year or an additional year.
Amended by:
L.N. 320 of 2021.

11. (1) Students who are required to repeat one year of the course of studies they are following or who are accepted by the relative educational institution to pursue an extension year or an additional year in which they are required to attend for the course of studies regularly, are to receive during the repeat year, the extension year or the additional year, the four (4) weekly stipend or part thereof in accordance with categories established by the Board according to the hours of attendance:

Provided that students who repeat a year of their chosen course of studies or pursue an extension year or an additional year may still apply for the supplementary grant:

Provided further that students who repeat a year of their chosen course of studies or pursue an extension year or an additional year shall not be eligible for the annual grant.

(2) Students following a revision course at any post-secondary educational institution shall be considered as repeaters for the

purpose of these regulations and shall receive, apart from the four (4) weekly stipend, the initial grant or part thereof if any refund due has been effected.

12. (1) Students whose progression in their course of studies, as assessed through periodical assessment procedures established by the relative educational institution, is deemed to be unsatisfactory, or who are not attending their course regularly, shall forfeit the right to receive the students' maintenance grants or part thereof until such time the relative educational institution certifies that the students have resumed attending regularly and are making satisfactory progress.

Forfeiture of the students' maintenance grants and refunds.
Amended by:
L.N. 320 of 2021.

(2) Students who resign, fail or do not abide by the course regulations shall be obliged to refund the initial yearly grant received for that course of studies and the one time grant received for degree courses if it be the case, or part thereof, in accordance with determined criteria established by the Board.

(3) Students who abandon the course without officially resigning shall be bound to reimburse to the Government all of the initial yearly grant, the one time grant received for that course of studies in case of degree courses and all the four (4) weekly payments, unless it is proved to the satisfaction of the Board that the student had discontinued to attend the course of studies at a determined date.

(4) Students who receive any amount which was not due to them as students' maintenance grants shall be bound to repay the Government of Malta that amount as may be determined by the respective authorities:

Provided that the Board shall have the right to withhold any future maintenance grants for students who have pending established overpayments and who have not sought an agreement regarding reimbursement of overpayments with the Ministry for Education.

(5) Any action to be taken under this regulation shall be barred by a prescriptive period of five years.

13. Students pursuing a second or subsequent course at a lower recognised level or after having completed or partially followed another course of studies at the same level shall not be entitled to receive the students' maintenance grants for that period of time that is equivalent to the period spent in the previous course of studies, if for that previous course of studies they were in receipt of the students' maintenance grants. These students shall during their second or subsequent course only be entitled to the students' maintenance grants for the remaining period of time after termination of the period of the previous course or for the difference in the amount of students' maintenance grants if, for the second or subsequent course, the amount of students' maintenance grants due is higher:

Students pursuing a second or subsequent course.
Amended by:
L.N. 320 of 2021.

Provided that the following instances shall not be deemed to fall within the ambit of this regulation, namely:

(a) a one time shift from one educational course to another

- for every student who fails to complete a course of studies and opts to start another course at the same level or lower;
- (b) progression for a course of a recognized higher level than that previously completed or partially followed;
 - (c) a postgraduate course required as a pre-requisite for the purpose of obtaining a warrant to practise a profession, which may include, as part of it, an unrated preparatory programme, if the student was not in receipt of the students' maintenance grants at the same level;
 - (d) students who pursue the Doctor of Medicine course after having completed or partially followed a degree course:

Provided also that students who pursue the Bachelor of Science (Honours) in Medical Sciences (Intercalated Year) and students who, after following this course, continue their studies as third year students in the Doctor of Medicine course shall be eligible to receive the maintenance grant:

Provided further that students pursuing a second course, determined as a vocational course, at the Malta College of Arts, Science and Technology and which course is classified up to Level 4, after having completed or partially completed another course at that same level or higher at any other education institution, and thus going down the level, will be considered eligible for the initial grant only:

Provided further that the Minister may, after recommendation by the Board, order the remuneration of the students' maintenance grants to a student who is, according to these regulations, not eligible to receive the students' maintenance grants due to special exceptional circumstances.

Part III - Establishment of the Students' Maintenance Grants Board.

Establishment of Students' Maintenance Grants Board.

14. There shall be a Students' Maintenance Grants Board which shall manage the allocation of the students' maintenance grants and to advise the Minister on policy issues related to these grants.

Composition of the Board.
Amended by:
L.N. 320 of 2021.

15. (1) The Board shall be appointed by the Minister for a duration of three (3) years, which may be further extended, and shall be composed of:

- (a) a Chairperson;
- (b) a member nominated by the Minister;
- (c) a member nominated by the Minister for Finance;
- (d) a member nominated by Jobsplus;
- (e) a member nominated by the Rector of the University of Malta;
- (f) a member nominated by the Principal of the Malta

College of Arts, Science and Technology;

(g) a member nominated by the Kunsill Studenti Universitarji; and

(h) a member nominated by the Kunsill Studenti MCAST.

(2) The Minister shall also appoint a person to act as Secretary to the Board and shall ensure the necessary levels of administrative personnel that will enable the Board to fulfil its duties effectively and efficiently.

(3) Members of the Board shall be eligible for re-appointment.

(4) (a) The Board shall meet as often as may be necessary or expedient, but in no case less frequently than once every month.

(b) The Board shall not act unless a quorum consisting of not less than half the number of members is present.

(c) The meetings of the Board shall be chaired by the chairperson or, in his absence, by another member delegated by the chairperson.

(d) Decisions where no consensus is reached shall be taken by a majority of the votes of the members present and voting and in the case of an equality of votes the chairperson shall have and exercise a second or casting vote.

(e) Where a member is absent, without justification, for three (3) consecutive meetings, the Board shall inform the Minister who may proceed to replace the said member.

16. The functions of the Board shall be to:

(a) manage and monitor the effective allocation and payment of students' maintenance grants;

(b) formulate and regularly review procedures regarding the assessment, allocation, payment and entitlements for the receipt of maintenance grants;

(c) establish the criteria and assess, decide and review applications for the supplementary maintenance grants;

(d) establish the criteria and assess, decide and review applications under any other scheme as may be assigned by the Minister from time to time;

(e) consider reports received from the competent educational authorities regarding the students' academic progress and apply sanctions when the minimum requirements are not achieved;

(f) oversee the management and payments of the students' maintenance grants and take all necessary actions to recover any overpaid grants;

(g) plan and implement in a cost effective manner any students' work experience scheme that the Minister

Functions of the Board.
Amended by:
L.N. 320 of 2021.

- may, from time to time, decide to provide;
- (h) recommend changes to the national policy on further and higher education financial support;
 - (i) conduct checks with other authorities on the documents and the veracity of information supplied by applicants; and
 - (j) issue and publish guidelines on the application and administration of these regulations.
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Amended by:
L.N. 320 of 2021.

SCHEDULE

Part I - Students in Post-Secondary and Vocational Education Training Courses

1. A fixed rate of €86.85 per four weeks payable between the 1st October and the 30th June of the scholastic/academic year is deemed as the normal stipend:

Provided that stipend rates are revised every calendar year according to the COLA increase.

2. In the case of students attending courses at the Malta College of Arts, Science and Technology, a fixed rate of €86.85 per four weeks is payable between the 1st October and the 30th June.

3. €232.94 are made available every year to partly cover expenses related to educational material and equipment.

4. An additional supplementary maintenance grant of €74.50 every four weeks shall be paid in terms of regulation 6:

Provided that students who progress to a top-up degree course at the Malta College of Arts, Science and Technology will have €465.87 made available every year in which they follow a top-up degree course, instead of €232.94, to partly cover expenses related to educational material and equipment and a one time grant of €465.87.

For the purpose of this Part of the Schedule, the approved Post-Secondary, Vocational Education & Training Institutions are the following:

De La Salle College (Sixth form)
Giovanni Curmi Higher Secondary School
Junior College, University of Malta
St Aloysius College (Sixth Form)
Malta College of Arts, Science & Technology
Mikiel Ang Refalo Upper Lyceum Gozo
Verdala International School
St. Martin's College, Swatar
St. Edward's College, Cottonera
Seminarju Maġġuri, Gozo
Malta Youth Ballet Foundation ("Diploma in Professional Dance")
Jobsplus
GEM 16+ Educational Programme
Aġenzija Żgħażaġħ:

Provided that students attending the ETC Job Bridge shall be automatically eligible for the normal stipend and the supplementary grant but shall not be eligible for the one time grant for the time established by the ETC as approved by the Board.

Part II - Students in University of Malta Courses

A. General Degree Courses (Level 5 upwards)

1. Except for students following prescribed courses listed hereunder, a fixed rate of €86.85 as normal stipend every four weeks payable between the 1st October and the 30th of June.

2. A sum of €465.87 per academic year to partly cover expenses related to educational material and equipment.

3. A one-time grant of €465.87.

B. Certificate and Diploma Courses (Level 5)

Students who, under the terms of these regulations, are following a full-time day certificate or diploma course at the University of Malta, qualify for the following maintenance grant for the duration of the course of their studies:

1. A fixed rate of €86.85 every four weeks between the 1st October and the 30th of June as normal stipend.

2. A sum of €465.87 per academic year to partly cover expenses related to educational material and equipment.

Students following a level 4 certificate course may be entitled to the same grants as those indicated in Part I of this Schedule, as determined by the Board.

C. Preparatory Programmes

Students who follow preparatory programmes shall only be eligible to the stipend rates and yearly grant indicated in the respective sections mentioned above, unless the Board determines otherwise.

D. Supplementary Maintenance Grant

University students who become entitled to a supplementary maintenance grant in terms of regulation 6 shall be paid the following, instead of the amounts provided for in Sections A and B of this Part:

(a) students attending general degree, diploma and certificate courses:

(i) €291.62 every four weeks;

(ii) €582.34 per annum;

(iii) a one-time grant of €582.34;

(b) students attending prescribed courses:

(i) €291.62 every four weeks;

(ii) €698.81 per annum;

(iii) a one-time grant of €698.81.

Part III - Prescribed Degree Courses

Students who, under the terms established in these regulations, are following a full-time day undergraduate degree course at the University of Malta or at MCAST as prescribed shall qualify for the following maintenance grant for the duration of the course of their studies:

1. A fixed rate of €151.99 every four weeks payable from the commencement till the end of the academic year is deemed as the normal stipend.

2. A sum of €698.81 per academic year to partly cover expenses related to educational material and equipment.

3. A one-time grant of €698.81.

The prescribed courses are those published by the Board on a yearly basis.

Part IV - Single Parents in receipt of Social Assistance

Course leading to qualification leading to accreditation level	Maximum Amount of Grant Payable in Euro
3	200
4	350
5	500
6	700
7	900
8	1,000

Part V - Rates

All rates listed under this Schedule are updated, following approval by the Minister for Education and the Minister for Finance, and are published by the Board on a yearly basis.

Part VI - Apprenticeship

Students following courses which involve a compulsory apprenticeship component are to receive a total amount, when including maintenance grants (any type of grant) and the employer's grant, in line with article 15(1) of the Work-Based Learning and Apprenticeship Act.

The Board shall publish the workings of how the amount is worked out.
