

Report on Case No CEDUC-25-6413

The complaint

1. This is, in effect, the second complaint lodged by this complainant. The complainant is a third country national, regularly living and working in Malta. Earlier this year he sought recognition from the MQRIC Unit within the Malta Further and Higher Education Authority of his Bachelor's Degree in Accounting awarded by the University of Helwan in Egypt. By letter datd 7th March 2025 the Head of MQRIC informed him that the Unit could not, for reasons stated in the same letter, provide him with the requested recognition or level rating. Within 10 days of that letter, he appealed to the MQRIC Appeals Board. On the 30th May 2025 he complained to this Office that he had had no result in connection with the said appeal. This complaint was dismissed on the 2nd June 2025 as premature by the undersigned in light of the known backlog problem with these appeals (for the benefit of the respondent entity, reference is made to the Final Opinion of the 24th September 2024 in Case No CEDUC-24-5139). The reference of the first complaint dismissed as premature is CEDUC-25-6126.

2. On the 5th August 2025, the complainant again reached out to this Office, indicating that he had up till then heard nothing about his appeal. Notice of this second complaint was served upon the Permanent Secretary, MEYR on the 11th August 2025.



Investigation and findings

3. According to the Office of the Permanent Secretary MEYR, the MQRIC Appeals Board was, after the delays highlighted in CEDUC-24-5139, reconstituted in September of 2024. This is only partially correct, and one can also in effect say, not correct at all. By Government Notice No. 1135 of the 6th September 2024 the Chairperson, three members and the secretary of the said Appeals Board were appointed. A third member – who has now taken cognizance of the complainant's appeal, appears to have only been appointed by letter under the hand of the Minister responsible for Education on the 14th of October 2024 (with the date of the termination of his appointment being the 3rd of October 2025, whereas the appointment of all the other members of the Board expires – in effect has expired – on the 4th September 2025).
4. After the (partial?) reconstitution of the MQRIC Appeals Board in September 2024, it was faced with a backlog of over 300 pending appeals. By the end of August 2025, the Board had decided 98 appeals (including the complainant's, decided on the 11th August 2025); another 127 were pending a decision; 121 cases were awaiting replies and/or submission of documentation; while a further 6 were awaiting information from the MQRIC Unit. According to information supplied on oath by the Secretary to the Board, the Board receives an average of 8 to 10 new appeals per week.
5. The Board's dismissal of the complainant's appeal on the 11th August 2025 presents no issues, since in effect it results that he had not produced to the MQRIC Unit one of two documents that the said Unit had indicated would be necessary for a reconsideration by it (that is, at first instance) of his request for



recognition/or level rating. For that reason alone, the complaint, based solely on the issue of delay, will be dismissed as unfounded.

Other concerns

6. From the investigation, however, other issues of concern arise which appear to require the attention of the Administration to ensure the seamless continuity of the work of the Appeals Board and the avoidance of procedural issues in the future, these issues are the following:

- As of today, the mandate or appointment of the members appointed as per G.N 1135 of 2024 (but not the member appointed by letter of the 14th October 2024) has ceased and unless re-appointed cannot lawfully take cognizance of any appeal.
- According to the evidence of the Secretary of the Board, once the members thereof, or a majority, agree upon the outcome of an appeal, the appropriate decision is communicated to the appellant by means of pre-set computer templates. However there appears to be no template catering for a decision upon a point of law from which an appeal lies to the Court of Appeal in its Inferior Jurisdiction (see Art.7(8) of Cap. 451 and Regulation 8(8) of S.L.451.01).
- According to Art.7(4) of Cap.451, the members of the Board shall hold office for a period of three years. For some inexplicable reason, each member and the chair and the secretary were appointed for a one-year stint.



- More critically, Regulation 8(1) of S.L.451.01 mandates (“shall set up”) three divisions of the MQRIC Appeals Board, each one to deal with the awards as outlined in paras (a), (b) and (c) of sub-regulation (1). The Secretary of the Board was completely oblivious to these divisions. The rationale of this regulation is that each division should consist of the chair and the two members of the Board as specified in Art.7(1) of Cap.451, plus two additional members for each division. These divisions are nowhere mentioned in the letters of appointment or in the G.N. setting up the Board. Reinforcing the need for the existence of these divisions is sub-article (2) of said Article 7: *“The Minister may make regulations to regulate the distribution of types of appeals amongst the divisions of the Board, provided that no two divisions of the Board shall deal with the same types of appeals.”*

Conclusion and recommendation

7. In light of all the above, the complaint is dismissed, but the undersigned recommends that necessary corrective action be taken to address as may be necessary the points raised in paragraph 6, above.

Vincent A. De Gaetano
Commissioner for Education

5 September 2025